

House Research Act Summary

CHAPTER: 181

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TOPIC: Agriculture

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Overview

This act modifies or eliminates various agricultural and biofuel laws. It contains elements from HF 2746 (the agricultural “unsession” bill to eliminate obsolete, redundant, or unnecessary statutes and rules), HF 3203 (biodiesel mandate modified) and HF 3280 (agricultural commodity councils modified).

Governor Dayton signed this act into law on April 30, 2014. Because the legislature did not specify an effective date, by law this act will take effect on August 1, 2014 (Minnesota Statutes, section 645.02).

Section

- 1 Development of agricultural industries.** Modifies an outdated reference to the University of Minnesota.
- 2 Value-added agricultural produce processing and marketing grant program.** Eliminates language requiring the Minnesota Department of Agriculture (MDA) to administer a value-added agricultural product processing and marketing grant program for qualifying cooperatives. Eliminates program eligibility requirements.
- 3 Membership and terms; area potato councils.** Eliminates the requirement that an area potato (commodity) council must include one voting member who is a private potato processor.
- 4 Refund of fees.** Prohibits the refunding of checkoff fees paid by a canola producer.
- 5 Classification.** Eliminates nonresident frozen food manufacturers from the list of entities MDA must treat as wholesale food processors or manufacturers for food handler licensing purposes. The nonresident frozen food manufacturer license category is repealed at the end

Section

of this act.

- 6** **Agreements to perform duties of the commissioner.** Eliminates references to potato and apple grading statutes. The potato and apple grading statutes are repealed at the end of this act.
- 7** **Fees effective July 1, 2003.** Eliminates the fee schedule for nonresident frozen dairy manufacturers. This license category is repealed at the end of this act.
- 8** **Gross misdemeanor; license revocation.** Eliminates references to a statute that requires MDA to license nonresident frozen food manufacturers. That requirement is repealed at the end of this act.
- 9** **Minimum content.** Delays the effective date of the 20 percent biodiesel (i.e., “B20”) use mandate by three years, to May 1, 2018. Lifts the B10 and B20 mandates in the month of October, so that the B10 and B20 mandates, once in effect, will apply only in the warm-weather months of April through September each year.
- 10** **Exempt equipment.** Creates a new biodiesel use mandate exemption for diesel fuel used for testing by companies that design and manufacturer diesel generators for use in other states or countries where, unlike Minnesota, biodiesel use is not required. Such companies could use pure diesel fuel for this purpose.
- 11** **Number 1 diesel fuel exempt.** Expands the biodiesel mandate exemption for Number 1 diesel fuel year-round, and extends this exemption for five years, through May 1, 2020.
- 12** **Violations of container label information laws; license revocation.** Eliminates a reference to the statute that requires MDA to license nonresident frozen food manufacturers. That requirement is repealed at the end of this act.
- 13** **Revisor’s instruction.** Directs the Revisor of Statutes to correct cross-references and move a law enforcement statute from chapter 17, “Department of Agriculture” to chapter 28A, “Licensing Food Handlers.”
- 14** **Repealer.** Eliminates the following statutes:
 - 17.03, subd. 2 and 17.038 – Authorize MDA to collect, compile, and supply agricultural statistics. Establishes a Statistical Services Account in the Agricultural Fund.
 - 17.045 – Authorizes MDA to investigate food handling complaints.
 - 17.1161 – Requires the Minnesota Institute for Sustainable Agriculture at the University of Minnesota to establish a framework for participatory problem solving in rural communities. Requires long-term research and education on sustainable cropping and livestock systems, market development, and intergenerational transfer in agriculture.
 - 17.138 – Requires MDA to develop and maintain a list of manure management

Section

research and monitoring needs and priorities in consultation with named entities.

- 17.14 to 17.19 – Prohibit price discrimination when purchasing farm products from different sellers. Requires MDA to investigate complaints. Provides penalties for violations.
- 17.42 to 17.44 – Establish a misdemeanor crime for (1) selling grain for human or animal consumption that was treated with toxic chemicals in an amount sufficient to harm the consumer, or (2) selling food for human or animal consumption that contains any amount of toxic chemical unless the seller discloses the fact in writing. Authorizes district courts to order seizure of unlawful grain upon a complaint by MDA. Authorizes courts to dispose of the seized grain under certain conditions.
- 17.452, subs. 1 and 2 – Require MDA to promote the commercial production of farmed cervidae.
- 18.011 to 18.71 – Codify a multistate pest control compact enacted in 1969.
- 30.003 to 30.201 – Regulate the grading and artificial coloring of potatoes.
- 30.55 to 30.59 – Regulate apple standards and grades.
- 32.104 – Authorizes local units of government to inspect dairy products in their jurisdictions.
- 32.411 – Establishes milk, cream, and fluid milk product standards to promote uniform quality. Creates a misdemeanor crime for failure to comply with the section's requirements.
- 32.417 – Establishes a reimbursement program for qualifying investments by dairy farm operators who produce milk for sale in cans.
- 32.57 and 32.59 – Require a person to obtain an MDA license if the person manufactures frozen food, mix, ice cream mix, mix base, or ice cream mix base in another state for sale in Minnesota.