

**232.21 DEFINITIONS.**

Subdivision 1. **Applicability.** For the purpose of sections 232.20 to 232.24, the terms defined in this section have the meanings given them.

Subd. 2. **Bond.** "Bond" means an acceptable obligation, running to the state as obligee, for the purpose of indemnifying depositors and producers of grain against breach of contract by a public grain warehouse.

Subd. 3. **Commissioner.** "Commissioner" means the commissioner of agriculture.

Subd. 4. [Repealed, 2012 c 244 art 1 s 83]

Subd. 5. [Repealed, 1982 c 508 s 12]

Subd. 6. **Depositor.** "Depositor" means a person who is the owner or legal holder of an outstanding grain warehouse receipt, grain bank receipt or open scale ticket marked for storage on which a receipt is to be issued, representing any grain stored in a public grain warehouse.

Subd. 6a. **Electronic document.** "Electronic document" means a document that is generated, sent, received, or stored by electronic, optical, or similar means, including electronic data interchange, electronic mail, telegram, telex, or telecopy. "Electronic document" includes, but is not limited to, warehouse receipts, grain purchase contracts, and voluntary extension of credit contracts.

Subd. 6b. **Electronic grain warehouse receipt.** "Electronic grain warehouse receipt" means an electronic version of a grain warehouse receipt issued or transmitted to a depositor by a grain warehouse operator under the provisions of section 232.23 in the form of an electronic document. An electronic grain warehouse receipt is a negotiable instrument except as provided in section 232.23, subdivision 11.

Subd. 6c. **Electronic signature.** "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Subd. 7. **Grain.** "Grain" means any cereal grain, coarse grain, or oilseed in unprocessed form for which a standard has been established by the United States Secretary of Agriculture, dry edible beans, or agricultural crops designated by the commissioner by rule.

*[See Note.]*

Subd. 7a. **Grain bank.** "Grain bank" means a feed-processing plant that receives and stores grain it processes and returns to the grain's owner in amounts, at intervals, and with added ingredients that are mutually agreeable to the grain's owner and the person operating the plant. Grain bank does not include a seed cleaning plant.

*[See Note.]*

Subd. 8. **Grain warehouse.** "Grain warehouse" means an elevator, flour, cereal or feed mill, malthouse or warehouse in which grain belonging to a person other than the grain warehouse operator is received for purchase or storage.

Subd. 9. **Grain warehouse receipt.** "Grain warehouse receipt" means a formal record issued to a depositor by a grain warehouse operator under the provisions of section 232.23. A grain warehouse receipt is a negotiable instrument except as provided in section 232.23, subdivision 11.

Subd. 10. **Person.** "Person" means a corporation, company, joint stock company or association, partnership, firm or individual, including their agents, trustees, assignees or duly appointed receivers.

Subd. 11. **Producer.** "Producer" means a person who owns or manages a grain producing or growing operation and holds or shares the responsibility for marketing that grain produced.

Subd. 12. **Public grain warehouse operator.** "Public grain warehouse operator" means a person licensed to operate a grain warehouse in which grain belonging to persons other than the grain warehouse operator is accepted for storage or purchase, or who offers grain storage or grain warehouse facilities to the public for hire or a feed-processing plant that receives and stores grain, the equivalent of which, it processes and returns to the grain's owner in amounts, at intervals, and with added ingredients that are mutually agreeable to the grain's owner and the person operating the plant.

Subd. 13. **Scale ticket.** "Scale ticket" means a memorandum showing the weight, grade and kind of grain which is issued by a grain warehouse operator to a depositor at the time the grain is delivered.

Subd. 14. **Open storage.** "Open storage" means grain or agricultural products received by a warehouse operator from a depositor for which warehouse receipts have not been issued or a purchase made and the records documented accordingly.

Subd. 15. **Temporary storage.** "Temporary storage" means grain stored in outdoor piles or suitable structures, which are not in use for the entirety of the license period.

*[See Note.]*

**History:** 1982 c 508 s 2; 1988 c 688 art 14 s 2; 1990 c 426 art 1 s 27; 2000 c 477 s 63; 2004 c 254 s 32-34; 2012 c 244 art 1 s 56-58; 2013 c 125 art 1 s 41; 1Sp2019 c 1 art 4 s 12-14

**NOTE:** The amendment to subdivision 7 by Laws 2019, First Special Session chapter 1, article 4, section 12, is effective July 1, 2020, and applies to grain storage licenses issued on or after that date. Laws 2019, First Special Session chapter 1, article 4, section 12, the effective date.

**NOTE:** Subdivisions 7a and 15, as added by Laws 2019, First Special Session chapter 1, article 4, sections 13 and 14, are effective July 1, 2020, and apply to grain storage licenses issued on or after that date. Laws 2019, First Special Session chapter 1, article 4, sections 13 and 14, the effective dates.