

House Research Act Summary

CHAPTER: 373

SESSION: 2002 Regular Session

TOPIC: Agriculture Policy Bill

Date: May 15, 2002

Analyst: Sam Rankin

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

- 1 **Livestock friendly county.** A county that meets standards and criteria established by the commissioner of agriculture may apply to the commissioner for designation as a "livestock friendly" county.
- 2 **Running at large prohibited; farmed cervidae.** Amends current law by reducing from 72 hours to 24 hours the amount of time after farmed cervidae escape from enclosures before the DNR must be notified. Also, reduces from 14 days to 24 hours the window of time before the DNR can destroy escaped farmed cervidae.
- 3 **Wild cervidae inside confinement area.** Requires that all wild cervidae found within the confinement area for farmed cervidae must be destroyed, and a report made to the DNR within 24 hours.
- 4 **Agricultural contracts.** Exempts from the definition of "agricultural contract" a contract between a grain buyer making a purchase from a producer when the buyer does not have a contract with the producer to raise the crop producing the grain.
- 5 **Definition; grain.** Creates a cross-reference for the definition of "grain."
- 6 **Applicability of contract requirements.** Clarifies an exception to applicability to include cash sale and forward delivery contracts.
- 7 **Commissioner's power.** Existing statute gives the commissioner of agriculture authority to supervise the inspection, grading, weighing, sampling, and analysis of grain only within the state of Minnesota. The amendment would allow these activities to be done without limitation as to location.
- 8 **Requirement; use of restricted use pesticide.** Simplifies existing statutory language concerning the allowable use of restricted use pesticides for the production of an agricultural commodity by an employee of a certified private applicator or a licensed noncommercial applicator.

- 9 **False statement or record.** Prohibits knowingly making false statements or reports associated with the control of agricultural pesticides.
- 10 **Definition; emergency incident.** Creates a new definition for "emergency incident" meaning an incident that may cause unreasonable adverse effects on the public health or the environment.
- 11 **Definition; recontamination.** Defines recontamination as an agricultural chemical incident on land where previous contamination has required corrective actions.
- 12 **Response and reimbursement fee.** Limits the surcharge on various pesticide and applicator licenses to 50 percent of the normal fee for pesticides sold or applied, consistent with the surcharge on license fees.
- 13 **Payment of corrective action costs.** Makes a technical correction to the type of document that must be approved.
- 14 **Partial reimbursement.** Limits reimbursement payments to an eligible person to a maximum of \$100,000 in a year when the balance in the account drops below \$2,000,000.
- 15 **Reimbursement payments.** Amends existing statute by making a single rate of payment (80%) for all reimbursements for corrective actions greater than \$1,000. The maximum cost on which reimbursements can be made remains at \$350,000. For recontamination incidents within five years of a corrective action, the reimbursement can not exceed 60 percent of costs.
- 16 **Report.** Changes the due date of the annual ACRRA board report from September 1 to December 1 of each year.
- 17 **Interstate cooperation.** New statutory language would allow the commissioner of agriculture to enter into agreements with other entities for the certification of seed potatoes. The certification entities could use their methods and procedures for the inspections. Also, the commissioner could provide certification services in other states if the state does not have a seed potato certification program. Agreements must be reported to the chairs of appropriate legislative committees.
- 18 **Rules; hearings; uniformity with federal law.** Updates the following Minnesota Rules to federally adopted regulations as of April 1, 2001:
- Pesticide chemicals rules
 - Food additives rules
 - Color additives rules
 - Special dietary use rules
 - Fair packaging and labeling rules
 - Food and drug rules
 - Fishery products rules
 - Meat and poultry rules
 - Standards for fresh fruits, vegetables, and other products rules
 - Dairy grading for manufacturing plants rules
- 19 **Identity, quantity, and fill of container rules.** Brings Minnesota Rules on identity, quantity, and fill of container into conformity with federal regulations in place on April 1, 2001.
- 20 **Consumer commodities labeling rules.** Brings Minnesota Rules on consumer commodity labeling into conformity with federal regulations in place on April 1, 2001.
- 21 **Food labeling exemption rules.** Brings Minnesota authority to provide exemptions from federal food regulations into conformity with the options for exemptions provided in federal regulations as of April 1, 2001.

- 22 **Cervidae import restrictions.** New law (expires June 1, 2003) in the board of animal health chapter prohibits the import of cervidae from an area where chronic wasting disease is endemic. Import is allowed only from a herd not in a chronic wasting disease endemic area if the herd has been monitored for at least 3 years.
- 23 **County extension work.** Amends the definition of county extension work to reduce the emphasis on human development and increase emphasis on finance and economics issues and rural and youth leadership development.
- 24 **Eligibility generally.** Expands the eligibility for RFA loans to family farm partnerships.
- 25 **Eligibility for beginning farmer loans.** Changes the minimum allowable participation in farm management programs by a loan applicant from 5 years to 3 years.
- 26 **Establishment; value-added agricultural product loan program.** Opens up eligibility for loans to limited liability companies and limited liability partnerships.
- 27 **Methane digester loan program.** Expands the methane digester pilot loan program under the commissioner of agriculture to a permanent loan program under the rural finance authority. Loans made under the program before July 1, 2003, must be no-interest loans.
- 28 **Cervidae running at large prohibited.** Owners of cervidae that escape from game farms licensed with the department of natural resources must report the escape within 24 hours. Escaped cervidae may be destroyed after 24 hours.
- 29 **Wild cervidae inside confinement area.** Requires that all wild cervidae found within the confinement area for farmed cervidae must be destroyed, and a report made to the DNR within 24 hours.
- 30 **Open air swine manure basins.** Generally prohibits issuing a permit for a new open air swine manure basin, but allows the use of a basin not larger than 1,000,000 gallons at an existing facility, or when the animal type is changed.
- 31 **Definition; grain buyer.** Expands the existing definition of grain buyer to include a person who resells products from the grain.
- 32 **Exempt acreage in land exchange.** If a public/private land exchange involves a parcel of land that was exempted from compliance with Minnesota corporate farm law, the parcel received in the exchange is granted the same exempt status.
- 33 **Northern counties land use coordinating board project.** New non-codified language authorizes creation of an organization comprised of a wide range of public and private entities to study options for coordinated land use planning. Costs for a contract with the office of strategic and long-range planning for coordination services must be reimbursed by the counties.
- 34 **Chronic wasting disease recommendations; report.** The board of animal health, the commissioner of natural resources, and other interested parties are required to study measures to protect domestic and wild cervidae from chronic wasting disease. They must report to the legislature by January 15, 2003.
- 35 **Temporary waiver of rule.** This section extends the waiver of a Minnesota rule concerning the use live vaccines on poultry. The waiver will remain in place until June 30, 2003.
- 36 **Noxious weed rules.** Requires the commissioner of agriculture to include Grecian Foxglove in the list of secondary noxious weeds. This rule change will allow counties that elect to do so to mandate control of the weed.
- 37 **Transfer of funds; deposit of repayments; methane digester loan program.** Moves existing funds and future repayments on methane digester loans to an account controlled by the rural finance authority.

38 **Effective date.** Establishes early effective dates for various sections of the act.