

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

**S.F. No. 5073**

**(SENATE AUTHORS: PUTNAM)**

<b>DATE</b>	<b>D-PG</b>	<b>OFFICIAL STATUS</b>
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	10206a	Comm report: To pass as amended
	10377	Second reading
05/14/2026	10603a	Special Order: Amended
	10616	Third reading Passed as amended

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; 17.81, by adding a subdivision;

1.7 18.77, subdivision 12, by adding subdivisions; 18.771; 18.79, subdivision 2; 18.81,

1.8 subdivision 3; 18.82; 18.83, subdivision 3; 18.86; 18.91, subdivision 2; 18C.005,

1.9 subdivisions 6, 6a, 25, 33, by adding subdivisions; 18C.211, subdivision 4; 18C.411,

1.10 subdivision 2; 18J.01; 18J.02; 18J.03; 18J.04, subdivisions 1, 2, 3, 4; 18J.05,

1.11 subdivisions 1, 2, 6; 18J.06; 18J.07, subdivisions 3, 4, 5; 18J.09; 18K.02,

1.12 subdivisions 5, 6; 18K.04, subdivision 1; 21.111; 21.112, by adding a subdivision;

1.13 21.113; 21.115; 21.117; 21.119; 21.1195; 21.891, subdivision 2; 28A.0752; 29.21,

1.14 by adding a subdivision; 29.26; 31.01, by adding a subdivision; 31.12; 31.633;

1.15 32D.30, subdivision 5; 34A.01, by adding a subdivision; 35.155, subdivision 4;

1.16 41A.19; 41B.048, subdivisions 2, 4, 5, by adding subdivisions; 583.215; 604A.40,

1.17 subdivision 1; Minnesota Statutes 2025 Supplement, sections 17.1017, subdivision

1.18 9; 17.133, subdivisions 1, 2; 18.79, subdivision 3; 28A.04, subdivision 1; 28A.08,

1.19 subdivision 3; Laws 2023, chapter 43, article 1, section 2, subdivision 5, as

1.20 amended; Laws 2025, chapter 34, article 1, section 2, subdivisions 2, 3, as amended,

1.21 4, as amended; proposing coding for new law in Minnesota Statutes, chapters 18C;

1.22 21; repealing Minnesota Statutes 2024, sections 18.77, subdivision 14; 18K.02,

1.23 subdivision 7; 18K.03, subdivision 2; 28A.075.

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

2.2 **ARTICLE 1**

2.3 **AGRICULTURE APPROPRIATIONS**

2.4 Section 1. **APPROPRIATION; AGRICULTURAL UTILIZATION RESEARCH**  
2.5 **INSTITUTE.**

2.6 \$80,000 in fiscal year 2026 is appropriated from the general fund to the board of directors  
2.7 of the Agricultural Utilization Research Institute for legal costs. This is a onetime  
2.8 appropriation and is available until June 30, 2029.

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

2.10 Sec. 2. Laws 2023, chapter 43, article 1, section 2, subdivision 5, as amended by Laws  
2.11 2024, chapter 126, article 1, section 1, subdivision 5, is amended to read:

2.12 **Subd. 5. Administration and Financial**  
2.13 **Assistance**

16,643,000

14,587,000

2.14 (a) \$474,000 the first year and \$474,000 the  
2.15 second year are for payments to county and  
2.16 district agricultural societies and associations  
2.17 under Minnesota Statutes, section 38.02,  
2.18 subdivision 1. Aid payments to county and  
2.19 district agricultural societies and associations  
2.20 must be disbursed no later than July 15 of each  
2.21 year. These payments are the amount of aid  
2.22 from the state for an annual fair held in the  
2.23 previous calendar year.

2.24 (b) \$350,000 the first year and \$350,000 the  
2.25 second year are for grants to the Minnesota  
2.26 Agricultural Education and Leadership  
2.27 Council for programs of the council under  
2.28 Minnesota Statutes, chapter 41D. The base for  
2.29 this appropriation is \$250,000 in fiscal year  
2.30 2026 and each year thereafter.

2.31 (c) \$2,000 the first year is for a grant to the  
2.32 Minnesota State Poultry Association. This is

3.1 a onetime appropriation. Notwithstanding  
3.2 Minnesota Statutes, section 16A.28, any  
3.3 unencumbered balance does not cancel at the  
3.4 end of the first year and is available for the  
3.5 second year.

3.6 (d) \$18,000 the first year and \$18,000 the  
3.7 second year are for grants to the Minnesota  
3.8 Livestock Breeders Association. This is a  
3.9 onetime appropriation.

3.10 (e) \$60,000 the first year and \$60,000 the  
3.11 second year are for grants to the Northern  
3.12 Crops Institute that may be used to purchase  
3.13 equipment. This is a onetime appropriation.

3.14 (f) \$34,000 the first year and \$34,000 the  
3.15 second year are for grants to the Minnesota  
3.16 State Horticultural Society. This is a onetime  
3.17 appropriation.

3.18 (g) \$25,000 the first year and \$25,000 the  
3.19 second year are for grants to the Center for  
3.20 Rural Policy and Development. This is a  
3.21 onetime appropriation.

3.22 (h) \$75,000 the first year and \$75,000 the  
3.23 second year are appropriated from the general  
3.24 fund to the commissioner of agriculture for  
3.25 grants to the Minnesota Turf Seed Council for  
3.26 basic and applied research on: (1) the  
3.27 improved production of forage and turf seed  
3.28 related to new and improved varieties; and (2)  
3.29 native plants, including plant breeding,  
3.30 nutrient management, pest management,  
3.31 disease management, yield, and viability. The  
3.32 Minnesota Turf Seed Council may subcontract  
3.33 with a qualified third party for some or all of  
3.34 the basic or applied research. Any

4.1 unencumbered balance does not cancel at the  
4.2 end of the first year and is available in the  
4.3 second year. The Minnesota Turf Seed Council  
4.4 must prepare a report outlining the use of the  
4.5 grant money and related accomplishments. No  
4.6 later than January 15, 2025, the council must  
4.7 submit the report to the chairs and ranking  
4.8 minority members of the legislative  
4.9 committees and divisions with jurisdiction  
4.10 over agriculture finance and policy. This is a  
4.11 onetime appropriation.

4.12 (i) \$100,000 the first year and \$100,000 the  
4.13 second year are for grants to GreenSeam for  
4.14 assistance to agriculture-related businesses to  
4.15 support business retention and development,  
4.16 business attraction and creation, talent  
4.17 development and attraction, and regional  
4.18 branding and promotion. These are onetime  
4.19 appropriations. No later than December 1,  
4.20 2024, and December 1, 2025, GreenSeam  
4.21 must report to the chairs and ranking minority  
4.22 members of the legislative committees with  
4.23 jurisdiction over agriculture and rural  
4.24 development with information on new and  
4.25 existing businesses supported, number of new  
4.26 jobs created in the region, new educational  
4.27 partnerships and programs supported, and  
4.28 regional branding and promotional efforts.

4.29 (j) \$1,950,000 the first year and \$1,950,000  
4.30 the second year are for grants to Second  
4.31 Harvest Heartland on behalf of Minnesota's  
4.32 six Feeding America food banks for the  
4.33 following purposes:

4.34 (1) at least \$850,000 each year must be  
4.35 allocated to purchase milk for distribution to

5.1 Minnesota's food shelves and other charitable  
5.2 organizations that are eligible to receive food  
5.3 from the food banks. Milk purchased under  
5.4 the grants must be acquired from Minnesota  
5.5 milk processors and based on low-cost bids.  
5.6 The milk must be allocated to each Feeding  
5.7 America food bank serving Minnesota  
5.8 according to the formula used in the  
5.9 distribution of United States Department of  
5.10 Agriculture commodities under The  
5.11 Emergency Food Assistance Program. Second  
5.12 Harvest Heartland may enter into contracts or  
5.13 agreements with food banks for shared funding  
5.14 or reimbursement of the direct purchase of  
5.15 milk. Each food bank that receives funding  
5.16 under this clause may use up to two percent  
5.17 for administrative expenses. Notwithstanding  
5.18 Minnesota Statutes, section 16A.28, any  
5.19 unencumbered balance the first year does not  
5.20 cancel and is available the second year;

5.21 (2) to compensate agricultural producers and  
5.22 processors for costs incurred to harvest and  
5.23 package for transfer surplus fruits, vegetables,  
5.24 and other agricultural commodities that would  
5.25 otherwise go unharvested, be discarded, or be  
5.26 sold in a secondary market. Surplus  
5.27 commodities must be distributed statewide to  
5.28 food shelves and other charitable organizations  
5.29 that are eligible to receive food from the food  
5.30 banks. Surplus food acquired under this clause  
5.31 must be from Minnesota producers and  
5.32 processors. Second Harvest Heartland may  
5.33 use up to 15 percent of each grant awarded  
5.34 under this clause for administrative and  
5.35 transportation expenses; and

6.1 (3) to purchase and distribute protein products,  
6.2 including but not limited to pork, poultry, beef,  
6.3 dry legumes, cheese, and eggs to Minnesota's  
6.4 food shelves and other charitable organizations  
6.5 that are eligible to receive food from the food  
6.6 banks. Second Harvest Heartland may use up  
6.7 to two percent of each grant awarded under  
6.8 this clause for administrative expenses. Protein  
6.9 products purchased under the grants must be  
6.10 acquired from Minnesota processors and  
6.11 producers.

6.12 Second Harvest Heartland must submit  
6.13 quarterly reports to the commissioner and the  
6.14 chairs and ranking minority members of the  
6.15 legislative committees with jurisdiction over  
6.16 agriculture finance in the form prescribed by  
6.17 the commissioner. The reports must include  
6.18 but are not limited to information on the  
6.19 expenditure of funds, the amount of milk or  
6.20 other commodities purchased, and the  
6.21 organizations to which this food was  
6.22 distributed. The base for this appropriation is  
6.23 \$1,700,000 for fiscal year 2026 and each year  
6.24 thereafter.

6.25 (k) \$25,000 the first year and \$25,000 the  
6.26 second year are for grants to the Southern  
6.27 Minnesota Initiative Foundation to promote  
6.28 local foods through an annual event that raises  
6.29 public awareness of local foods and connects  
6.30 local food producers and processors with  
6.31 potential buyers.

6.32 (l) \$300,000 the first year and \$300,000 the  
6.33 second year are for grants to The Good Acre  
6.34 for the Local Emergency Assistance Farmer  
6.35 Fund (LEAFF) program to compensate

7.1 emerging farmers for crops donated to hunger  
7.2 relief organizations in Minnesota. This is a  
7.3 onetime appropriation.

7.4 (m) \$750,000 the first year and \$750,000 the  
7.5 second year are to expand the Emerging  
7.6 Farmers Office and provide services to  
7.7 beginning and emerging farmers to increase  
7.8 connections between farmers and market  
7.9 opportunities throughout the state. This  
7.10 appropriation may be used for grants,  
7.11 translation services, training programs, or  
7.12 other purposes in line with the  
7.13 recommendations of the Emerging Farmer  
7.14 Working Group established under Minnesota  
7.15 Statutes, section 17.055, subdivision 1. The  
7.16 base for this appropriation is \$1,000,000 in  
7.17 fiscal year 2026 and each year thereafter.

7.18 (n) \$50,000 the first year is to provide  
7.19 technical assistance and leadership in the  
7.20 development of a comprehensive and  
7.21 well-documented state aquaculture plan. The  
7.22 commissioner must provide the state  
7.23 aquaculture plan to the legislative committees  
7.24 with jurisdiction over agriculture finance and  
7.25 policy by February 15, 2025.

7.26 (o) \$337,000 the first year and \$337,000 the  
7.27 second year are for farm advocate services.  
7.28 Of these amounts, \$50,000 the first year and  
7.29 \$50,000 the second year are for the  
7.30 continuation of the farmland transition  
7.31 programs and may be used for grants to  
7.32 farmland access teams to provide technical  
7.33 assistance to potential beginning farmers.  
7.34 Farmland access teams must assist existing  
7.35 farmers and beginning farmers with

8.1 transitioning farm ownership and farm  
8.2 operation. Services provided by teams may  
8.3 include but are not limited to mediation  
8.4 assistance, designing contracts, financial  
8.5 planning, tax preparation, estate planning, and  
8.6 housing assistance.

8.7 (p) \$260,000 the first year and \$260,000 the  
8.8 second year are for a pass-through grant to  
8.9 Region Five Development Commission to  
8.10 provide, in collaboration with Farm Business  
8.11 Management, statewide mental health  
8.12 counseling support to Minnesota farm  
8.13 operators, families, and employees, and  
8.14 individuals who work with Minnesota farmers  
8.15 in a professional capacity. Region Five  
8.16 Development Commission may use up to 6.5  
8.17 percent of the grant awarded under this  
8.18 paragraph for administration.

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

8.22 (r) \$1,084,000 the first year and \$500,000 the  
8.23 second year are to support IT modernization  
8.24 efforts, including laying the technology  
8.25 foundations needed for improving customer  
8.26 interactions with the department for licensing  
8.27 and payments. This is a onetime appropriation.

8.28 (s) \$275,000 the first year is for technical  
8.29 assistance grants to certified community  
8.30 development financial institutions that  
8.31 participate in United States Department of  
8.32 Agriculture loan or grant programs for small  
8.33 or emerging farmers, including but not limited  
8.34 to the Increasing Land, Capital, and Market  
8.35 Access Program. For purposes of this

9.1 paragraph, "emerging farmer" has the meaning  
9.2 given in Minnesota Statutes, section 17.055,  
9.3 subdivision 1. The commissioner may use up  
9.4 to 6.5 percent of this appropriation for costs  
9.5 incurred to administer the program.

9.6 Notwithstanding Minnesota Statutes, section  
9.7 16A.28, any unencumbered balance does not  
9.8 cancel at the end of the first year and is  
9.9 available in the second year. This is a onetime  
9.10 appropriation.

9.11 (t) \$1,425,000 the first year and \$1,425,000  
9.12 the second year are for transfer to the  
9.13 agricultural and environmental revolving loan  
9.14 account established under Minnesota Statutes,  
9.15 section 17.117, subdivision 5a, for low-interest  
9.16 loans under Minnesota Statutes, section  
9.17 17.117.

9.18 (u) \$150,000 the first year and \$150,000 the  
9.19 second year are for administrative support for  
9.20 the Rural Finance Authority.

9.21 (v) The base in fiscal years 2026 and 2027 is  
9.22 \$150,000 each year to coordinate  
9.23 climate-related activities and services within  
9.24 the Department of Agriculture and  
9.25 counterparts in local, state, and federal  
9.26 agencies and to hire a full-time climate  
9.27 implementation coordinator. The climate  
9.28 implementation coordinator must coordinate  
9.29 efforts seeking federal funding for Minnesota's  
9.30 agricultural climate adaptation and mitigation  
9.31 efforts and develop strategic partnerships with  
9.32 the private sector and nongovernment  
9.33 organizations.

9.34 (w) \$1,200,000 the first year and \$930,000 the  
9.35 second year are to maintain the current level

10.1 of service delivery. The base for this  
10.2 appropriation is \$1,065,000 in fiscal year 2026  
10.3 and \$1,065,000 in fiscal year 2027 and each  
10.4 year thereafter.

10.5 (x) \$250,000 the first year is for a grant to the  
10.6 Board of Regents of the University of  
10.7 Minnesota to purchase equipment for the  
10.8 Veterinary Diagnostic Laboratory to test for  
10.9 chronic wasting disease, African swine fever,  
10.10 avian influenza, and other animal diseases.  
10.11 The Veterinary Diagnostic Laboratory must  
10.12 report expenditures under this paragraph to  
10.13 the legislative committees with jurisdiction  
10.14 over agriculture finance and higher education  
10.15 with a report submitted by January 3, 2024,  
10.16 and a final report submitted by December 31,  
10.17 2024. The reports must include a list of  
10.18 equipment purchased, including the cost of  
10.19 each item.

10.20 (y) \$1,000,000 the first year and \$1,000,000  
10.21 the second year are to award and administer  
10.22 down payment assistance grants under  
10.23 Minnesota Statutes, section 17.133, with  
10.24 priority given to eligible applicants with no  
10.25 more than \$100,000 in annual gross farm  
10.26 product sales and eligible applicants who are  
10.27 producers of industrial hemp, cannabis, or one  
10.28 or more of the following specialty crops as  
10.29 defined by the United States Department of  
10.30 Agriculture for purposes of the specialty crop  
10.31 block grant program: fruits and vegetables,  
10.32 tree nuts, dried fruits, medicinal plants,  
10.33 culinary herbs and spices, horticulture crops,  
10.34 floriculture crops, and nursery crops.  
10.35 Notwithstanding Minnesota Statutes, section

11.1 16A.28, any unencumbered balance at the end  
11.2 of the first year does not cancel and is  
11.3 available in the second year and appropriations  
11.4 encumbered under contract by June 30, 2025,  
11.5 are available until June 30, 2027.

11.6 (z) \$222,000 the first year and \$322,000 the  
11.7 second year are for meat processing training  
11.8 and retention incentive grants under section  
11.9 5. By December 1 each year in 2026, 2027,  
11.10 and 2028, the commissioner must submit a  
11.11 report to the chairs and ranking minority  
11.12 members of the legislative committees with  
11.13 jurisdiction over agriculture finance and policy  
11.14 detailing uses of the funds in this paragraph,  
11.15 including award amounts to each partner  
11.16 organization, how much of each award was  
11.17 used, the types of expenses paid for with the  
11.18 funds, and the number of employees served.

11.19 The commissioner may use up to 6.5 percent  
11.20 of this appropriation for costs incurred to  
11.21 administer the program. Notwithstanding  
11.22 Minnesota Statutes, section 16A.28, any  
11.23 unencumbered balance does not cancel at the  
11.24 end of the first year and is available in the  
11.25 second year. This is a onetime appropriation  
11.26 and is available until June 30, 2028.

11.27 (aa) \$300,000 the first year and \$300,000 the  
11.28 second year are for transfer to the Board of  
11.29 Regents of the University of Minnesota to  
11.30 evaluate, propagate, and maintain the genetic  
11.31 diversity of oilseeds, grains, grasses, legumes,  
11.32 and other plants including flax, timothy,  
11.33 barley, rye, triticale, alfalfa, orchard grass,  
11.34 clover, and other species and varieties that  
11.35 were in commercial distribution and use in

12.1 Minnesota before 1970, excluding wild rice.  
 12.2 This effort must also protect traditional seeds  
 12.3 brought to Minnesota by immigrant  
 12.4 communities. This appropriation includes  
 12.5 funding for associated extension and outreach  
 12.6 to small and Black, Indigenous, and People of  
 12.7 Color (BIPOC) farmers. This is a onetime  
 12.8 appropriation.

12.9 (bb) \$300,000 the second year is to award and  
 12.10 administer beginning farmer equipment and  
 12.11 infrastructure grants under Minnesota Statutes,  
 12.12 section 17.055. This is a onetime  
 12.13 appropriation.

12.14 (cc) \$25,000 the first year is for the credit  
 12.15 market report. Notwithstanding Minnesota  
 12.16 Statutes, section 16A.28, any unencumbered  
 12.17 balance does not cancel at the end of the first  
 12.18 year and is available in the second year. This  
 12.19 is a onetime appropriation.

12.20 (dd) The commissioner shall continue to  
 12.21 increase connections with ethnic minority and  
 12.22 immigrant farmers to farming opportunities  
 12.23 and farming programs throughout the state.

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

12.25 Sec. 3. Laws 2025, chapter 34, article 1, section 2, subdivision 2, is amended to read:

12.26 Subd. 2. **Protection Services**

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

12.31 (a) \$399,000 the first year and \$399,000 the  
 12.32 second year are from the remediation fund for

13.1 administrative funding of the voluntary  
13.2 cleanup program.

13.3 (b) \$639,000 the first year and \$639,000 the  
13.4 second year are for the soil health financial  
13.5 assistance program under Minnesota Statutes,  
13.6 section 17.134. The commissioner may award  
13.7 no more than \$50,000 of the appropriation  
13.8 each year to a single recipient.

13.9 Notwithstanding Minnesota Statutes, section  
13.10 16B.98, subdivision 14, the commissioner may  
13.11 use up to 6.5 percent of this appropriation for  
13.12 costs incurred to administer the program. Any  
13.13 unencumbered balance does not cancel at the  
13.14 end of the first year and is available in the  
13.15 second year. Appropriations encumbered  
13.16 under contract on or before June 30, 2027, for  
13.17 soil health financial assistance grants are  
13.18 available until June 30, 2029.

13.19 (c) \$275,000 the first year and \$250,000 the  
13.20 second year are for compensation for livestock  
13.21 destroyed or crippled by a wolf under  
13.22 Minnesota Statutes, section 3.737. The first  
13.23 year appropriation may be spent to compensate  
13.24 for livestock that were destroyed or crippled  
13.25 during fiscal year 2025. If the amount in the  
13.26 first year is insufficient, the amount in the  
13.27 second year is available in the first year. The  
13.28 commissioner may use up to \$5,000 each year  
13.29 to reimburse expenses incurred by university  
13.30 extension educators to provide fair market  
13.31 values of destroyed or crippled livestock. If  
13.32 the commissioner receives federal money to  
13.33 pay claims for destroyed or crippled livestock,  
13.34 an equivalent amount of this appropriation  
13.35 may be used to reimburse nonlethal prevention

14.1 methods performed by federal wildlife services  
14.2 staff. The base for this appropriation is  
14.3 \$175,000 in fiscal year 2028 and each year  
14.4 thereafter.

14.5 (d) \$255,000 the first year and \$230,000 the  
14.6 second year are for compensation for crop or  
14.7 fence damage caused by elk under Minnesota  
14.8 Statutes, section 3.7371. If the amount in the  
14.9 first year is insufficient, the amount in the  
14.10 second year is available in the first year. The  
14.11 commissioner may use up to \$10,000 of the  
14.12 appropriation each year to reimburse expenses  
14.13 incurred by the commissioner or the  
14.14 commissioner's approved agent to investigate  
14.15 and resolve claims, as well as for costs  
14.16 associated with training for approved agents.  
14.17 The commissioner may use up to \$40,000 of  
14.18 the appropriation each year for grants to  
14.19 producers for measures to protect stored crops  
14.20 from elk damage. If the commissioner  
14.21 determines that claims made under Minnesota  
14.22 Statutes, section 3.737 or 3.7371, are  
14.23 unusually high, amounts appropriated for  
14.24 either program may be transferred to the  
14.25 appropriation for the other program. The base  
14.26 for this appropriation is \$155,000 in fiscal year  
14.27 2028 and each year thereafter.

14.28 (e) \$825,000 the first year and \$825,000 the  
14.29 second year are to replace capital equipment  
14.30 in the Department of Agriculture's analytical  
14.31 laboratory.

14.32 (f) \$750,000 the first year and \$750,000 the  
14.33 second year are for additional meat and poultry  
14.34 inspection services. The commissioner is  
14.35 encouraged to seek inspection waivers, match

15.1 federal money, and offer more online  
15.2 inspections for the purposes of this paragraph.  
15.3 This is a onetime appropriation.  
15.4 (g) \$500,000 the first year and \$500,000 the  
15.5 second year are for grants to counties to  
15.6 support county agricultural inspectors. The  
15.7 commissioner may use up to three percent of  
15.8 the appropriation each year for administration.  
15.9 This is a onetime appropriation. County  
15.10 agricultural inspectors and county-designated  
15.11 employees must annually submit an  
15.12 application, on a form approved by the  
15.13 commissioner, to be eligible for funding  
15.14 during a given year. The commissioner must  
15.15 equally divide available grant money among  
15.16 eligible counties. To be eligible for grants  
15.17 under this section, a county must employ a  
15.18 county agricultural inspector or a  
15.19 county-designated employee who:  
15.20 (1) has attended training for new county  
15.21 agricultural inspectors offered by the  
15.22 commissioner;  
15.23 (2) coordinates with the commissioner to  
15.24 review applicable laws and enforcement  
15.25 procedures;  
15.26 (3) compiles and submits to the commissioner  
15.27 local weed inspector annual report data;  
15.28 (4) conducts an annual meeting and training  
15.29 for local weed inspectors; and  
15.30 (5) assists the commissioner with control  
15.31 programs and other agricultural programs  
15.32 when requested under Minnesota Statutes,  
15.33 section 18.81, subdivision 1b, as directed by  
15.34 the county board.

16.1 (h) \$250,000 the first year and \$250,000 the  
16.2 second year are appropriated to establish and  
16.3 administer the biofertilizer innovation and  
16.4 efficiency program ~~under Minnesota Statutes,~~  
16.5 ~~section 18C.113.~~ The commissioner may use  
16.6 up to 6.5 percent of this appropriation for costs  
16.7 incurred to administer the program.

16.8 Notwithstanding Minnesota Statutes, section  
16.9 16A.28, any unencumbered balance at the end  
16.10 of fiscal year 2026 does not cancel and is  
16.11 available until June 30, 2027. This is a onetime  
16.12 appropriation.

16.13 ~~(h)~~ (i) \$75,000 the first year is to conduct an  
16.14 evaluation of the practice performance and  
16.15 economic performance of the Olmsted County  
16.16 groundwater protection and soil health  
16.17 initiative, including the cover crop program,  
16.18 alternative crops program, and haying,  
16.19 grazing, and pasture enhancement program.

16.20 The evaluation must look at environmental  
16.21 outcomes, include a cost-benefit analysis, and  
16.22 be submitted to the chairs and ranking  
16.23 minority members of the legislative  
16.24 committees and divisions with jurisdiction  
16.25 over agriculture policy and finance by June 1,  
16.26 2027. The commissioner may contract with  
16.27 an independent third party to conduct the  
16.28 evaluation.

16.29 ~~(i)~~ (j) \$420,000 the first year and \$924,000  
16.30 the second year are to support current services.

17.1 Sec. 4. Laws 2025, chapter 34, article 1, section 2, subdivision 3, as amended by Laws  
 17.2 2025, First Special Session chapter 11, section 11, is amended to read:

17.3	<b>Subd. 3. Agricultural Marketing and</b>		<u>23,301,000</u>
17.4	<b>Development</b>	23,551,000	<u>24,301,000</u>

17.5 (a) \$634,000 the first year and \$634,000 the  
 17.6 second year are for the continuation of the  
 17.7 dairy development and profitability  
 17.8 enhancement program, including dairy  
 17.9 profitability teams and dairy business planning  
 17.10 grants under Minnesota Statutes, section  
 17.11 32D.30.

17.12 (b) The commissioner may use funds  
 17.13 appropriated in this subdivision for annual  
 17.14 cost-share payments to resident farmers or  
 17.15 entities that sell, process, or package  
 17.16 agricultural products in this state for the costs  
 17.17 of organic certification. The commissioner  
 17.18 may allocate these funds for assistance to  
 17.19 persons transitioning from conventional to  
 17.20 organic agriculture.

17.21 (c) \$100,000 the first year and \$100,000 the  
 17.22 second year are for mental health outreach and  
 17.23 support to farmers, ranchers, farm workers  
 17.24 and employees, and others in the agricultural  
 17.25 community and profession and for farm and  
 17.26 farm worker safety grant and outreach  
 17.27 programs under Minnesota Statutes, section  
 17.28 17.1195. Mental health outreach and support  
 17.29 may include a 24-hour hotline, stigma  
 17.30 reduction, and education. Notwithstanding  
 17.31 Minnesota Statutes, section 16A.28, any  
 17.32 unencumbered balance does not cancel at the  
 17.33 end of the first year and is available in the  
 17.34 second year. The base for this appropriation

18.1 is \$50,000 in fiscal year 2028 and each year  
18.2 thereafter.

18.3 (d) \$700,000 the first year and \$700,000 the  
18.4 second year are for the local food purchasing  
18.5 assistance grant program under article 3,  
18.6 section 35. Notwithstanding Minnesota  
18.7 Statutes, section 16A.28, any unencumbered  
18.8 balance does not cancel at the end of the first  
18.9 year and is available in the second year.

18.10 (e) \$1,000,000 the second year is to expand  
18.11 the Emerging Farmers Office and provide  
18.12 services to beginning and emerging farmers  
18.13 to increase connections between farmers and  
18.14 market opportunities throughout the state. This  
18.15 appropriation may be used for grants,  
18.16 translation services, training programs, or  
18.17 other purposes in line with the  
18.18 recommendations of the emerging farmer  
18.19 working group established under Minnesota  
18.20 Statutes, section 17.055, subdivision 1.

18.21 ~~(e)~~ (f) \$18,257,000 the first year and  
18.22 \$18,007,000 the second year are for the  
18.23 agricultural growth, research, and innovation  
18.24 program under Minnesota Statutes, section  
18.25 41A.12. The base for this appropriation is  
18.26 \$17,449,000 in fiscal year 2028 and each year  
18.27 thereafter.

18.28 ~~(f)~~ (g) Except as provided in paragraph ~~(g)~~ (h),  
18.29 the commissioner may allocate the  
18.30 appropriation in paragraph ~~(e)~~ (f) each year  
18.31 among the following areas: facilitating the  
18.32 startup, modernization, improvement, or  
18.33 expansion of livestock operations, including  
18.34 beginning and transitioning livestock  
18.35 operations with preference given to robotic

19.1 dairy-milking equipment; assisting  
19.2 value-added agricultural businesses to begin  
19.3 or expand, to access new markets, or to  
19.4 diversify, including aquaponics systems, with  
19.5 preference given to hemp fiber processing  
19.6 equipment; facilitating the startup,  
19.7 modernization, or expansion of other  
19.8 beginning and transitioning farms, including  
19.9 by providing loans under Minnesota Statutes,  
19.10 section 41B.056; sustainable agriculture  
19.11 on-farm research and demonstration; the  
19.12 development or expansion of food hubs and  
19.13 other alternative community-based food  
19.14 distribution systems; enhancing renewable  
19.15 energy infrastructure and use; crop research,  
19.16 including basic and applied turf seed research;  
19.17 Farm Business Management tuition assistance;  
19.18 supporting the commercialization of an  
19.19 innovative material additive utilizing  
19.20 agricultural coproducts or waste streams to  
19.21 produce fiber-based barrier packaging to  
19.22 reduce perfluoroalkyl and polyfluoroalkyl  
19.23 substances (PFAS) and plastics in packaging  
19.24 products; and good agricultural practices and  
19.25 good handling practices certification  
19.26 assistance. Notwithstanding Minnesota  
19.27 Statutes, section 16B.98, subdivision 14, the  
19.28 commissioner may use up to 7.5 percent of  
19.29 the appropriation in paragraph ~~(e)~~ (f) for costs  
19.30 incurred to administer the program.

19.31 ~~(g)~~ (h) Of the amount appropriated for the  
19.32 agricultural growth, research, and innovation  
19.33 program under Minnesota Statutes, section  
19.34 41A.12:

20.1 (1) \$1,000,000 the first year and \$1,000,000  
20.2 the second year are for distribution in equal  
20.3 amounts to each of the state's county fairs to  
20.4 preserve and promote Minnesota agriculture;

20.5 (2) \$3,000,000 the first year and \$3,000,000  
20.6 the second year are for incentive payments  
20.7 under Minnesota Statutes, sections 41A.16,  
20.8 41A.17, 41A.18, and 41A.20. If this  
20.9 appropriation exceeds the total amount for  
20.10 which all producers are eligible in a fiscal  
20.11 year, the balance of the appropriation is  
20.12 available for other purposes under this  
20.13 paragraph;

20.14 (3) \$2,750,000 the first year and \$2,750,000  
20.15 the second year are for grants that enable retail  
20.16 petroleum dispensers, fuel storage tanks, and  
20.17 other equipment to dispense biofuels to the  
20.18 public in accordance with the biofuel  
20.19 replacement goals established under  
20.20 Minnesota Statutes, section 239.7911. A retail  
20.21 petroleum dispenser selling petroleum for use  
20.22 in spark ignition engines for vehicle model  
20.23 years after 2000 is eligible for grant money  
20.24 under this clause if the retail petroleum  
20.25 dispenser has no more than 20 retail petroleum  
20.26 dispensing sites and each site is located in  
20.27 Minnesota. The grant money must be used to  
20.28 replace or upgrade equipment that does not  
20.29 have the ability to be certified for E25. A grant  
20.30 award must not exceed 65 percent of the cost  
20.31 of the appropriate technology. A grant award  
20.32 must not exceed \$200,000 per station. The  
20.33 commissioner must cooperate with biofuel  
20.34 stakeholders in the implementation of the grant  
20.35 program. The commissioner, in cooperation

21.1 with any economic or community development  
21.2 financial institution and any other entity with  
21.3 which the commissioner contracts, must  
21.4 submit ~~a~~ the report on under Minnesota  
21.5 Statutes, section 41A.12, subdivision 3, that  
21.6 includes metrics of the biofuels infrastructure  
21.7 financial assistance program ~~by January 15~~  
21.8 each year to the chairs and ranking minority  
21.9 members of the legislative committees and  
21.10 divisions with jurisdiction over agriculture  
21.11 policy and finance. The annual report must  
21.12 include but not be limited to a summary of the  
21.13 following metrics: (i) the number and types  
21.14 of projects financed; (ii) the amount of dollars  
21.15 leveraged or matched per project; (iii) the  
21.16 geographic distribution of financed projects;  
21.17 (iv) any market expansion associated with  
21.18 upgraded infrastructure; (v) the demographics  
21.19 of the areas served; (vi) the costs of the  
21.20 program; and (vii) the number of grants to  
21.21 minority-owned or female-owned businesses;  
21.22 (4) \$350,000 the first year and \$250,000 the  
21.23 second year are for grants to facilitate the  
21.24 startup, modernization, or expansion of meat,  
21.25 poultry, egg, and milk processing facilities. A  
21.26 grant award under this clause must not exceed  
21.27 \$200,000;  
21.28 (5) \$1,594,000 the first year and \$1,544,000  
21.29 the second year are for providing more fruits,  
21.30 vegetables, meat, poultry, grain, and dairy for  
21.31 children in school and early childhood  
21.32 education settings, including, at the  
21.33 commissioner's discretion, providing grants  
21.34 to reimburse schools and early childhood  
21.35 education and child care providers for

22.1 purchasing equipment and agricultural  
22.2 products. Of the amount appropriated,  
22.3 \$150,000 each year is for a statewide  
22.4 coordinator of farm-to-institution strategy and  
22.5 programming. The coordinator must consult  
22.6 with relevant stakeholders and provide  
22.7 technical assistance and training for  
22.8 participating farmers and eligible grant  
22.9 recipients. The base for this appropriation is  
22.10 \$1,636,000 in fiscal year 2028 and each year  
22.11 thereafter. At the commissioner's discretion,  
22.12 for state administration of federal cooperative  
22.13 agreements for purchasing Minnesota grown  
22.14 and raised foods for schools, child care  
22.15 providers, food banks, and other institutions,  
22.16 the commissioner may use an amount of state  
22.17 funds equal to no more than 7.5 percent of the  
22.18 total federal funds awarded to the state. The  
22.19 commissioner shall expend any available  
22.20 federal administrative funds awarded for this  
22.21 purpose before using state funds;

22.22 (6) up to \$1,750,000 the first year and up to  
22.23 \$1,750,000 the second year are for grants to  
22.24 facilitate the development of urban agriculture,  
22.25 including projects related to youth education,  
22.26 community and economic development,  
22.27 value-added processing, and vocational  
22.28 training;

22.29 (7) \$1,000,000 the first year and \$1,000,000  
22.30 the second year are for the food retail  
22.31 improvement and development program under  
22.32 Minnesota Statutes, section 17.1017;

22.33 (8) up to \$200,000 the first year and up to  
22.34 \$200,000 the second year are for cooperative

23.1 development grants under Minnesota Statutes,  
23.2 section 17.1016;

23.3 (9) \$250,000 the first year and \$150,000 the  
23.4 second year are for the protecting livestock  
23.5 grant program for producers to support the  
23.6 installation of measures to prevent the  
23.7 transmission of avian influenza. For the  
23.8 appropriation in this clause, a grant applicant  
23.9 must document a cost-share of 20 percent. An  
23.10 applicant's cost-share amount may be reduced  
23.11 up to \$2,000 to cover time and labor costs.  
23.12 This is a onetime appropriation; and

23.13 (10) up to \$525,000 the first year and up to  
23.14 \$525,000 the second year are to award AGRI  
23.15 Works grants to institutions and organizations  
23.16 to provide regional and statewide services.  
23.17 Preference shall be given to legislatively  
23.18 created entities and organizations that enhance  
23.19 agricultural, horticultural, or rural community  
23.20 and economic development, marketing, and  
23.21 promotion, and research and education. A  
23.22 grant award under this clause must not exceed  
23.23 \$200,000. Grants made under this paragraph  
23.24 are subject to the requirements in Minnesota  
23.25 Statutes, sections 16B.98 and 16B.981. This  
23.26 is a onetime appropriation.

23.27 ~~(h)~~ (i) Notwithstanding Minnesota Statutes,  
23.28 section 16A.28, the appropriation in paragraph  
23.29 ~~(e)~~ (f) does not cancel at the end of the second  
23.30 year and is available until June 30, 2029.  
23.31 Appropriations encumbered under contract on  
23.32 or before June 30, 2029, for agricultural  
23.33 growth, research, and innovation grants are  
23.34 available until June 30, 2032. At the end of  
23.35 fiscal year 2027, the commissioner must

24.1 prioritize any money resulting from canceled  
 24.2 contracts to be used for AGRI Works grants  
 24.3 under paragraph ~~(g)~~ (h), clause (10).

24.4 Sec. 5. Laws 2025, chapter 34, article 1, section 2, subdivision 4, as amended by Laws  
 24.5 2025, First Special Session chapter 11, section 12, is amended to read:

24.6	<b>Subd. 4. Administration and Financial</b>		<del>11,145,000</del>
24.7	<b>Assistance</b>	14,179,000	<u>9,895,000</u>

24.8 (a) \$474,000 the first year and \$474,000 the  
 24.9 second year are for payments to county and  
 24.10 district agricultural societies and associations  
 24.11 under Minnesota Statutes, section 38.02,  
 24.12 subdivision 1. Aid payments to county and  
 24.13 district agricultural societies and associations  
 24.14 must be disbursed no later than July 15 each  
 24.15 year. These payments are the amount of aid  
 24.16 from the state for an annual fair held in the  
 24.17 previous calendar year.

24.18 (b) \$300,000 the first year and \$300,000 the  
 24.19 second year are for grants to the Minnesota  
 24.20 Agricultural Education and Leadership  
 24.21 Council for programs of the council under  
 24.22 Minnesota Statutes, chapter 41D. The base for  
 24.23 this appropriation is \$250,000 in fiscal year  
 24.24 2028 and each year thereafter.

24.25 (c) \$1,250,000 the first year ~~and \$1,250,000~~  
 24.26 ~~the second year are~~ is to award and administer  
 24.27 farm down payment assistance grants under  
 24.28 Minnesota Statutes, section 17.133, with  
 24.29 priority given to eligible applicants with no  
 24.30 more than \$100,000 in annual gross farm  
 24.31 product sales and eligible applicants who are  
 24.32 producers of industrial hemp, cannabis, or one  
 24.33 or more of the following specialty crops as  
 24.34 defined by the United States Department of

25.1 Agriculture for purposes of the specialty crop  
25.2 block grant program: fruits and vegetables,  
25.3 tree nuts, dried fruits, medicinal plants,  
25.4 culinary herbs and spices, horticulture crops,  
25.5 floriculture crops, and nursery crops.  
25.6 Notwithstanding Minnesota Statutes, section  
25.7 16A.28, any unencumbered balance at the end  
25.8 of the first year does not cancel and is  
25.9 available in the second year ~~and appropriations~~  
25.10 ~~encumbered under contract by June 30, 2027,~~  
25.11 ~~are available~~ and any unencumbered balance  
25.12 at the end of the second year does not cancel  
25.13 and is available until June 30, 2029. ~~The base~~  
25.14 ~~for this appropriation is \$1,000,000 in fiscal~~  
25.15 ~~year 2028 and each year thereafter.~~

25.16 (d) \$1,000,000 the first year and \$1,000,000  
25.17 the second year are for the purchase of milk  
25.18 for distribution to Minnesota's food shelves  
25.19 and other charitable organizations that are  
25.20 eligible to receive food from the food banks.  
25.21 Milk purchased with grant money must be  
25.22 acquired from Minnesota milk processors and  
25.23 based on low-cost bids. The milk must be  
25.24 allocated to each Feeding America food bank  
25.25 serving Minnesota according to the formula  
25.26 used in the distribution of United States  
25.27 Department of Agriculture commodities under  
25.28 The Emergency Food Assistance Program.  
25.29 The commissioner may enter into contracts or  
25.30 agreements with food banks for shared funding  
25.31 or reimbursement of the direct purchase of  
25.32 milk. Each food bank that receives funding  
25.33 under this paragraph may use up to two  
25.34 percent for administrative expenses.  
25.35 Notwithstanding Minnesota Statutes, section  
25.36 16A.28, any unencumbered balance the first

26.1 year does not cancel and is available the  
26.2 second year.

26.3 (e) \$260,000 the first year and \$260,000 the  
26.4 second year are for a pass-through grant to  
26.5 Region Five Development Commission to  
26.6 provide, in collaboration with Farm Business  
26.7 Management, statewide mental health  
26.8 counseling support to Minnesota farm  
26.9 operators, families, and employees, and  
26.10 individuals who work with Minnesota farmers  
26.11 in a professional capacity. Region Five  
26.12 Development Commission may use up to 7.5  
26.13 percent of the grant awarded under this  
26.14 paragraph for administration.

26.15 (f) \$1,000,000 the first year ~~and \$1,000,000~~  
26.16 ~~the second year are~~ is to expand the Emerging  
26.17 Farmers Office and provide services to  
26.18 beginning and emerging farmers to increase  
26.19 connections between farmers and market  
26.20 opportunities throughout the state. This  
26.21 appropriation may be used for grants,  
26.22 translation services, training programs, or  
26.23 other purposes in line with the  
26.24 recommendations of the emerging farmer  
26.25 working group established under Minnesota  
26.26 Statutes, section 17.055, subdivision 1.

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

26.29 (h) \$337,000 the first year and \$337,000 the  
26.30 second year are for farm advocate services.  
26.31 Of these amounts, \$50,000 the first year and  
26.32 \$50,000 the second year are for the  
26.33 continuation of the farmland transition  
26.34 programs and may be used for grants to  
26.35 farmland access teams to provide technical

27.1 assistance to potential beginning farmers.

27.2 Farmland access teams must assist existing

27.3 farmers and beginning farmers with

27.4 transitioning farm ownership and farm

27.5 operation. Services provided by teams may

27.6 include but are not limited to mediation

27.7 assistance, designing contracts, financial

27.8 planning, tax preparation, estate planning, and

27.9 housing assistance.

27.10 (i) \$3,000,000 the first year is for transfer to

27.11 the Public Facilities Authority for a grant to

27.12 First District Association to acquire land for

27.13 and to design, engineer, construct, equip, and

27.14 furnish a wastewater treatment project. This

27.15 appropriation is in addition to the

27.16 appropriation in Laws 2023, chapter 71, article

27.17 1, section 15, subdivision 7. This appropriation

27.18 is available until the project is completed or

27.19 abandoned, subject to Minnesota Statutes,

27.20 section 16A.642.

27.21 ~~(k)~~ (j) \$50,000 the first year is to be awarded

27.22 as a grant in a competitive bid process to an

27.23 entity that is not a for-profit entity to conduct

27.24 a study of market and workforce factors that

27.25 may contribute to the incorrect marking for

27.26 the installation of underground

27.27 telecommunications infrastructure that is

27.28 located within ten feet of existing underground

27.29 utilities or that crosses the existing

27.30 underground utilities. The study must include

27.31 recommendations to the legislature and be

27.32 submitted to the chairs and ranking minority

27.33 members of the legislative committees and

27.34 divisions with jurisdiction over agriculture

27.35 policy and finance by June 1, 2027.

28.1 ~~(+)~~ (k) \$50,000 the first year is to conduct a  
28.2 study and develop recommendations for  
28.3 establishing an incentive-based program to  
28.4 support and encourage agricultural retailers  
28.5 in promoting 4R nutrient management  
28.6 practices. The 4R nutrient management  
28.7 practices include: the right source of nutrients,  
28.8 at the right rate and right time, in the right  
28.9 place.

28.10 (1) As part of the study, the department must  
28.11 evaluate strategies for leveraging cost-share  
28.12 programs, including the feasibility of  
28.13 coordinating with the Agricultural Water  
28.14 Quality Certification Program and other efforts  
28.15 related to the state's Nutrient Reduction  
28.16 Strategy.

28.17 (2) The commissioner must submit a report  
28.18 detailing its findings, including potential  
28.19 funding sources and proposal outlines for  
28.20 funding requests where appropriate. The  
28.21 commissioner must submit the report to the  
28.22 chairs and ranking minority members of the  
28.23 legislative committees with jurisdiction over  
28.24 agriculture and environment by March 15,  
28.25 2026.

28.26 (l) \$1,250,000 the second year is to award and  
28.27 administer farm down payment assistance  
28.28 grants under Minnesota Statutes, section  
28.29 17.133, with priority given to eligible  
28.30 applicants with annual gross farm product  
28.31 sales between \$1,000 and \$100,000. Of this  
28.32 appropriation, up to 50 percent may be  
28.33 awarded by lottery to priority applicants who  
28.34 possess a purchase agreement as of June 30,  
28.35 2026. Notwithstanding Minnesota Statutes,

29.1 section 16A.28, any unencumbered balance  
 29.2 at the end of the second year does not cancel  
 29.3 and is available until June 30, 2030. The base  
 29.4 for this appropriation is \$1,000,000 in fiscal  
 29.5 year 2028 and each year thereafter.

29.6 ~~(s)~~ (m) The commissioner shall continue to  
 29.7 increase connections with ethnic minority and  
 29.8 immigrant farmers to farming opportunities  
 29.9 and farming programs throughout the state.

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

## 29.11 **ARTICLE 2**

### 29.12 **AGRICULTURE POLICY**

29.13 Section 1. Minnesota Statutes 2025 Supplement, section 17.1017, subdivision 9, is amended  
 29.14 to read:

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

29.22 (1) the number and types of projects financed;

29.23 (2) the amount of dollars leveraged or matched per project;

29.24 (3) the geographic distribution of financed projects;

29.25 (4) the number and types of technical assistance recipients;

29.26 (5) the demographics of the areas served;

29.27 (6) the costs of the program;

29.28 (7) the number of SNAP dollars spent;

29.29 (8) any increase in retail square footage;

29.30 (9) the number of loans or grants to businesses owned by women and Black, Indigenous,  
 29.31 or Persons of Color; and

30.1 (10) measurable economic and health outcomes, including, but not limited to, increases  
 30.2 in sales and consumption of locally sourced and other fresh fruits and vegetables, the number  
 30.3 of construction and retail jobs retained or created, and any health initiatives associated with  
 30.4 the program.

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

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

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

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

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

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

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

30.16 ~~(3)~~ (5) has not, and whose spouse has not, at any time had a direct or indirect ownership  
 30.17 interest in farmland; and

30.18 ~~(4)~~ (6) is not, and whose spouse is not, a family member of the owner of the farmland  
 30.19 that the individual intends to acquire. "Family member" has the meaning given in section  
 30.20 267(c)(4) of the Internal Revenue Code.

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

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

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

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

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

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

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

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

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

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

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

31.11 ~~(f)~~ (g) "Limited market access" means the individual has gross sales of no more than  
 31.12 \$100,000 per year from the sale of farm products.

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

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

31.16 Subd. 2. **Grants.** The commissioner may award farm down payment assistance grants  
 31.17 of up to 30 percent of the purchase price of a farm, with a maximum grant of \$20,000 per  
 31.18 eligible farmer. Each award must be matched with at least \$8,000 of other funding. Grants  
 31.19 under this subdivision may be awarded by a randomized selection process after applications  
 31.20 are collected over a period of no less than 30 calendar days. An eligible farmer must commit  
 31.21 to own and farm the land purchased with assistance provided under this section for at least  
 31.22 five years. For the first five years, each recipient must verify gross farm income of at least  
 31.23 \$1,000 or demonstrate investment of at least \$1,000 in farm business infrastructure,  
 31.24 equipment, perennial crops, or livestock. For each year that a grant recipient does not own  
 31.25 and farm the land during the five-year period, the grant recipient must pay a penalty to the  
 31.26 commissioner equal to 20 percent of the grant amount.

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

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

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

32.1 Sec. 5. Minnesota Statutes 2024, section 17.81, is amended by adding a subdivision to  
32.2 read:

32.3 Subd. 4a. **Agrivoltaic system.** "Agrivoltaic system" means the simultaneous integration  
32.4 of farming, as defined in section 41C.02, subdivision 10, and solar energy generation on  
32.5 the same land.

32.6 Sec. 6. Minnesota Statutes 2024, section 18.77, is amended by adding a subdivision to  
32.7 read:

32.8 Subd. 3b. **Cultivated variety or cultivar.** "Cultivated variety" or "cultivar" means a  
32.9 named plant variety that is clonally propagated to maintain genetic uniformity.

32.10 Sec. 7. Minnesota Statutes 2024, section 18.77, is amended by adding a subdivision to  
32.11 read:

32.12 Subd. 11a. **Plant variety.** "Plant variety" means a more precisely defined group of plants,  
32.13 selected from within a species, with a common set of characteristics.

32.14 Sec. 8. Minnesota Statutes 2024, section 18.77, is amended by adding a subdivision to  
32.15 read:

32.16 Subd. 11b. **Propagate.** "Propagate" means to cause or continue to increase by sexual or  
32.17 asexual reproduction. Propagate includes but is not limited to germination by seed;  
32.18 regeneration of vegetative parts such as roots, stems, or leaves; and the removal of plants  
32.19 from one location and replanting at another location.

32.20 Sec. 9. Minnesota Statutes 2024, section 18.77, subdivision 12, is amended to read:

32.21 Subd. 12. **Propagating parts.** "Propagating parts" means all plant parts, ~~including seeds,~~  
32.22 that are capable of producing new plants.

32.23 Sec. 10. Minnesota Statutes 2024, section 18.77, is amended by adding a subdivision to  
32.24 read:

32.25 Subd. 18. **Reasonable grounds.** "Reasonable grounds" means a report, a complaint,  
32.26 direct observation, or circumstantial evidence, such as the nearby presence of noxious weeds,  
32.27 a history of noxious weed infestation, or other evidence from which a reasonable person  
32.28 acting in good faith might infer the presence of noxious weeds.

33.1 Sec. 11. Minnesota Statutes 2024, section 18.771, is amended to read:

33.2 **18.771 NOXIOUS WEED CATEGORIES.**

33.3 Subdivision 1. Noxious weed categories. (a) For purposes of designation under section  
33.4 18.79, subdivision 13, noxious weed category means each of the following categories:

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

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

33.7 (3) the restricted noxious weeds category;

33.8 (4) the specially regulated plants category; and

33.9 (5) the county noxious weeds category.

33.10 (b) The "prohibited-eradicate noxious weeds" category includes noxious weeds that  
33.11 must be eradicated on all lands within the state. ~~Transportation of the propagating parts of~~  
33.12 ~~prohibited-eradicate noxious weeds is prohibited except as allowed under section 18.82.~~  
33.13 Prohibited-eradicate noxious weeds may and their propagating parts must not be imported  
33.14 into Minnesota or sold or, propagated, or transported in Minnesota, except as allowed under  
33.15 section 18.82. Noxious weeds that are designated as prohibited-eradicate noxious weeds  
33.16 and placed on the prohibited-eradicate noxious weeds list are plants that are not currently  
33.17 known to be present in Minnesota or are not widely established in the state. All  
33.18 prohibited-eradicate noxious weeds must be eradicated.

33.19 (c) The "prohibited-control noxious weeds" category includes noxious weeds that must  
33.20 be controlled on all lands within the state. ~~Transportation of the propagating parts of~~  
33.21 ~~prohibited-control noxious weeds is prohibited~~ Prohibited-control noxious weeds and their  
33.22 propagating parts must not be imported into Minnesota or sold, propagated, or transported  
33.23 in Minnesota, except as allowed under section 18.82. ~~Prohibited-control noxious weeds~~  
33.24 ~~may not be propagated or sold in Minnesota.~~ Noxious weeds that are designated as  
33.25 prohibited-control noxious weeds and placed on the prohibited-control noxious weeds list  
33.26 are plants that are already established throughout the state or regions of the state. At a  
33.27 minimum, these species must be controlled in a way that prevents spread of these species  
33.28 by seed or vegetative means.

33.29 (d) The "restricted noxious weeds" category includes noxious weeds and their propagating  
33.30 parts that ~~may~~ must not be imported; into Minnesota or sold, propagated, or transported in  
33.31 the state, except as allowed ~~by permit~~ under section 18.82. Noxious weeds that are designated  
33.32 as restricted and placed on the restricted list may be plants that are widely distributed in  
33.33 Minnesota and for which a requirement of eradication or control would not be feasible on

34.1 a statewide basis using existing practices. The commissioner may establish a nursery  
 34.2 production phase-out period for species that will be designated as restricted.

34.3 (e) The "specially regulated plants" category includes noxious weeds ~~that may be native~~  
 34.4 ~~species or nonnative species~~ that have ~~demonstrated economic value~~ clearly defined benefits,  
 34.5 but also have the potential to cause harm in noncontrolled environments. Plants designated  
 34.6 as specially regulated have been determined to pose ecological, economical, or human or  
 34.7 animal health concerns. Species-specific management plans or rules that define the use and  
 34.8 management requirements for these plants must be developed by the commissioner of  
 34.9 agriculture for each plant designated as specially regulated. The commissioner must also  
 34.10 take measures to minimize the potential for harm caused by these plants.

34.11 (f) The "county noxious weeds" category includes noxious weeds that are designated  
 34.12 by individual county boards to be enforced as prohibited noxious weeds within the county's  
 34.13 jurisdiction and must be approved by the commissioner of agriculture, in consultation with  
 34.14 the Noxious Weed Advisory Committee. Each county board must submit newly proposed  
 34.15 county noxious weeds to the commissioner of agriculture for review. Approved county  
 34.16 noxious weeds ~~shall~~ must also be posted with the county's general weed notice prior to May  
 34.17 15 each year. Counties are solely responsible for developing county noxious weed lists and  
 34.18 their enforcement.

34.19 Subd. 2. Exemptions. The commissioner may designate a specific plant variety, including  
 34.20 a cultivated variety, as exempt from subdivision 1 if the commissioner finds that, based on  
 34.21 credible and sufficient documentation, the variety is bred for low seeding, the variety is  
 34.22 sterile, or, for reasons other than low seeding or sterility, the variety has low invasive  
 34.23 potential.

34.24 Sec. 12. Minnesota Statutes 2024, section 18.79, subdivision 2, is amended to read:

34.25 Subd. 2. Authorized agents. ~~County agricultural inspectors may administer and enforce~~  
 34.26 ~~sections 18.76 to 18.91. A county-designated employee may enforce sections 18.78, 18.82,~~  
 34.27 ~~18.83, 18.84, 18.86, and 18.87. A county must make the identity of a county-designated~~  
 34.28 ~~employee described by this subdivision available to the public.~~ County agricultural inspectors,  
 34.29 county-designated employees, local weed inspectors, and assistant weed inspectors are  
 34.30 authorized agents of the commissioner for their jurisdictions. A county agricultural inspector  
 34.31 or a county-designated employee must be responsible for the duties and enforcement of  
 34.32 sections 18.78 and 18.81 to 18.87. A county must make the identity of a county agricultural  
 34.33 inspector or county-designated employee available to the public. A local weed inspector or  
 34.34 the inspector's assistant must be responsible for the duties and enforcement of sections

35.1 18.78, subdivision 1; 18.81, subdivision 2; 18.82 to 18.84; 18.86; and, for a municipality,  
 35.2 18.87.

35.3 Sec. 13. Minnesota Statutes 2025 Supplement, section 18.79, subdivision 3, is amended  
 35.4 to read:

35.5 Subd. 3. **Entry upon land.** To administer and enforce sections 18.76 to 18.91, an  
 35.6 inspector or county-designated employee ~~shall~~ must contact a landowner through direct  
 35.7 communication prior to entering upon the land for a noxious weed inspection. If a landowner  
 35.8 cannot be contacted, an inspector or county-designated employee may enter upon land  
 35.9 without consent of the owner and without being subject to an action for trespass or any  
 35.10 damages. For the purposes of this subdivision, "direct communication" may include contact  
 35.11 with the landowner through an in-person visit, phone call, voice mail, text message, mail,  
 35.12 or email. A landowner ~~cannot~~ must not refuse an inspector or county-designated employee  
 35.13 ~~having probable cause to conduct an inspection for noxious weeds~~ who has reasonable  
 35.14 grounds, as defined in section 18.77, subdivision 18, to believe that noxious weeds may be  
 35.15 present on their lands. Within five business days of a completed inspection, the inspector  
 35.16 or county-designated employee ~~shall~~ must provide the landowner with a copy of the  
 35.17 inspection report, including further actions if applicable.

35.18 Sec. 14. Minnesota Statutes 2024, section 18.81, subdivision 3, is amended to read:

35.19 Subd. 3. **Nonperformance by inspectors; reimbursement for expenses.** If local weed  
 35.20 inspectors neglect or fail to do their duty as prescribed in this section, the county agricultural  
 35.21 inspector or county-designated employee, ~~in consultation with the commissioner,~~ may issue  
 35.22 a notice to the inspector providing instructions on how and when to do their duty. If, after  
 35.23 the time allowed in the notice, the local weed inspector has not complied as directed, the  
 35.24 county agricultural inspector or county-designated employee may consult with the  
 35.25 ~~commissioner~~ county attorney or county board to perform the duty for the local weed  
 35.26 inspector. A claim for the expense of doing the local weed inspector's duty is a legal charge  
 35.27 against the municipality in which the inspector has jurisdiction. The county agricultural  
 35.28 inspector or county-designated employee overseeing the work may file an itemized statement  
 35.29 of costs with the clerk of the municipality in which the work was performed. The municipality  
 35.30 ~~shall~~ must immediately issue proper warrants to the county for the work performed. If the  
 35.31 municipality fails to issue the warrants, the county auditor may include the amount contained  
 35.32 in the itemized statement of costs as part of the next annual tax levy in the municipality and  
 35.33 withhold that amount from the municipality in making its next apportionment.

36.1 Sec. 15. Minnesota Statutes 2024, section 18.82, is amended to read:

36.2 **18.82 TRANSPORTATION OR POSSESSION OF NOXIOUS WEED**  
 36.3 **PROPAGATING PARTS.**

36.4 Subdivision 1. **Permits required.** Transporting noxious weed propagating parts without  
 36.5 a permit on public roads in the state or possessing noxious weed propagating parts in the  
 36.6 state without a permit is prohibited, except as provided in section 21.74.

36.7 Subd. 1a. **Permits.** (a) If a person wants to transport noxious weed propagating parts  
 36.8 along on a public roadway road, including materials or equipment containing the propagating  
 36.9 parts of noxious weeds, the person must secure a written permit for transportation from the  
 36.10 commissioner, an inspector, or a county-designated employee. Inspectors or  
 36.11 county-designated employees may issue permits to persons residing or operating within  
 36.12 their jurisdiction. A permit is not required for the transport of noxious weeds for the purpose  
 36.13 of destroying propagating parts at an appropriate disposal site. Anyone transporting noxious  
 36.14 weed propagating parts for the purpose of disposal at an appropriate disposal site ~~shall~~ must  
 36.15 ensure that all materials are contained in a manner that prevents escape during transport  
 36.16 and complies with section 115A.931.

36.17 (b) A person must obtain a permit from the commissioner before possessing noxious  
 36.18 weeds with propagating parts for research, education and outreach, or other reasons approved  
 36.19 by the commissioner.

36.20 Subd. 2. **Conditions of permit issuance.** ~~The following conditions must be met before~~  
 36.21 ~~a permit under subdivision 1 may be issued:~~ Any person requesting a permit under  
 36.22 subdivision 1a must provide the following information in writing to the commissioner, an  
 36.23 inspector, or a county-designated employee for a specific jurisdiction before the  
 36.24 commissioner, inspector, or county-designated employee issues a permit under this section:

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

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

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

37.3 (1) a description of the process that the person will use to ensure that the exterior of any  
 37.4 vehicle or equipment being used for transportation is free from noxious weed materials and  
 37.5 their propagating parts;

37.6 (2) a description of the manner in which the person will securely contain noxious weed  
 37.7 materials and their propagating parts to prevent the escape of noxious weed materials and  
 37.8 their propagating parts during transport in compliance with section 115A.931;

37.9 (3) a description of the specific locations where research will occur and a description of  
 37.10 how the location is designed to prevent the escape of noxious weed materials and their  
 37.11 propagating parts;

37.12 (4) a description of the established processes that the person will use to monitor and  
 37.13 protect research locations from the escape of noxious weed materials and their propagating  
 37.14 parts during research and after the research has been completed;

37.15 (5) a description of the purpose of using noxious weed materials, such as a description  
 37.16 of how the noxious weed materials will be used for education and outreach, and how  
 37.17 containers holding the materials will be designed to prevent the escape of the noxious weed  
 37.18 materials and their propagating parts;

37.19 (6) a description of the process for destroying noxious weed materials and their  
 37.20 propagating parts after the completion of use according to the permit;

37.21 (7) a description of the location where noxious weed materials and their propagating  
 37.22 parts will be destroyed after the completion of use according to the permit; and

37.23 (8) any specific information required by the commissioner.

37.24 **Subd. 3. Duration of permit; inspection; revocation.** A permit under subdivision ~~1~~ 1a  
 37.25 is valid for up to one year after the date it is issued unless otherwise specified by the  
 37.26 commissioner, inspector, or county-designated employee issuing the permit. Any person  
 37.27 receiving a permit must allow inspection by the issuing authority to ensure that all permit  
 37.28 requirements are met. The permit may be revoked if an the commissioner, inspector, or  
 37.29 county-designated employee determines that the applicant has not complied with this section.

37.30 Sec. 16. Minnesota Statutes 2024, section 18.83, subdivision 3, is amended to read:

37.31 **Subd. 3. Appeal of individual notice; appeal committee.** ~~(1)~~ (a) A recipient of an  
 37.32 individual notice may appeal, in writing, the order for control or eradication of noxious

38.1 weeds. This appeal must be filed with a member of the appeal committee in the county  
 38.2 where the land is located within two working days of the time the notice is received. The  
 38.3 committee must inspect the land specified in the notice and report back to the recipient and  
 38.4 the inspector or county-designated employee who issued the notice within five working  
 38.5 days, either agreeing with, disagreeing with, or revising the order. The decision may be  
 38.6 appealed in district court. If the committee agrees with or revises the order, the control or  
 38.7 eradication specified in the order, as approved or revised by the committee, may be carried  
 38.8 out.

38.9 ~~(2)~~ (b) The county board ~~shall~~ must appoint members of the appeal committee. The  
 38.10 membership must include a county commissioner or municipal official and a landowner  
 38.11 residing in the county. The expenses of the members may be reimbursed by the county upon  
 38.12 submission of an itemized statement to the county auditor. At its option, the county board,  
 38.13 by resolution, may delegate the duties of the appeal committee to its board of adjustment  
 38.14 established pursuant to section 394.27. When carrying out the duties of the appeal committee,  
 38.15 the zoning board of adjustment ~~shall~~ must comply with all of the procedural requirements  
 38.16 of this section.

38.17 Sec. 17. Minnesota Statutes 2024, section 18.86, is amended to read:

38.18 **18.86 UNLAWFUL ACTS.**

38.19 No person may:

38.20 (1) hinder or obstruct in any way an inspector or county-designated employee in the  
 38.21 performance of duties under sections 18.76 to 18.91 or related rules;

38.22 (2) neglect, fail, or refuse to comply with section 18.82 ~~or related rules in the~~  
 38.23 ~~transportation and use of material or equipment infested with noxious weed propagating~~  
 38.24 ~~parts;~~

38.25 (3) sell material containing noxious weed propagating parts to a person who does not  
 38.26 have a permit to transport that material or to a person who does not have a screenings permit  
 38.27 issued in accordance with section 21.74; or

38.28 (4) neglect, fail, or refuse to comply with a general notice or an individual notice to  
 38.29 control or eradicate noxious weeds.

39.1 Sec. 18. Minnesota Statutes 2024, section 18.91, subdivision 2, is amended to read:

39.2 Subd. 2. **Membership.** The commissioner ~~shall~~ must appoint and approve members;  
39.3 ~~which shall include~~ who have successfully completed the application process with the  
39.4 secretary of state, including representatives from the following:

39.5 (1) the Department of Horticultural Science at the University of Minnesota;

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

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

39.8 (4) the nursery and landscape industry in Minnesota;

39.9 (5) the seed industry in Minnesota;

39.10 (6) the Department of Agriculture;

39.11 (7) the Department of Natural Resources;

39.12 (8) a conservation organization;

39.13 (9) an environmental organization;

39.14 (10) at least two farm organizations;

39.15 (11) the county agricultural inspectors;

39.16 (12) city governments;

39.17 (13) township governments;

39.18 (14) county governments;

39.19 (15) the Department of Transportation;

39.20 (16) the University of Minnesota Extension;

39.21 (17) the timber and forestry industry in Minnesota;

39.22 (18) the Board of Water and Soil Resources;

39.23 (19) soil and water conservation districts;

39.24 (20) the Minnesota Association of County Land Commissioners; and

39.25 (21) other members as needed.

40.1 Sec. 19. Minnesota Statutes 2024, section 18C.005, is amended by adding a subdivision  
40.2 to read:

40.3 Subd. 1d. **Active ingredient.** "Active ingredient" means an ingredient present in a  
40.4 fertilizer, soil amendment, plant amendment, or beneficial substance that is a plant nutrient  
40.5 or a soil or plant amending ingredient.

40.6 Sec. 20. Minnesota Statutes 2024, section 18C.005, subdivision 6, is amended to read:

40.7 ~~Subd. 6. **Compost.** "Compost" is a biologically stable material derived from the~~  
40.8 ~~composting process~~ has the meaning given in section 18C.132, subdivision 1.

40.9 Sec. 21. Minnesota Statutes 2024, section 18C.005, subdivision 6a, is amended to read:

40.10 ~~Subd. 6a. **Composting.** "Composting" is the biological decomposition of organic matter.~~  
40.11 ~~It is accomplished by mixing and piling in such a way as to promote aerobic or anaerobic~~  
40.12 ~~decay or both. The process inhibits pathogens, viable weed seeds, and odors~~ has the meaning  
40.13 given in section 18C.132, subdivision 2.

40.14 Sec. 22. Minnesota Statutes 2024, section 18C.005, is amended by adding a subdivision  
40.15 to read:

40.16 Subd. 15b. **Inert ingredient.** "Inert ingredient" means an ingredient that is not an active  
40.17 ingredient in a specialty fertilizer, soil amendment, plant amendment, or beneficial substance.

40.18 Sec. 23. Minnesota Statutes 2024, section 18C.005, subdivision 25, is amended to read:

40.19 **Subd. 25. Plant amendment.** "Plant amendment" means a substance applied to plants  
40.20 or seeds that is intended to improve germination, growth, yield, product quality, reproduction,  
40.21 flavor, or other desirable characteristics of plants, including beneficial substances and plant  
40.22 biostimulants, except fertilizers, soil amendments, agricultural liming materials, pesticides,  
40.23 and other materials that are exempted by rule.

40.24 Sec. 24. Minnesota Statutes 2024, section 18C.005, is amended by adding a subdivision  
40.25 to read:

40.26 Subd. 25a. **Plant biostimulant.** "Plant biostimulant" means a substance, microorganism,  
40.27 or mixture thereof that, when applied to seeds, plants, the rhizosphere, soil, or other growth  
40.28 media, supports a plant's natural nutrition processes independently of the biostimulant's  
40.29 nutrient content and improves nutrient availability, uptake, or use efficiency; tolerance to  
40.30 abiotic stress; and consequent growth, development, quality, or yield.

41.1 Sec. 25. Minnesota Statutes 2024, section 18C.005, subdivision 33, is amended to read:

41.2 Subd. 33. **Soil amendment.** "Soil amendment" means a substance intended to improve  
 41.3 the structural, physical, chemical, biochemical, or biological characteristics of the soil or  
 41.4 modify organic matter at or near the soil surface, including beneficial substances, except  
 41.5 fertilizers, agricultural liming materials, pesticides, and other materials exempted by the  
 41.6 commissioner's rules.

41.7 Sec. 26. **[18C.132] COMPOST AND COMPOSTING.**

41.8 Subdivision 1. **Compost.** "Compost" is the product manufactured through the controlled  
 41.9 aerobic, biological decomposition of biodegradable materials. The product has undergone  
 41.10 mesophilic and thermophilic temperatures, which significantly reduces the viability of  
 41.11 pathogens and weed seeds and stabilizes the carbon such that it is beneficial to plant growth.  
 41.12 Compost is typically used as a soil amendment but may also contribute plant nutrients.

41.13 Subd. 2. **Composting.** "Composting" is the biological decomposition of organic matter.  
 41.14 Composting is accomplished by mixing and piling in such a way as to promote aerobic or  
 41.15 anaerobic decay, or both. Composting is a process that inhibits pathogens, viable weed  
 41.16 seeds, and odors.

41.17 Sec. 27. Minnesota Statutes 2024, section 18C.211, subdivision 4, is amended to read:

41.18 Subd. 4. **Guaranteed analysis of soil or plant amendment or beneficial substance.** The  
 41.19 guaranteed analysis of a soil amendment ~~or~~, plant amendment, or beneficial substance must  
 41.20 be an accurate statement of composition including the percentages of each active ingredient.  
 41.21 If the product is a microbiological product, the number of viable microorganisms per milliliter  
 41.22 for a liquid ~~or~~, the number of viable microorganisms per gram, or any other acceptable units  
 41.23 for a ~~dry~~ product must also be listed.

41.24 Sec. 28. **[18C.217] SOIL AMENDMENT, PLANT AMENDMENT, AND**  
 41.25 **BENEFICIAL SUBSTANCE LABELING.**

41.26 (a) A person may not sell or distribute a soil amendment, plant amendment, or beneficial  
 41.27 substance in bags or other containers in this state unless a label is placed on or affixed to  
 41.28 the bag or container stating in a clear, legible, and conspicuous form the following  
 41.29 information:

41.30 (1) the product name;

41.31 (2) the net weight or net volume expressed in imperial and metric measurements;

42.1 (3) the name and address of the guarantor and registrant;

42.2 (4) a statement identifying the purpose of the product;

42.3 (5) directions for use; and

42.4 (6) the guaranteed analysis of each active ingredient.

42.5 (b) If the soil amendment, plant amendment, or beneficial substance contains

42.6 microorganisms, the label must include an expiration date and recommended storage

42.7 conditions.

42.8 (c) The label is not required to list inert ingredients.

42.9 (d) A person selling or distributing a bulk shipment of soil amendments, plant

42.10 amendments, or beneficial substances to a singular, end consumer may provide the purchaser

42.11 with a single printed form with the information required in paragraphs (a) and (b) instead

42.12 of placing or affixing a label on the bulk bag or container.

42.13 Sec. 29. Minnesota Statutes 2024, section 18C.411, subdivision 2, is amended to read:

42.14 Subd. 2. **Application.** The application for registration must include:

42.15 (1) for specialty fertilizers:

42.16 (i) the name and address of the guarantor and registrant;

42.17 (ii) the brand and grade;

42.18 (iii) the guaranteed analysis as required by section 18C.211;

42.19 (iv) the sources from which nitrogen, phosphorus, potassium, or other elements or

42.20 materials are derived; and

42.21 (v) the amount and formulas of inert ingredients; and

42.22 (2) for soil amendments and plant amendments:

42.23 (i) the name and address of the guarantor and registrant;

42.24 (ii) the brand name;

42.25 (iii) the sources from which the ingredients used in the product are derived; ~~and~~

42.26 (iv) the guaranteed analysis as required by section 18C.211; and

42.27 (v) a certificate of composition that describes the amount and formulas of each inert

42.28 ingredient and beneficial substance included in the formula.

43.1 Sec. 30. Minnesota Statutes 2024, section 18J.01, is amended to read:

43.2 **18J.01 DEFINITIONS.**

43.3 (a) The definitions in this section; chapters 18G, 18H, 18K, 27, 223, 231, and 232; and  
 43.4 sections ~~18G.02, 18H.02, 18K.02, 27.01, 223.16, 231.01, and 232.21~~ 21.111 to 21.125 and  
 43.5 21.80 to 21.92 apply to this chapter.

43.6 (b) For purposes of this chapter, "associated rules" means rules adopted under this  
 43.7 chapter, chapter 18G, 18H, 18K, 27, 223, 231, or 232, or sections 21.111 to 21.125 and  
 43.8 21.80 to 21.92.

43.9 Sec. 31. Minnesota Statutes 2024, section 18J.02, is amended to read:

43.10 **18J.02 DUTIES OF COMMISSIONER.**

43.11 The commissioner shall administer and enforce this chapter, chapters 18G, 18H, 18K,  
 43.12 27, 223, 231, and 232; sections 21.111 to 21.125, and 21.80 to 21.92; and associated rules.

43.13 Sec. 32. Minnesota Statutes 2024, section 18J.03, is amended to read:

43.14 **18J.03 CIVIL LIABILITY.**

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

43.18 Sec. 33. Minnesota Statutes 2024, section 18J.04, subdivision 1, is amended to read:

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

43.25 Sec. 34. Minnesota Statutes 2024, section 18J.04, subdivision 2, is amended to read:

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

43.27 (1) inspection of inventory and equipment for the manufacture, storage, handling,  
 43.28 distribution, disposal, or any other process regulated under chapter 18G, 18H, 18K, 27, 223,  
 43.29 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules;

44.1 (2) sampling of sites, seeds, plants, products, grain, household goods, general  
44.2 merchandise, produce, or other living or nonliving objects that are manufactured, stored,  
44.3 distributed, handled, or disposed of at those sites and regulated under chapter 18G, 18H,  
44.4 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules;

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

44.9 (4) investigating compliance with chapter 18G, 18H, 18K, 27, 223, 231, or 232; sections  
44.10 21.111 to 21.125 or 21.80 to 21.92; or associated rules; or

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

44.13 (b) The commissioner may enter any public or private premises during or after regular  
44.14 business hours without notice of inspection when a suspected violation of chapter 18G,  
44.15 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated  
44.16 rules may threaten public health or the environment.

44.17 Sec. 35. Minnesota Statutes 2024, section 18J.04, subdivision 3, is amended to read:

44.18 Subd. 3. **Notice of inspection samples and analyses.** (a) The commissioner shall provide  
44.19 the owner, operator, or agent in charge with a receipt describing any samples obtained. If  
44.20 requested, the commissioner shall split any samples obtained and provide them to the owner,  
44.21 operator, or agent in charge. If an analysis is made of the samples, a copy of the results of  
44.22 the analysis must be furnished to the owner, operator, or agent in charge within 30 days  
44.23 after an analysis has been performed. If an analysis is not performed, the commissioner  
44.24 must notify the owner, operator, or agent in charge within 30 days of the decision not to  
44.25 perform the analysis.

44.26 (b) The sampling and analysis must be done according to methods provided for under  
44.27 applicable provisions of chapter 18G, 18H, 18K, 27, 223, 231, or 232; sections 21.111 to  
44.28 21.125 or 21.80 to 21.92; or associated rules. In cases not covered by those sections and  
44.29 methods or in cases where methods are available in which improved applicability has been  
44.30 demonstrated the commissioner may adopt appropriate methods from other sources.

45.1 Sec. 36. Minnesota Statutes 2024, section 18J.04, subdivision 4, is amended to read:

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

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

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

45.15 Sec. 37. Minnesota Statutes 2024, section 18J.05, subdivision 1, is amended to read:

45.16 Subdivision 1. **Enforcement required.** (a) A violation of chapter 18G, 18H, 18K, 27,  
45.17 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or an associated rule is a  
45.18 violation of this chapter.

45.19 (b) Upon the request of the commissioner, county attorneys, sheriffs, and other officers  
45.20 having authority in the enforcement of the general criminal laws must take action to the  
45.21 extent of their authority necessary or proper for the enforcement of chapter 18G, 18H, 18K,  
45.22 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules or  
45.23 valid orders, standards, stipulations, and agreements of the commissioner.

45.24 Sec. 38. Minnesota Statutes 2024, section 18J.05, subdivision 2, is amended to read:

45.25 Subd. 2. **Commissioner's discretion.** If minor violations of chapter 18G, 18H, 18K,  
45.26 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules occur  
45.27 or the commissioner believes the public interest will be best served by a suitable notice of  
45.28 warning in writing, this section does not require the commissioner to:

45.29 (1) report the violation for prosecution;

45.30 (2) institute seizure proceedings; or

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

46.1 Sec. 39. Minnesota Statutes 2024, section 18J.05, subdivision 6, is amended to read:

46.2 Subd. 6. **Agent for service of process.** All persons licensed, permitted, registered, or  
46.3 certified under chapter 18G, 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or  
46.4 21.80 to 21.92; or associated rules must appoint the commissioner as the agent upon whom  
46.5 all legal process may be served and service upon the commissioner is deemed to be service  
46.6 on the licensee, permittee, registrant, or certified person.

46.7 Sec. 40. Minnesota Statutes 2024, section 18J.06, is amended to read:

46.8 **18J.06 FALSE STATEMENT OR RECORD.**

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

46.11 (1) an application for registration, license, certification, or permit under chapter 18G,  
46.12 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated  
46.13 rules;

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

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

46.18 Sec. 41. Minnesota Statutes 2024, section 18J.07, subdivision 3, is amended to read:

46.19 Subd. 3. **Cancellation of registration, permit, license, certification.** The commissioner  
46.20 may cancel or revoke a registration, permit, license, or certification provided for under  
46.21 chapter 18G, 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92;  
46.22 or associated rules or refuse to register, permit, license, or certify under provisions of chapter  
46.23 18G, 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or  
46.24 associated rules if the registrant, permittee, licensee, or certified person has used fraudulent  
46.25 or deceptive practices in the evasion or attempted evasion of a provision of chapter 18G,  
46.26 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated  
46.27 rules.

46.28 Sec. 42. Minnesota Statutes 2024, section 18J.07, subdivision 4, is amended to read:

46.29 Subd. 4. **Service of order or notice.** (a) If a person is not available for service of an  
46.30 order, the commissioner may attach the order to the facility, site, seed or seed container,  
46.31 plant or other living or nonliving object regulated under chapter 18G, 18H, 18K, 27, 223,

47.1 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules and notify the  
 47.2 owner, custodian, other responsible party, or registrant.

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

47.7 Sec. 43. Minnesota Statutes 2024, section 18J.07, subdivision 5, is amended to read:

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

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

47.15 Sec. 44. Minnesota Statutes 2024, section 18J.09, is amended to read:

47.16 **18J.09 CREDITING OF PENALTIES, FEES, AND COSTS.**

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

47.22 Sec. 45. Minnesota Statutes 2024, section 18K.02, subdivision 5, is amended to read:

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

48.1 Sec. 46. Minnesota Statutes 2024, section 18K.02, subdivision 6, is amended to read:

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

48.5 Sec. 47. Minnesota Statutes 2024, section 18K.04, subdivision 1, is amended to read:

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

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

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

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

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

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

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

48.27 Sec. 48. Minnesota Statutes 2024, section 21.111, is amended to read:

48.28 **21.111 DEFINITIONS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

51.1 Subd. 6. **Person.** "Person" includes an individual, a partnership, a corporation, a company,  
 51.2 a society, an association, and firms a firm.

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

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

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

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

51.12 Sec. 49. Minnesota Statutes 2024, section 21.112, is amended by adding a subdivision to  
 51.13 read:

51.14 Subd. 1a. **Interstate cooperation.** In order to best use state resources, the commissioner  
 51.15 may enter into agreements with other seed potato certification entities to carry out the  
 51.16 purposes of sections 21.111 to 21.125. An agreement under this subdivision may provide  
 51.17 for field inspections, shipping point inspections, winter testing, and other certification  
 51.18 functions to be carried out by personnel employed by either the commissioner or other seed  
 51.19 potato certification entities according to methods determined by the seed potato certification  
 51.20 entities. The commissioner may extend seed potato certification services to a state where  
 51.21 growers wish to grow certified seed potatoes and where the state does not have a seed potato  
 51.22 certification program. Any agreement under this subdivision must be reported to the chairs  
 51.23 and ranking minority members of the legislative committees responsible for the budget or  
 51.24 policy of the seed potato inspection program and to the commissioner of management and  
 51.25 budget.

51.26 Sec. 50. Minnesota Statutes 2024, section 21.113, is amended to read:

51.27 **21.113 SHIPPING POINT CERTIFICATES OF INSPECTION; CERTIFICATES**  
 51.28 **OF ORIGIN; AND BULK CERTIFICATES.**

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

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

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

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

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

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

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

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

52.26 Sec. 51. Minnesota Statutes 2024, section 21.115, is amended to read:

52.27 **21.115 FEES; SEED POTATO INSPECTION ACCOUNT.**

52.28 The commissioner shall fix the fees for all inspections and certifications in such amounts  
 52.29 as from time to time may be found necessary to pay the expenses of carrying out and  
 52.30 enforcing the purposes of sections 21.111 to ~~21.122~~ 21.125, with a reasonable reserve, and  
 52.31 shall require the same to be paid before such inspections or certifications are made. All  
 52.32 moneys collected as fees or as penalties for violations of any of the provisions of such  
 52.33 sections shall be paid into the agricultural fund and credited to the seed potato inspection

53.1 account of the commissioner, which account is hereby created and appropriated for carrying  
 53.2 out the purposes of sections 21.111 to ~~21.122~~ 21.125. Interest, if any, received on deposits  
 53.3 of these moneys shall be credited to the account, and there shall be paid into this fund any  
 53.4 sum provided by the legislature for the purpose of carrying out the provisions of such  
 53.5 sections.

53.6 Sec. 52. Minnesota Statutes 2024, section 21.117, is amended to read:

53.7 **21.117 APPLICATIONS FOR INSPECTIONS; WITHDRAWALS;**  
 53.8 **AMENDMENTS.**

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

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

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

53.22 Sec. 53. Minnesota Statutes 2024, section 21.119, is amended to read:

53.23 **21.119 USE OF CERTAIN TERMS FORBIDDEN; EXCEPTIONS.**

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

54.1 Sec. 54. Minnesota Statutes 2024, section 21.1195, is amended to read:

54.2 **21.1195 MINIMUM STANDARDS FOR PLANTING.**

54.3 (a) Seed potatoes may not be planted in the state in lots of totaling ten or more acres  
 54.4 unless the seed meets the minimum disease standards prescribed by the commissioner. Seed  
 54.5 potatoes may meet the standards by being certified in accordance with this chapter and rules  
 54.6 adopted by the commissioner, or under the certification program of another state or province  
 54.7 which, in the judgment of the commissioner, provides equivalent assurances of seed potato  
 54.8 quality. Seed potatoes may be planted without certification if they have had at least field  
 54.9 inspection as required for certified seed potatoes, have passed the field inspection standards  
 54.10 of disease tolerance, and are free from ring rot. A person that plants seed potatoes in violation  
 54.11 of this section is subject to a civil penalty of \$20 per acre for each acre or part of an acre  
 54.12 planted in violation of this section. Failure to maintain complete and accurate records in  
 54.13 accordance with this section or rules adopted by the commissioner is an additional violation  
 54.14 resulting in a separate civil penalty of \$200 for each failure is a violation and subject to  
 54.15 enforcement under chapter 18J.

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

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

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

54.29 **Sec. 55. [21.123] SEED POTATO CERTIFICATION.**

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

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

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

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

55.5 (4) a grower must submit an application for certification before June 16 each year on  
55.6 forms provided by the commissioner. The commissioner must charge a ten percent late  
55.7 registration fee to a grower who submitted an application postmarked after June 15 and  
55.8 before July 1. The commissioner may extend the deadline due to special circumstances,  
55.9 such as a natural disaster, that make it impractical or impossible for planting to be completed  
55.10 by the deadline and that affect an area or large number of growers. A grower must make a  
55.11 request for an extension in writing before June 16;

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

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

55.18 (7) a grower must comply with sections 21.111 to 21.125. A grower's violation of sections  
55.19 21.111 to 21.125 is cause for the commissioner to reject the grower's field or lot. A grower  
55.20 must not sell or label potatoes as certified seed potatoes when the potatoes were grown in  
55.21 a rejected field or lot.

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

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

55.30 (c) The commissioner may not accept an application for certification from a grower in  
55.31 a community or county without sufficient acreage for total inspection fee charges to cover  
55.32 the cost of wages and expenses of the commissioner to complete an inspection. The

56.1 commissioner may make a determination of sufficient acreage under this paragraph before  
56.2 conducting an inspection as part of the certification process.

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

56.8 (e) The following classes of seed potatoes are eligible for planting as certified seed  
56.9 potatoes: Prenuclear (PN), Generation 1 (G1), Generation 2 (G2), Generation 3 (G3),  
56.10 Generation 4 (G4), Generation 5 (G5), and experimental class seed potatoes. The  
56.11 commissioner may authorize the planting of Certified (C) class or Generation 6 (G6) class  
56.12 seed potatoes if the commissioner determines that the seeds do not pose a serious threat of  
56.13 disease to the public.

56.14 Subd. 3. **Bacterial ring rot or potato spindle tuber viroid.** If the commissioner finds  
56.15 the presence of bacterial ring rot or potato spindle tuber viroid in a field or lot, the  
56.16 commissioner must reject the entire field or lot. If the commissioner discovers a single plant  
56.17 in a field or a tuber in storage that is infected with bacterial ring rot or potato spindle tuber  
56.18 viroid, the commissioner must reject the entire field or lot where the plant was grown. If  
56.19 the commissioner has not found bacterial ring rot or potato spindle tuber viroid in a field  
56.20 or lot, the field or lot is not necessarily free from either disease.

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

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

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

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

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

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

57.11 Subd. 5. **Seed potato certification classes.** Seed potato certification classes must be  
57.12 differentiated by the potatoes' compliance with disease tolerances, varietal purity, and seed  
57.13 origin. Seed potato certification classes are: Prenuclear (PN), Generation 1 (G1), Generation  
57.14 2 (G2), Generation 3 (G3), Generation 4 (G4), Generation 5 (G5), Generation 6 (G6), and  
57.15 Certified (C).

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

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

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

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

57.32 Subd. 7. **Protected varieties.** If an applicant seeks to enter a seed potato variety protected  
57.33 under the Plant Variety Protection Act Amendments of 1994 into the certification system,

58.1 the applicant must submit a written statement from the breeder, originator, or originator's  
58.2 designee that the applicant has full and unrestricted rights to introduce the protected variety  
58.3 into the certification system. The applicant must ensure that the written statement  
58.4 accompanies the certification application for any protected seed potato variety.

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

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

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

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

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

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

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

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

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

58.30 (c) The commissioner must make at least two field inspections of a field during the  
58.31 growing season. The commissioner must conduct a final inspection of a field for bacterial  
58.32 ring rot during the time of year that symptoms of bacterial ring rot are most likely to be  
58.33 observed. If the commissioner is unable to conduct a final inspection under this paragraph

59.1 due to management practices of the grower or for a reason that is out of the grower's control,  
59.2 such as a natural disaster, the grower must ensure that laboratory testing is conducted to  
59.3 maintain eligibility for certification. An additional inspection or additional laboratory testing  
59.4 may be necessary to meet phytosanitary requirements in established markets in another state  
59.5 or in a Canadian province.

59.6 Subd. 9. **Roguing.** If any of the diseases listed in section 21.124, subdivision 1, are  
59.7 present in a field in amounts greater than the maximum disease tolerance level, the grower  
59.8 must rogue the field and remove the infected plants before the final inspection by the  
59.9 commissioner. If a grower has completed roguing a field after tubers have formed, the  
59.10 grower must remove and destroy all tubers from rogued plants.

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

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

59.17 (c) If a grower plans to store a lot in a public warehouse or storage unit that is not directly  
59.18 under the grower's control, the grower must send a complete record of storage to the  
59.19 commissioner prior to storing the lot. The record must include the address and location of  
59.20 the public warehouse or storage unit, the variety of potatoes in each bin, and the number of  
59.21 potatoes in each bin. If a warehouse receipt for the lot is available, the grower must submit  
59.22 a copy of the warehouse receipt to the commissioner. If more than one grower stores lots  
59.23 in the same public warehouse or storage unit, the grower must label each lot according to  
59.24 paragraph (b).

59.25 (d) A grower must not use the same equipment for grading and handling lots of certified  
59.26 seed potatoes and other potatoes. If a grower has used the same equipment for grading and  
59.27 handling certified seed potatoes and other potatoes, the commissioner must reject the grower's  
59.28 lots.

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

59.33 (f) By November 1 of each crop year, a grower must submit to the commissioner a  
59.34 completed storage and yield report for each lot on a form prescribed by the commissioner.

60.1 The commissioner may extend the deadline after November 1 due to special circumstances,  
60.2 such as a natural disaster, that would make it impractical or impossible for a grower to  
60.3 complete harvesting and storage by November 1 and that affect an area or a large number  
60.4 of growers. A grower must submit a written request for an extension to the commissioner  
60.5 before November 1 of the crop year for which the extension is sought.

60.6 Subd. 11. **Tags; bulk certificates.** (a) Once the commissioner has informed a grower  
60.7 that the grower's potatoes meet the certification requirements in sections 21.111 to 21.125,  
60.8 a grower may tag the potatoes using an approved tag indicating the grade of potatoes as  
60.9 blue-tag-certified seed potato grade, yellow-tag-certified seed potato grade, or  
60.10 white-tag-certified seed potato grade. A grower's name, the city where the farm is located,  
60.11 the potato variety, and the crop year must be printed on a tag under this subdivision.

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

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

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

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

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

60.30 (1) the blue-tag-certified seed potato grade is the first grade of certified seed potatoes.  
60.31 The blue-tag-certified seed potato grade is stricter than other grades. The blue-tag-certified  
60.32 seed potato grade does not allow as many physical defects of tubers as other grades. A  
60.33 grower may use the blue-tag-certified seed potato grade for intrastate and interstate shipments  
60.34 of certified seed potatoes;

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

61.5 (3) the white-tag-certified seed potato grade is the third grade of certified seed potatoes.  
 61.6 The number of physical defects that the white-tag-certified seed potato grade allows is  
 61.7 determined by an agreement between the purchaser and seller of the certified seed potatoes.  
 61.8 A grower may use the white-tag-certified seed potato grade for intrastate and interstate  
 61.9 shipments of certified seed potatoes.

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

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

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

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

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

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

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

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

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

61.28 Sec. 56. **[21.124] REQUIREMENTS FOR PRODUCTION OF DIFFERENT**  
 61.29 **CLASSES OF CERTIFIED SEED POTATOES.**

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

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

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

62.3 (3) potato virus X;

62.4 (4) potato virus S;

62.5 (5) potato virus A;

62.6 (6) potato virus M;

62.7 (7) potato virus Y;

62.8 (8) potato spindle tuber viroid; and

62.9 (9) potato leafroll virus.

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

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

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

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

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

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

63.1 (1) the seed source must be either pre-nuclear tubers, clones, or plantlets; and

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

63.3 (b) Subject to the commissioner's approval, lots in Generation 1 class may be exempt  
 63.4 from winter testing requirements if leaves collected during the growing season are laboratory  
 63.5 tested and shown to be within the allowable tolerance of potato virus X, potato virus Y, and  
 63.6 other pathogens identified by the commissioner.

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

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

63.10 Subd. 3. **Generation 2 class certified seed potatoes.** Generation 2 class seed potatoes  
 63.11 must originate from Generation 1 class seed potatoes. Generation 2 class seed potatoes must  
 63.12 not contain more than the allowable tolerances of disease and varietal mixture in subdivision  
 63.13 9.

63.14 Subd. 4. **Generation 3 class certified seed potatoes.** Generation 3 class seed potatoes  
 63.15 must originate from Generation 2 class seed potatoes. Generation 3 class seed potatoes must  
 63.16 not contain more than the allowable tolerances of disease and varietal mixture in subdivision  
 63.17 9.

63.18 Subd. 5. **Generation 4 class certified seed potatoes.** Generation 4 class seed potatoes  
 63.19 must originate from Generation 3 class seed potatoes. Generation 4 class seed potatoes must  
 63.20 not contain more than the allowable tolerances for disease and varietal mixture in subdivision  
 63.21 9.

63.22 Subd. 6. **Generation 5 class certified seed potatoes.** Generation 5 class seed potatoes  
 63.23 must originate from Generation 4 class seed potatoes. Generation 5 class seed potatoes must  
 63.24 not contain more than the allowable tolerances for disease and varietal mixture in subdivision  
 63.25 9.

63.26 Subd. 7. **Generation 6 class certified seed potatoes.** Generation 6 class seed potatoes  
 63.27 must originate from Generation 5 class seed potatoes. Generation 6 class seed potatoes must  
 63.28 not contain more than the allowable tolerances for disease and varietal mixture in subdivision  
 63.29 9.

63.30 Subd. 8. **Certified class certified seed potatoes.** Certified class seed potatoes must  
 63.31 originate from generation classes of seed potatoes. Certified class seed potatoes must not  
 63.32 contain more than the allowable tolerances for disease and varietal mixture in subdivision  
 63.33 9.

64.1 Subd. 9. Allowable tolerances for diseases and varietal mixture by generation  
 64.2 class. The numbers represent the percentage of potatoes that may be affected out of an  
 64.3 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>
64.4								
64.5	<u>Tolerances:</u>							
64.6	<u>Severe Mosaic from</u>							
64.7	<u>potato virus Y, A, M,</u>							
64.8	<u>X, and/or S</u>							
	<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>
64.9	<u>Leafroll</u>							
	<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>
64.10	<u>Total</u>							
	<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>
64.11	<u>Other viruses</u>							
	<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>
64.12	<u>Mycoplasmas (haywire,</u>							
64.13	<u>witches broom, yellow</u>							
64.14	<u>dwarf)</u>							
	<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>
64.15	<u>Total</u>							
	<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>
64.16	<u>Blackleg</u>							
	<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>
64.17	<u>Varietal mixture</u>							
	<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>
64.18	<u>Ring Rot and Spindle</u>							
64.19	<u>Tuber</u>							
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
64.20	<u>Winter Test:</u>							
64.21	<u>Virus or expressing</u>							
64.22	<u>symptoms of chemical</u>							
64.23	<u>damage</u>							
	<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>

64.24 Sec. 57. [21.125] MINNESOTA CERTIFIED SEED POTATO GRADES AND  
 64.25 TOLERANCES.

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

64.28 Subd. 2. Definitions. (a) For the purposes of this section, the following terms have the  
 64.29 meanings given.

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

64.33 (c) "Diameter" means the greatest dimension at right angles to the longitudinal axis.  
 64.34 Diameter means the long axis.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

66.25 Subd. 6. **Condition after transit.** Deterioration that developed in transit must affect the  
66.26 condition of potatoes. Deterioration that developed in transit must not affect the grade of  
66.27 potatoes.

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

66.30 (1) at the time of the shipping point inspection, potatoes must be of one variety;  
66.31 unwashed; fairly well-shaped; free from bacterial ring rot, late blight, freezing, black heart,  
66.32 and soft rot or wet breakdown; free from damage caused by soil or other foreign matter,

67.1 second growth, air cracks, cuts, shriveling, sprouts, pitted scabs, surface scabs, powdery  
67.2 scabs, russet scabs, dry rot, other diseases, insects or worms, mechanical or other means,  
67.3 or flattened or depressed areas with underlying flesh discoloration; and free from serious  
67.4 damage caused by hollow heart, wireworm, growth cracks, or internal discoloration other  
67.5 than hollow heart. Sunburn and silver scurf must not be considered factors that affect the  
67.6 grading of potatoes. This clause does not apply to hollow heart if the potatoes are labeled  
67.7 "hollow heart exempt" on the affixed tag or accompanying certificate; and

67.8 (2) for round or intermediate shaped varieties, the maximum potato size is 12 ounces  
67.9 (340.2 grams) and, unless otherwise specified, the minimum size must not be less than 1-1/2  
67.10 inches (38.1 millimeters) in diameter. For long varieties, the maximum size is 14 ounces  
67.11 (396.9 grams) and, unless otherwise specified, the minimum size must not be less than 1-1/2  
67.12 inches (38.1 millimeters) in diameter. For all varieties, the minimum diameter for size "B"  
67.13 must not be less than 1-1/2 inches (38.1 millimeters) and the maximum size must not be  
67.14 more than 2-1/4 inches (57.1 millimeters) in diameter. The department may grade potatoes  
67.15 that do not meet the maximum and minimum size specifications as Minnesota  
67.16 blue-tag-certified seed potatoes if the buyer agrees to accept potatoes of alternate size  
67.17 specifications from the grower and the specifications are listed on the affixed tag or  
67.18 accompanying bulk certificate issued by the department.

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

67.21 (1) for defects:

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

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

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

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

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

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

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

- 68.1 (B) damage by surface scab, powdery scab, or pitted scab, 2.0 percent;
- 68.2 (C) damage by dry rot, 2.0 percent, of which not more than 1.0 percent is late blight
- 68.3 tuber rot;
- 68.4 (D) bacterial ring rot, 0.0 percent; and
- 68.5 (E) late blight tuber rot, 1.0 percent; and
- 68.6 (vii) the presence of the following does not affect seed quality and must not be scored
- 68.7 against the potatoes' grade:
- 68.8 (A) brown discoloration following skinning;
- 68.9 (B) dried stems;
- 68.10 (C) flattened or depressed areas showing no underlying flesh discoloration;
- 68.11 (D) greening;
- 68.12 (E) sunburn;
- 68.13 (F) skin checks; and
- 68.14 (G) silver scurf; and
- 68.15 (2) for off size:
- 68.16 (i) up to five percent of potatoes may fail to meet the required or specified minimum
- 68.17 size; and
- 68.18 (ii) up to ten percent of potatoes may fail to meet the required maximum size.
- 68.19 Subd. 8. **Minnesota yellow-tag-certified seed potato grade.** (a) To be graded as
- 68.20 Minnesota yellow-tag-certified seed potatoes, potatoes must meet the following requirements:
- 68.21 (1) at the time of the shipping point inspection, the potatoes must be of one variety;
- 68.22 unwashed; fairly well-shaped; free from bacterial ring rot, late blight, freezing, black heart,
- 68.23 and soft rot or wet breakdown; free from damage caused by second growth, air cracks, cuts,
- 68.24 shriveling, pitted scabs, surface scabs, powdery scabs, dry rot, other diseases, insects or
- 68.25 worms, or mechanical means or other means; and free from serious damage caused by soil
- 68.26 or other foreign matter, hollow heart, wireworm, growth cracks, russet scabs, or internal
- 68.27 discoloration other than hollow heart. Sunburn and silver scurf must not be considered
- 68.28 factors that affect the grading of potatoes. This clause does not apply to hollow heart if
- 68.29 labeled "hollow heart exempt" on the affixed tag or accompanying certificate; and

69.1 (2) for all varieties, the maximum potato size is 14 ounces (396.9 grams) and the  
69.2 minimum size is 1-1/2 inch (38.1 millimeter) in diameter. For all varieties, the minimum  
69.3 diameter for size "B" must not be less than 1-1/2 inches (38.1 millimeters) and the maximum  
69.4 diameter must not be more than 2-1/4 inches (57.1 millimeters). The department may grade  
69.5 potatoes that do not meet the maximum and minimum size specifications as Minnesota  
69.6 yellow-tag-certified seed potatoes if the buyer agrees to accept potatoes with alternate size  
69.7 specifications from the grower and the size specifications are listed on the affixed tag or  
69.8 accompanying bulk certificate issued by the department.

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

69.11 (1) for defects:

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

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

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

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

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

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

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

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

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

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

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

69.31 (A) brown discoloration following skinning;

- 70.1 (B) dried stems;
- 70.2 (C) flattened or depressed areas showing no underlying flesh discoloration;
- 70.3 (D) greening;
- 70.4 (E) sunburn;
- 70.5 (F) skin checks;
- 70.6 (G) silver scurf; and
- 70.7 (H) sprouts; and
- 70.8 (2) for off size:
- 70.9 (i) five percent for potatoes that fail to meet the required or specified minimum size;
- 70.10 and
- 70.11 (ii) ten percent for potatoes that fail to meet the required maximum size.
- 70.12 (c) The potatoes must be fairly well-shaped, with an exception for long varieties when
- 70.13 specified as "except for shape." When specified as "except for shape," the tubers may be
- 70.14 misshapen.
- 70.15 Subd. 9. **Minnesota white-tag-certified seed potato grade.** Minnesota white-tag-certified
- 70.16 seed potato grade consists of certified seed potatoes that are graded according to agreement
- 70.17 between the seller and the purchaser as to size and defects, except that not more than one-half
- 70.18 percent of soft rot, frozen, or wet breakdown and two percent dry rot, of which not more
- 70.19 than one percent late blight tuber rot is allowed.
- 70.20 Sec. 58. Minnesota Statutes 2024, section 21.891, subdivision 2, is amended to read:
- 70.21 Subd. 2. **Seed fee permits.** (a) A labeler who wishes to sell seed in Minnesota must
- 70.22 comply with section 21.89, subdivisions 1 and 2, and the procedures in this subdivision.
- 70.23 Each labeler who wishes to sell seed in Minnesota must apply to the commissioner to obtain
- 70.24 a permit. The application must contain the name and address of the applicant, the application
- 70.25 date, and the name and title of the applicant's contact person. Permit fees are based on the
- 70.26 initial sale of seed in Minnesota.
- 70.27 (b) The application for a seed permit covered by section 21.89, subdivision 2, clause
- 70.28 (1), must be accompanied by an application fee of \$75.
- 70.29 (c) The application for a seed permit covered by section 21.89, subdivision 2, clause
- 70.30 (2), must be accompanied by an application fee based on the level of annual gross sales as
- 70.31 follows:

- 71.1 (1) for gross sales of \$0 to \$25,000, the annual permit fee is \$75;
- 71.2 (2) for gross sales of \$25,001 to \$50,000, the annual permit fee is \$150;
- 71.3 (3) for gross sales of \$50,001 to \$100,000, the annual permit fee is \$300;
- 71.4 (4) for gross sales of \$100,001 to \$250,000, the annual permit fee is \$750;
- 71.5 (5) for gross sales of \$250,001 to \$500,000, the annual permit fee is \$1,500;
- 71.6 (6) for gross sales of \$500,001 to \$1,000,000, the annual permit fee is \$3,000; and
- 71.7 (7) for gross sales of \$1,000,001 and above, the annual permit fee is \$4,500.
- 71.8 (d) The application for a seed permit covered by section 21.89, subdivision 2, clause
- 71.9 (3), must be accompanied by an application fee of \$75. Labelers holding seed fee permits
- 71.10 covered under this paragraph need not apply for a new permit or pay the application fee.
- 71.11 Under this permit category, the fees for the following kinds of agricultural seed sold either
- 71.12 in bulk or containers are:
- 71.13 (1) oats, wheat, and barley, 9 cents per hundredweight;
- 71.14 (2) rye, field beans, buckwheat, and flax, 12 cents per hundredweight;
- 71.15 (3) field corn, 17 cents per 80,000 seed unit;
- 71.16 (4) forage, hemp, lawn and turf grasses, and legumes, 69 cents per hundredweight;
- 71.17 (5) sunflower, \$1.96 per hundredweight;
- 71.18 (6) sugar beet, 12 cents per 100,000 seed unit;
- 71.19 (7) soybeans, 7.5 cents per 140,000 seed unit;
- 71.20 (8) for any agricultural seed not listed in clauses (1) to (7), the fee for the crop most
- 71.21 closely resembling it in normal planting rate applies; and
- 71.22 (9) for native grasses and wildflower seed, \$1 per hundredweight.
- 71.23 (e) If, for reasons beyond the control and knowledge of the labeler, seed is shipped into
- 71.24 Minnesota by a person other than the labeler, the responsibility for the seed fees are
- 71.25 transferred to the shipper. An application for a transfer of this responsibility must be made
- 71.26 to the commissioner. Upon approval by the commissioner of the transfer, the shipper is
- 71.27 responsible for payment of the seed permit fees.
- 71.28 (f) Seed permit fees may be included in the cost of the seed either as a hidden cost or as
- 71.29 a line item cost on each invoice for seed sold. To identify the fee on an invoice, the words
- 71.30 "Minnesota seed permit fees" must be used.

72.1 (g) All seed fee permit holders must file semiannual reports with the commissioner,  
 72.2 even if no seed was sold during the reporting period. Each semiannual report must be  
 72.3 submitted within 30 days of the end of each reporting period. The reporting periods are  
 72.4 ~~October 1 to March 31 and April 1 to September 30 of each year or July 1 to December 31~~  
 72.5 ~~and January 1 to June 30 of each year~~ must be determined by the commissioner and  
 72.6 communicated annually to permit holders. Permit holders may change their reporting periods  
 72.7 with the approval of the commissioner.

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

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

72.18 Sec. 59. Minnesota Statutes 2025 Supplement, section 28A.04, subdivision 1, is amended  
 72.19 to read:

72.20 Subdivision 1. **Application; date of issuance.** (a) Except as provided under section  
 72.21 28A.152, no person ~~shall~~ may engage in the business of manufacturing, processing, selling,  
 72.22 handling, or storing food without having first obtained from the commissioner a license for  
 72.23 doing such business. Applications for such license ~~shall~~ must be made to the commissioner  
 72.24 in such manner and time as required and upon such forms as provided by the commissioner  
 72.25 and ~~shall~~ must contain the name and address of the applicant, address or description of each  
 72.26 place of business, and the nature of the business to be conducted at each place, and such  
 72.27 other pertinent information as the commissioner may require.

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

72.32 (c) A food handler license ~~shall~~ must be issued for the period January 1 to December  
 72.33 31 and ~~shall~~ must be renewed thereafter by the licensee on or before January 1 of each year,  
 72.34 except that:

73.1 (1) retail and wholesale food handler licenses issued for the period of July 1, 2025, to  
73.2 June 30, 2026, must be renewed on or before July 1, 2026, for the period of July 1, 2026,  
73.3 to December 31, 2026. The renewal fee for the period of July 1, 2026, to December 31,  
73.4 2026, is one-half of the fee for a food handler specified in section 28A.08, subdivision 3;

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

73.10 (3) a license for a food handler operating only at the State Fair must be issued for the  
73.11 period of July 1 to June 30 and must be renewed thereafter by the licensee on or before July  
73.12 1 of each year.

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

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

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

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

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

74.1 Sec. 60. Minnesota Statutes 2024, section 28A.0752, is amended to read:

74.2 **28A.0752 DELEGATION OF POWERS AND DUTIES.**

74.3 Subdivision 1. **Agreements to perform duties of commissioner.** (a) The commissioner  
 74.4 may enter into agreements to delegate ~~licensing and inspection~~ duties of the commissioner  
 74.5 to community health boards pertaining to ~~retail~~ food handlers ~~shall~~ whose primary mode  
 74.6 of business is to sell or to process and sell food directly to the ultimate consumer. An  
 74.7 agreement under this section may include duties of licensing, inspection, reporting, and  
 74.8 enforcement duties authorized under ~~sections~~ this chapter and chapters 29 and 30; section  
 74.9 17.04, ~~29.21, 29.23, 29.235, 29.236, 29.237, 29.24, 29.25, 29.26, 29.27, and 30.49;~~  
 74.10 appropriate sections of the Minnesota Food Law, chapters 31 and 34A;<sub>2</sub> and applicable  
 74.11 Minnesota food rules.

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

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

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

74.21 (e) The commissioner must not delegate duties under this section pertaining to food  
 74.22 handlers who conduct activities regulated under Code of Federal Regulations, title 21, part  
 74.23 111; 112; 113; 114; 117, subpart C; 120; or 123.

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

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

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

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

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

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

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

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

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

75.18 (h) A designated agent may charge a fee to recover the estimated costs of performing  
 75.19 duties according to terms of an agreement under this section if the duties involve enforcing  
 75.20 the Minnesota Food Law and applicable Minnesota food rules. The fee charged by the  
 75.21 designated agent must be fair, reasonable, and proportionate to the actual cost of the duties  
 75.22 performed by the designated agent. A designated agent must only use a fee under this  
 75.23 paragraph to cover the costs of performing duties according to terms of the agreement under  
 75.24 this section.

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

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

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

76.1 ~~(1)~~ (1) This section does not alter the responsibility of the ~~delegating authority~~  
 76.2 commissioner for the performance of duties specified by law and rule.

76.3 Sec. 61. Minnesota Statutes 2025 Supplement, section 28A.08, subdivision 3, is amended  
 76.4 to read:

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

76.6		Risk	License	Penalties	
76.7	Type of food handler	Category	Fee	Late Renewal	No License
76.8					
76.9	1. Custom exempt food handler				
76.10	(a) Having \$50,000 or less gross sales or				
76.11	service for the immediately previous				
76.12	license or fiscal year		\$135	\$45	\$90
76.13	(b) Having \$50,001 to \$125,000 gross sales				
76.14	or service for the immediately previous				
76.15	license or fiscal year		\$200	\$67	\$133
76.16	(c) Having \$125,001 to \$500,000 gross				
76.17	sales or service for the immediately				
76.18	previous license or fiscal year		\$370	\$123	\$247
76.19	(d) Having \$500,001 to \$1,000,000 gross				
76.20	sales or service for the immediately				
76.21	previous license or fiscal year		\$475	\$158	\$317
76.22	(e) Having \$1,000,001 to \$5,000,000 gross				
76.23	sales or service for the immediately				
76.24	previous license or fiscal year		\$1,350	\$450	\$900
76.25	(f) Having \$5,000,001 to \$10,000,000 gross				
76.26	sales or service for the immediately				
76.27	previous license or fiscal year		\$1,750	\$583	\$1,167
76.28	(g) Having \$10,000,001 to \$15,000,000				
76.29	gross sales or service for the immediately				
76.30	previous license or fiscal year		\$2,150	\$717	\$1,433
76.31	(h) Having \$15,000,001 to \$20,000,000				
76.32	gross sales or service for the immediately				
76.33	previous license or fiscal year		\$2,550	\$849	\$1,700
76.34	(i) Having \$20,000,001 to \$25,000,000				
76.35	gross sales or service for the immediately				
76.36	previous license or fiscal year		\$2,950	\$984	\$1,967
76.37	(j) Having over \$25,000,001 gross sales or				
76.38	service for the immediately previous				
76.39	license or fiscal year		\$3,350	\$1,117	\$2,233
76.40	2. Food handler				
76.41	(a) Having gross sales of only prepackaged				
76.42	nonperishable food of less than \$30,000				
76.43	for the immediately previous license or				
76.44	fiscal year and filing a statement with the				
76.45	commissioner		\$90	\$30	\$60

77.1	(b) Having gross sales or service of less than \$50,000 for the immediately previous license or fiscal year	High	\$285	\$95	\$190
77.2		Medium	\$195	\$65	\$130
77.3		Low	\$135	\$45	\$90
77.4	(c) Having \$50,001 to \$125,000 gross sales or service for the immediately previous license or fiscal year	High	\$350	\$117	\$233
77.5		Medium	\$260	\$87	\$173
77.6		Low	\$200	\$67	\$133
77.7	(d) Having \$125,001 to \$250,000 gross sales or service for the immediately previous license or fiscal year	High	\$415	\$138	\$277
77.8		Medium	\$350	\$117	\$233
77.9		Low	\$265	\$88	\$177
77.10	(e) Having \$250,001 to \$500,000 gross sales or service for the immediately previous license or fiscal year	High	\$520	\$173	\$347
77.11		Medium	\$430	\$143	\$287
77.12		Low	\$370	\$123	\$247
77.13	(f) Having \$500,001 to \$1,000,000 gross sales or service for the immediately previous license or fiscal year	High	\$625	\$208	\$417
77.14		Medium	\$535	\$178	\$357
77.15		Low	\$475	\$158	\$317
77.16	(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
77.17		Medium	\$1,425	\$475	\$950
77.18		Low	\$1,350	\$450	\$900
77.19	(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
77.20		Medium	\$1,825	\$608	\$1,217
77.21		Low	\$1,750	\$583	\$1,167
77.22	(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
77.23		Medium	\$2,225	\$742	\$1,483
77.24		Low	\$2,150	\$717	\$1,433
77.25	(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
77.26		Medium	\$2,625	\$875	\$1,750
77.27		Low	\$2,550	\$849	\$1,700
77.28	(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
77.29		Medium	\$3,025	\$1,008	\$2,017
77.30		Low	\$2,950	\$984	\$1,967
77.31	(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
77.32		Medium	\$3,425	\$1,142	\$2,283
77.33		Low	\$3,350	\$1,117	\$2,233
77.34	(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
77.35		Medium	\$3,925	\$1,309	\$2,617
77.36		Low	\$3,850	\$1,284	\$2,567
77.37	(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
77.38		Medium	\$4,425	\$1,475	\$2,950
77.39		Low	\$4,350	\$1,450	\$2,900
77.40	3. Food handler operating under authority of this chapter solely as a special event food stand as defined in Minnesota Statutes, section 157.15				
77.41					
77.42					
77.43				\$75	<del>\$25</del>
77.44	4. Meat or poultry processing solely under supervision of the U.S. Department of Agriculture				
77.45					
77.46					
77.47					
77.48	(a) Having gross sales or service of less than \$125,000 for the immediately previous license or fiscal year				
77.49				\$190	\$63

78.1	(b) Having \$125,001 to \$250,000 gross sales or service for the immediately previous license or fiscal year			
78.2				
78.3		\$365	\$122	\$243
78.4	(c) Having \$250,001 to \$500,000 gross sales or service for the immediately previous license or fiscal year			
78.5				
78.6		\$450	\$150	\$300
78.7	(d) Having \$500,001 to \$1,000,000 gross sales or service for the immediately previous license or fiscal year			
78.8				
78.9		\$565	\$188	\$377
78.10	(e) Having \$1,000,001 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year			
78.11				
78.12		\$725	\$241	\$483
78.13	(f) Having \$5,000,001 to \$10,000,000 gross sales or service for the immediately previous license or fiscal year			
78.14				
78.15		\$885	\$295	\$590
78.16	(g) Having \$10,000,001 to \$15,000,000 gross sales or service for the immediately previous license or fiscal year			
78.17				
78.18		\$1,305	\$435	\$807
78.19	(h) Having \$15,000,001 to \$20,000,000 gross sales or service for the immediately previous license or fiscal year			
78.20				
78.21		\$1,515	\$505	\$1,010
78.22	(i) Having \$20,000,001 to \$25,000,000 gross sales or service for the immediately previous license or fiscal year			
78.23				
78.24		\$1,745	\$582	\$1,163
78.25	(j) Having \$25,000,001 to \$50,000,000 gross sales or service for the immediately previous license or fiscal year			
78.26				
78.27		\$1,975	\$658	\$1,317
78.28	(k) Having \$50,000,001 to \$100,000,000 gross sales or service for the immediately previous license or fiscal year			
78.29				
78.30		\$2,215	\$738	\$1,477
78.31	(l) Having \$100,000,001 or more gross sales or service for the immediately previous license or fiscal year			
78.32				
78.33		\$2,465	\$822	\$1,643

78.34 Sec. 62. Minnesota Statutes 2024, section 29.21, is amended by adding a subdivision to  
78.35 read:

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

79.1 Sec. 63. Minnesota Statutes 2024, section 29.26, is amended to read:

79.2 **29.26 EGGS IN POSSESSION OF RETAILER.**

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

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

79.13 (1) are contained in their original packaging;

79.14 (2) have previously been candled and graded;

79.15 (3) are continuously refrigerated;

79.16 (4) are distributed to the end consumer prior to 30 days past the original quality assurance  
 79.17 date; and

79.18 (5) are contained in packaging affixed with a label that includes the following information:

79.19 (i) the name of the charitable food assistance program distributing the eggs;

79.20 (ii) a "distribute by" date of no more than 30 days past the original quality assurance  
 79.21 date; and

79.22 (iii) the following statement: "Donated Eggs - Not for Resale."

79.23 Sec. 64. Minnesota Statutes 2024, section 31.01, is amended by adding a subdivision to  
 79.24 read:

79.25 Subd. 33. Cell-cultured food. "Cell-cultured food" has the meaning given in section  
 79.26 34A.01, subdivision 1a.

79.27 Sec. 65. Minnesota Statutes 2024, section 31.12, is amended to read:

79.28 **31.12 LABELING.**

79.29 (a) For the purpose of preventing fraud and deception in the manufacture, use, sale, and  
 79.30 transportation of food, or for the purpose of protecting and preserving the public health, it

80.1 shall be the duty of the commissioner, by rulings not inconsistent with law, to require that  
 80.2 any article of food, or the package, receptacle, or container thereof, before it be sold,  
 80.3 transported, used, offered for sale or transportation, or had in possession with intent to use,  
 80.4 sell or transport within this state, shall be labeled, stamped, stenciled, marked, or branded  
 80.5 in such manner as to plainly exhibit to the purchaser any or all of the following data or  
 80.6 information: The percentages and true composition of such food article, its quality, strength,  
 80.7 quantity, source of its manufacture or production or the person by or for whom the same is  
 80.8 manufactured, produced, packed, or shipped. The commissioner shall also have authority  
 80.9 to prescribe by such rulings the date on which the same shall take effect and be in force,  
 80.10 and also the form, size, style, and wording of, and the place, time, method, means and  
 80.11 manner of use of all such labels, stamps, stencils, brands, and markings, which rulings shall  
 80.12 be made in the manner provided by law. Until such rulings are made and in effect the rulings  
 80.13 heretofore made by the commissioner shall remain in full force and effect, except as otherwise  
 80.14 prescribed by law. Any person who shall fail to comply with such ruling or rulings shall be  
 80.15 guilty of a misdemeanor.

80.16 (b) If a product contains cell-cultured food, a statement must be labeled, stamped,  
 80.17 stenciled, marked, or branded on the package in such a manner as to plainly exhibit to the  
 80.18 purchaser that the food contains cell-cultured food. A person is in violation of this paragraph  
 80.19 if the person (1) knowingly sells or offers for sale a product containing cell-cultured food  
 80.20 that is not labeled as required, or (2) reasonably should have known that the product contains  
 80.21 cell-cultured food based on information provided by the manufacturer, distributor, or supplier.

80.22 Sec. 66. Minnesota Statutes 2024, section 31.633, is amended to read:

80.23 **31.633 MEAT OR POULTRY SUBSTITUTES; INDICATION ON MENU;**  
 80.24 **PENALTIES.**

80.25 Subdivision 1. ~~Menu requirement~~ Meat or poultry substitutes. Any restaurant, eating  
 80.26 place, or other establishment serving meat or poultry in any form to the public that has any  
 80.27 filler or meat or poultry substitute added to it or incorporated in it, shall clearly and  
 80.28 prominently indicate on its menu or bill of fare the meat entrees that contain filler or meat  
 80.29 or poultry substitutes.

80.30 Subd. 3. Cell-cultured food. Any restaurant, eating place, or other establishment serving  
 80.31 cell-cultured food to the public must clearly and prominently indicate on its menu or bill  
 80.32 of fare the menu items that contain cell-cultured food.

81.1 Sec. 67. Minnesota Statutes 2024, section 32D.30, subdivision 5, is amended to read:

81.2 Subd. 5. **Reporting.** No later than ~~July 1~~ September 15 each year, the commissioner  
81.3 must submit a detailed accomplishment report and work plan detailing future plans for, and  
81.4 the actual and anticipated accomplishments from, expenditures under this section to the  
81.5 chairs and ranking minority members of the legislative committees and divisions with  
81.6 jurisdiction over agriculture policy and finance. If the commissioner significantly modifies  
81.7 a submitted work plan ~~during the fiscal year~~, the commissioner must notify the chairs and  
81.8 ranking minority members.

81.9 Sec. 68. Minnesota Statutes 2024, section 34A.01, is amended by adding a subdivision to  
81.10 read:

81.11 Subd. 1a. **Cell-cultured food.** "Cell-cultured food" means a food grown from animal  
81.12 or plant cells in a controlled environment.

81.13 Sec. 69. Minnesota Statutes 2024, section 35.155, subdivision 4, is amended to read:

81.14 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent  
81.15 escape. All perimeter fences for farmed Cervidae must be at least 96 inches in height and  
81.16 be constructed and maintained in a way that prevents the escape of farmed Cervidae, or  
81.17 entry into the premises by free-roaming Cervidae, ~~and physical contact between farmed~~  
81.18 ~~Cervidae and free-roaming Cervidae.~~ The Board of Animal Health or commissioner of  
81.19 natural resources may determine whether the construction and maintenance of fencing is  
81.20 adequate to prevent ~~physical contact or escape~~ or entry under this subdivision and may  
81.21 compel corrective action when fencing is determined to be inadequate. All new fencing  
81.22 installed and all fencing used to repair deficiencies must be high tensile. All entry areas for  
81.23 farmed Cervidae enclosure areas must have two redundant gates, which must be maintained  
81.24 to prevent the escape of animals through an open gate. If a fence deficiency allows entry  
81.25 or exit by farmed or wild Cervidae, the owner must immediately repair the deficiency. All  
81.26 other deficiencies must be repaired within a reasonable time, as determined by the Board  
81.27 of Animal Health, not to exceed 14 days. If a fence deficiency is detected during an  
81.28 inspection, the facility must be reinspected at least once in the subsequent three months.  
81.29 The farmed Cervidae owner must pay a reinspection fee equal to one-half the applicable  
81.30 annual inspection fee under subdivision 7a for each reinspection related to a fence violation.  
81.31 If the facility experiences more than one escape incident in any six-month period or fails  
81.32 to correct a deficiency found during an inspection, the board may revoke the facility's  
81.33 registration and order the owner to remove or destroy the animals as directed by the board.

82.1 If the board revokes a facility's registration, the commissioner of natural resources may  
82.2 seize and destroy animals at the facility.

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

82.4 Sec. 70. Minnesota Statutes 2024, section 41A.19, is amended to read:

82.5 **41A.19 REPORT; INCENTIVE PROGRAMS.**

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

82.11 Sec. 71. Minnesota Statutes 2024, section 41B.048, subdivision 2, is amended to read:

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

82.15 Sec. 72. Minnesota Statutes 2024, section 41B.048, subdivision 4, is amended to read:

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

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

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

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

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

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

82.25 Sec. 73. Minnesota Statutes 2024, section 41B.048, subdivision 5, is amended to read:

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

82.28 (1) be a resident of Minnesota or any entity eligible to own farm land under section  
82.29 500.24;

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

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

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

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

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

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

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

83.14 Sec. 74. Minnesota Statutes 2024, section 41B.048, is amended by adding a subdivision  
83.15 to read:

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

83.18 (1) be a resident of Minnesota or any entity eligible to own farm land under section  
83.19 500.24;

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

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

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

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

84.1 Sec. 75. Minnesota Statutes 2024, section 41B.048, is amended by adding a subdivision  
84.2 to read:

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

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

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

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

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

84.15 (f) The authority may impose a reasonable, nonrefundable application fee for each  
84.16 application for an agroforestry loan under this program. The authority may review the fee  
84.17 annually and make adjustments as necessary. The initial application fee is \$50. Application  
84.18 fees received by the authority must be deposited in the Rural Finance Authority administrative  
84.19 account established in section 41B.03.

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

84.22 (h) All repayments of financial assistance granted under this section, including principal  
84.23 and interest, must be deposited into the revolving loan account established under section  
84.24 41B.06.

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

84.27 Sec. 76. Minnesota Statutes 2024, section 583.215, is amended to read:

84.28 **583.215 EXPIRATION.**

84.29 Sections 336.9-601, subsections (h) and (i); 550.365; 559.209; 582.039; and 583.20 to  
84.30 583.32, expire June 30, ~~2027~~ 2032.

85.1 Sec. 77. Minnesota Statutes 2024, section 604A.40, subdivision 1, is amended to read:

85.2 Subdivision 1. **Definitions.** (a) For ~~the~~ purposes of this section, the terms in paragraphs  
85.3 (b) to (g) have the meanings given ~~them~~.

85.4 (b) "Agricultural products" means livestock, aquacultural, poultry, horticultural,  
85.5 floricultural, viticultural, silvicultural, or other products of a farm or ranch.

85.6 (c) "Agritourism activity" means activity carried out on a farm or ranch that allows  
85.7 organizations or members of the general public, for recreational, entertainment, charitable,  
85.8 or educational purposes, to view, enjoy, or participate in rural activities, including, but not  
85.9 limited to: farming; viticulture; winemaking; ranching; off-road vehicle trail events; and  
85.10 historical, cultural, farm stay, gleaning, harvest-your-own, or natural activities and attractions.  
85.11 An activity is an agritourism activity whether or not the participant pays to participate in  
85.12 the activity.

85.13 (d) "Agritourism professional" means a person who is engaged in providing one or more  
85.14 agritourism activities, whether or not for compensation.

85.15 (e) "Farm or ranch" means one or more areas of land used for the production, cultivation,  
85.16 growing, harvesting, or processing of agricultural products.

85.17 (f) "Inherent risks of agritourism activity" means dangers or conditions that are an integral  
85.18 part of an agritourism activity including but not limited to:

85.19 (1) natural hazards and conditions of land, vegetation, and waters including surface and  
85.20 subsurface conditions;

85.21 (2) the behavior of wild or domestic animals; and

85.22 (3) ordinary dangers of structures or equipment ordinarily used in farming or ranching  
85.23 operations.

85.24 (g) "Participant" means a person, other than an agritourism professional, who engages  
85.25 in an agritourism activity and who has the capacity to understand the inherent risks of  
85.26 agricultural tourism.

85.27 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to causes  
85.28 of action accruing on or after that date.

85.29 Sec. 78. **REPORT; PARAQUAT DICHLORIDE.**

85.30 By February 1, 2029, the commissioner of agriculture must report to the chairs and  
85.31 ranking minority members of the legislative committees with jurisdiction over agriculture

86.1 finance and policy on the use of paraquat dichloride in the state over time and the status of  
 86.2 paraquat dichloride in the pesticide supply chain.

86.3 Sec. 79. **REVISOR INSTRUCTION.**

86.4 (a) The revisor of statutes must renumber the subdivisions of Minnesota Statutes, section  
 86.5 18.77, listed in column A to the references listed in column B. The revisor must make  
 86.6 necessary cross-reference changes in Minnesota Statutes and Minnesota Rules consistent  
 86.7 with the renumbering.

86.8	<u>Column A</u>	<u>Column B</u>
86.9	<u>subdivision 2a</u>	<u>subdivision 2e</u>
86.10	<u>subdivision 2b</u>	<u>subdivision 2f</u>
86.11	<u>subdivision 13</u>	<u>subdivision 8b</u>
86.12	<u>subdivision 15</u>	<u>subdivision 2d</u>
86.13	<u>subdivision 16</u>	<u>subdivision 2c</u>
86.14	<u>subdivision 17</u>	<u>subdivision 5b</u>

86.15 (b) The revisor of statutes must renumber the subdivisions in Minnesota Statutes, section  
 86.16 18C.005, in alphabetical order and correct all cross-references.

86.17 Sec. 80. **REPEALER.**

86.18 (a) Minnesota Statutes 2024, section 18.77, subdivision 14, is repealed.

86.19 (b) Minnesota Statutes 2024, sections 18K.02, subdivision 7; 18K.03, subdivision 2;  
 86.20 and 28A.075, are repealed.

APPENDIX  
Article locations for S5073-3

ARTICLE 1 AGRICULTURE APPROPRIATIONS..... Page.Ln 2.2  
ARTICLE 2 AGRICULTURE POLICY..... Page.Ln 29.11

**18.77 DEFINITIONS.**

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

**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.