SENATE STATE OF MINNESOTA EIGHTY-SEVENTH LEGISLATURE

A bill for an act

relating to agriculture; providing for the burial of certain materials on land used

disposal; amending Minnesota Statutes 2010, section 17.135; proposing coding

for farming; clarifying responsibility for the oversight of livestock mortality

S.F. No. 558

(SENATE AUTHORS: ROSEN, Skoe, Magnus and Stumpf)				
DATE	D-PG	OFFICIAL STATUS		
03/03/2011	328	Introduction and first reading Referred to Agriculture and Rural Economies		
03/14/2011	494a	Comm report: To pass as amended and re-refer to Environment and Natural Resources		
03/16/2011	526	Author stricken Brown See SF1016, Sec. 6, 13		

See SF1029, Art. 1, Sec. 9, 43

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1.5	for new law in Minnesota Statutes, chapter 115A.
1.6	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.7	Section 1. Minnesota Statutes 2010, section 17.135, is amended to read:
1.8	17.135 FARM DISPOSAL OF SOLID WASTE.
1.9	(a) A permit is not required from a state agency, except under sections 88.16,
1.10	88.17, and 88.22 for a person who owns or operates land used for farming that buries, or
1.11	burns and buries;
1.12	(1) solid waste generated from the person's household or as part of the person's
1.13	farming operation if the burying is done; or
1.14	(2) concrete or reinforcing bar from a building or structure located on the land
1.15	used for farming.
1.16	Items in clauses (1) and (2) must be buried in a nuisance-free, pollution-free, and
1.17	aesthetic manner on the land used for farming. This The exception in clause (1) does not
1.18	apply if regularly scheduled pickup of solid waste is reasonably available at the person's
1.19	farm, as determined by resolution of the county board of the county where the person's
1.20	farm is located.

(b) This The exemption in paragraph (a), clause (1), does not apply to burning tires

or plastics, except plastic baling twine, or to burning or burial of the following materials:

(1) household hazardous waste as defined in section 115A.96, subdivision 1;

Section 1.

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(2) appliances, including but not limited to, ma	ajor appliances as defined in section
115A.0	03. subdivision 17a;	

(3) household batteries;

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- (4) used motor oil; and
- (5) lead acid batteries from motor vehicles.
- (c) Before an owner of land used for farming who buries material under the authority of paragraph (a), clause (2), may transfer ownership of the land, the owner shall record with the county recorder of the county in which the land is located an affidavit containing a legal description of the land that discloses to any potential transferee the location of concrete or reinforcing bar buried on the property. The county recorder shall record the affidavit in a manner which will ensure its disclosure in the ordinary course of a title search of the subject property.

Sec. 2. [115A.033] LIVESTOCK MORTALITIES.

2.14 Notwithstanding any other law, the executive director of the Board of Animal Health

2.15 is responsible for the regulation and oversight of livestock mortality disposal.

Sec. 2. 2