

## S.F. 2128 - A-1 Delete everything amendment

**Author:** Senator Aric Putnam

**Prepared by:** Laura Paynter, Legislative Analyst, (651/296-5079)

**Date:** March 19, 2023

The A-1 delete everything amendment to SF 2128 joins many agriculture-related policy bills into one bill. Each of the component bills was heard in the Agriculture, Broadband, and Rural Development Committee in 2023. Aside from adding effective dates to some bills, the contents of the bills have not changed. The following table shows the amendment sections, component bills, and the chief authors of the bills:

SF 2128 DE amendment A-1 section numbers	Component bill	Author
1	<a href="#">2128</a>	Putnam
2	<a href="#">2557</a>	Kunesh
3, 68-70, 85(c)	<a href="#">2379</a>	Putnam
4	<a href="#">2315</a>	Putnam
5-6	<a href="#">2625</a>	Putnam
7, 67	<a href="#">2666</a>	Kupec
8-12, 85(e)	<a href="#">2551</a>	Seeberger
13-66, 85(d)	<a href="#">2550</a>	Seeberger
71-73	<a href="#">2667</a>	Kupec
74-78, 80-82	<a href="#">1522</a>	Kupec
79, 83-85(a)	<a href="#">1773</a>	Kupec
85(b)	<a href="#">1867</a>	Rasmusson

**Section 1** (17.457) amends the restricted species section of Minnesota Statutes relating to Eurasian wild pigs and their hybrids. It deletes outdated language and adds a requirement for insurance or a security bond for possession of a restricted species. Further, the section adds that the commissioner can enforce the restricted species section in addition to conservation enforcement officers.

**Section 2** (17.710) adds a paragraph prohibiting any requirement in a carbon storage contract that would not allow disclosure of terms, conditions or prices contained in the contract.

**Sections 3, 68, 69, 70, and 85(c)** relate to regulatory authority for responding to potential dairy contamination or misbranding incidents.

**Section 3** (17.983) deletes chapter 32D (Dairy Law) from the administrative penalties and enforcement section of chapter 17 (Department of Agriculture).

**Section 68** (32D.02, subd. 2) adds chapter 34A (Food Law; Inspection and Enforcement) to the commissioner's enforcement of chapter 32D.

**Section 69** (32D.09, subd. 2) deletes a sentence in the definition of permitting in chapter 32D.09 referencing 34A.06.

**Section 70** (34A.04, subd. 1) adds chapter 32D to the chapters that the commissioner must enforce.

**Section 85, paragraph (c)** repeals section 17.984 relating to investigation, and section 32D.03, subdivision 5 relating to suspension or cancellation of a bulk milk hauler and sampler license.

**Section 4** (18.78, subd. 2) adds nonnative Phragmites to the noxious weeds control and management section.

**Section 5** (18B01) adds a definition of "minimum risk pesticide."

**Section 6** [18B.091] adds a section to the pesticide control chapter that would allow minimum risk pesticides to be used for growing medical cannabis except in certain circumstances.

**Section 7** (18D.321, subdivision 1) amends the notice period from 45 to 20 days for a person to notify the commissioner that the person intends to contest an enforcement order relating to agricultural chemical liability.

**Sections 8 to 12, and 85(e)** relate to genetically engineered organisms.

**Section 8** (18F.01) updates the purpose to more accurately reflect the Department of Agriculture's role.

**Section 9** (18F.02) adds a definition of "Coordinated Framework."

**Section 10** (18F.02) adds a definition of "regulated organism."

**Section 11** (18F.07) amends the genetically engineered agriculturally related organism permit section to reflect that federal agencies issue permits.

**Section 12** (18F.13) requires the commissioner to recognize federal exemptions and allow commercial use of agricultural chemicals that have been deregulated by a federal agency.

**Section 85, paragraph (e)** repeals sections 18F.02, subdivisions 2 and 9, and section 18F.12, removing definitions for "agency," and "unreasonable adverse effects on the environment," as well as the ability for the commissioner to adopt rules.

**Sections 13 to 66, and 85(d)** make technical changes to the nursery law chapter and update the plant protection and export certification chapter to coordinate with these technical changes.

**Section 13** (18G.02, subdivision 2) updates the definition of “biological control agent.”

**Section 14** (18G.02, subdivision 6) amends the definition of “compliance agreement.”

**Section 15** (18G.02) adds a definition of “individual.”

**Section 16** (18G.02, subdivision 14) amends the definition of “infested.”

**Section 17** (18G.02, subdivision 15) amends the definition of “invasive species.”

**Section 18** (18G.02, subdivision 16) amends the definition of “mark.”

**Section 19** (18G.02, subdivision 20) replaces the definition of “person” with a definition of “entity.”

**Section 20** (18G.02, subdivision 22) amends the definition of “phytosanitary certificate or export certificate.”

**Section 21** (18G.02, subdivision 24) amends the definition of “plant pest.”

**Section 22** (18G.02, subdivision 30) amends the definition of “significant damage or harm.”

**Section 23** (18G.03, subdivision 1) removes the word “harmful” to reflect the new definition of “plant pest.”

**Section 24** (18G.04, subdivision 2) removes the phrase “harmful or dangerous” to reflect the new definition of “plant pest.”

**Section 25** (18G.05) makes technical changes to the section relating to discovery of plant pests.

**Section 26** (18G.06, subdivision 2) makes technical changes relating to quarantine notices.

**Section 27** (18G.06, subdivision 5) makes technical changes relating to public notification of quarantine or emergency regulation.

**Section 28** (18G.10, subdivision 4) makes technical changes relating to exports.

**Section 29** (18G.10, subdivision 5) makes technical changes relating to export certificate fees.

**Section 30** (18G.10, subdivision 6) makes technical changes relating to denial or cancellation of an export certificate.

**Section 31** (18G.11, subdivision 1) makes technical changes relating to detection and control agreements.

**Section 32** (18G.12, subdivision 1) makes technical changes relating to plant and invasive species research.

**Section 33** (18G.12, subdivision 2) makes technical changes relating to the statewide program to prevent the spread of plant pests.

**Section 34** (18H.02, subdivision 2) amends the definition of “agent.”

**Section 35** (18H.02, subdivision 3) amends the definition of “annual.”

**Section 36** (18H.02, subdivision 8) amends the definition of “consignee.”

**Section 37** (18H.02, subdivision 9) amends the definition of “consignor.”

**Section 38** (18H.02, subdivision 12) amends the definition of “distribute.”

**Section 39** (18H.02, subdivision 12b) amends the definition of “etiolated growth.”

**Section 40** (18H.02, subdivision 12c) amends the definition of “individual.”

**Section 41** (18H.02, subdivision 14) amends the definition of “infested.”

**Section 42** (18H.02) adds a definition of “label.”

**Section 43** (18H.02, subdivision 16) amends the definition of “mark.”

**Section 44** (18H.02, subdivision 18) amends the definition of “nursery certificate.”

**Section 45** (18H.02, subdivision 20) amends the definition of “nursery stock.”

**Section 46** (18H.02, subdivision 24) amends the definition of “owner.”

**Section 47** (18H.02, subdivision 24a) amends the definition of “packaged stock” by changing it to “packaged nursery stock.”

**Section 48** (18H.02, subdivision 25) replaces the definition of “person” with a definition of “entity.”

**Section 49** (18H.02, subdivision 26) amends the definition of “place of origin.”

**Section 50** (18H.02, subdivision 28) amends the definition of “plant pest.”

**Section 51** (18H.02, subdivision 32) amends the definition of “sales location.”

**Section 52** (18H.02, subdivision 33) amends the definition of “tree spade.”

**Section 53** (18H.03, subdivision 6) makes technical changes relating to dissemination of information.

**Section 54** (18H.04) deletes obsolete language.

**Section 55** (18H.05) updates nursery certificate requirements.

**Section 56** (18H.06, subdivision 2) amends provisions relating to occasional nursery stock sales.

**Section 57** (18H.07) adds a subdivision that would waive certificate fees for nonprofit organizations in certain circumstances.

**Section 58** (18H.07, subdivision 4) amends provisions relating to inspection fees.

**Section 59** (18H.08, subdivision 1) amends provisions relating to service and inspection fees.

**Section 60** (18H.09) makes technical changes to the section relating to nursery stock certification requirements.

**Section 61** (18H.10) makes technical changes to the section relating to nursery stock storage.

**Section 62** (18H.12) makes technical changes to the section relating to damaged, diseased, infested, or misrepresented nursery stock.

**Section 63** (18H.13) makes technical changes to the section relating to shipment of nursery stock into Minnesota.

**Section 64** (18H.14) makes technical changes to the section relating to nursery stock labeling and advertising.

**Section 65** (18H.15) makes technical changes to the section relating to nursery stock violations.

**Section 66** (18H.18) makes technical changes to the section relating to conservation of certain wildflowers.

**Section 67** (18J.08, subdivision 1) amends the notice period from 45 to 20 days for a person to notify the commissioner that the person intends to contest an enforcement order issued under the authority of chapter 18J (Inspection and Enforcement).

**Sections 71, 72, and 73** make technical changes to the bioincentive program.

**Section 71** (41A.16, subdivision 7) relates to the advanced biofuel production incentive.

**Section 72** (41A.17, subdivision 6) relates to the renewable chemical production incentive.

**Section 73** (41A.18, subdivision 6) relates to the biomass thermal production incentive.

**Sections 74 to 78 and 80 to 82** relate to veterinary technicians and introduce a license. These sections are effective July 1, 2025.

**Section 74** (156.001) adds a definition of “direct supervision.”

**Section 75** (156.001) adds a definition of “licensed veterinary technician.”

**Section 76** (156.001) adds a definition of “remote supervision.”

**Section 77** (156.001) adds a definition of “veterinary technology.”

**Section 78** (156.07) amends the license renewal section to reflect the new license for veterinary technicians.

**Section 80** [156.076] specifies what unlicensed veterinary employees can do only under direct supervision.

**Section 81** [156.077] adds a section relating to licensed veterinary technicians. The section specifies the qualifications required for licensure, what must be included in an application, and specifies alternative temporary qualifications effective until July 1, 2030.

**Section 82** [156.078] specifies conditions for transfer of a veterinary technician license from another jurisdiction.

**Section 79, 83 to 85(a)** relate to veterinary medicine licensing for University of Minnesota employees.

**Section 79** [156.0721] adds a new section to chapter 156 (Veterinarians) relating to the practice of veterinary medicine by University of Minnesota employees.

**Section 83** (156.12, subdivision 2) updates the section to reflect the new institutional licensure section.

**Section 84** (156.12, subdivision 4) updates the section to reflect the new institutional licensure section.

**Section 85, paragraph (a)** repeals section 156.12, relating to University of Minnesota faculty licensure.

**Section 85, paragraph (b)** repeals sections 32D.24, 32D.25, 32D.26, 32D.27, and 32D.28, which prohibit below cost sales of dairy products.