

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 3083

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DATE	D-PG	OFFICIAL STATUS
03/27/2025	1109	Introduction and first reading Referred to Agriculture, Veterans, Broadband, and Rural Development

1.1A bill for an act

1.2relating to agriculture; adding pesticides from treated seeds to the commissioner's

1.3pesticide management plan requirements; broadening pesticide management plan

1.4coordination to include local governments and public health agencies; adding

1.5pesticides from treated seeds and pesticide breakdown products to groundwater

1.6monitoring requirements; requiring action to prevent and monitor pesticide

1.7contamination of surface water and air quality; requiring labeling statements for

1.8certain pesticide-treated seed; establishing new program for systemic

1.9pesticide-treated seed; appropriating money; amending Minnesota Statutes 2024,

1.10sections 18B.045; 18B.10; 18D.40; 21.81, by adding a subdivision; 21.82,

1.11subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 18B;

1.1221.

1.13BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.14Section 1. Minnesota Statutes 2024, section 18B.045, is amended to read:

1.1518B.045 PESTICIDE MANAGEMENT PLAN.

1.16Subdivision 1. **Development.** The commissioner shall develop a pesticide management

1.17plan for the prevention, evaluation, and mitigation of occurrences of pesticides, pesticides

1.18from treated seed, or pesticide breakdown products in groundwaters and surface waters of

1.19the state. The pesticide management plan must include components promoting prevention,

1.20developing appropriate responses to the detection of pesticides, pesticides from treated seed,

1.21or pesticide breakdown products in groundwater and surface waters, and providing responses

1.22to reduce or eliminate continued pesticide movement to groundwater and surface water. By

1.23September 1 of each even-numbered year, the commissioner must submit a status report on

1.24the plan to the Environmental Quality Board for review and then to the house of

1.25representatives and senate committees with jurisdiction over the environment, natural

1.26resources, and agriculture.

Subd. 2. **Coordination.** The pesticide management plan shall be coordinated and developed with other state agency plans and with other state agencies and local units of government through the Environmental Quality Board. In addition, public health agencies, the University of Minnesota Extension Service, farm organizations, farmers, environmental organizations, and industry shall be involved in the pesticide management plan development.

Sec. 2. Minnesota Statutes 2024, section 18B.10, is amended to read:

18B.10 ACTION TO PREVENT GROUNDWATER CONTAMINATION.

(a) The commissioner may, by rule, special order, or delegation through written regulatory agreement with officials of other approved agencies, take action necessary to prevent the contamination of groundwater resulting from leaching of pesticides through the soil, from the backsiphoning or backflowing of pesticides through water wells, or from the direct flowage of pesticides to groundwater.

(b) With owner consent, the commissioner may ~~use~~ sample private water wells throughout the state to monitor for the presence of ~~agricultural~~ pesticides, pesticides from treated seed, pesticide breakdown products, and other ~~industrial~~ chemicals in groundwater. The specific locations and land owners shall not be identifiable. The owner or user of a private water well sampled by the commissioner must be given access to test results.

Sec. 3. **[18B.102] ACTION TO PREVENT SURFACE WATER CONTAMINATION.**

(a) The commissioner may by rule, special order, or delegation through written regulatory agreement with officials of other approved agencies, take action necessary to prevent the contamination of surface water resulting from pesticides, pesticides from treated seed, or pesticide breakdown products from soil erosion, improper disposal or use, or direct flowage.

(b) The commissioner may sample public waters to monitor for the presence of pesticides, pesticides from treated seed, pesticide-treated products, pesticide breakdown products, and other chemicals in surface waters.

Sec. 4. **[18B.105] ACTION TO PREVENT AIR QUALITY CONTAMINATION.**

(a) The commissioner may by rule, special order, or delegation through written regulatory agreement with officials of other approved agencies, take action necessary to prevent the contamination of air by pesticides, pesticides from treated seed, or pesticide breakdown products from drift, evaporation, volatilization, wind erosion, or any other source.

(b) The commissioner may sample ambient air to monitor for the presence of pesticides, pesticides from treated seed, and pesticide-treated products.

Sec. 5. Minnesota Statutes 2024, section 18D.40, is amended to read:

18D.40 ENHANCED PENALTIES; OUTDOOR RECREATION LANDS.

Notwithstanding limitations placed on administrative or civil penalty amounts under sections 18D.315 and 18D.325, a person who applies a pesticide or plants seed treated with pesticide resulting in damage to adjacent property that is part of the state outdoor recreation system may be subject to a monetary penalty equal to twice the amount that the commissioner would otherwise assess for a comparable violation.

Sec. 6. Minnesota Statutes 2024, section 21.81, is amended by adding a subdivision to read:

Subd. 35. **Systemic pesticide.** "Systemic pesticide" means a pesticide designed to be absorbed by plants and translocated throughout plant tissue. Systemic pesticides include:

(1) acetamiprid, dinotefuran, clothianidin, thiamethoxam, imidacloprid, nitenpyram, thiacloprid, fipronil, flupyradifurone, sulfoxaflor, cyantraniliprole, or chlorantraniliprole; and

(2) any other pesticide determined by the commissioner to be a systemic pesticide, pursuant to section 21.917.

Sec. 7. Minnesota Statutes 2024, section 21.82, subdivision 3, is amended to read:

Subd. 3. **Treated seed.** For all named agricultural, vegetable, flower, or wildflower seeds which are treated, for which a separate label may be used, the label must contain:

(1) a word or statement to indicate that the seed has been treated;

(2) the commonly accepted, coined, chemical, or abbreviated generic chemical name of the applied substance;

(3) the caution statement "Do not use for food, feed, or oil purposes" if the substance in the amount present with the seed is harmful to human or other vertebrate animals;

(4) in the case of mercurials or similarly toxic substances, a poison statement and symbol;

(5) a word or statement describing the process used when the treatment is not of pesticide origin; ~~and~~

(6) the date beyond which the inoculant is considered ineffective if the seed is treated with an inoculant. It must be listed on the label as "inoculant: expires (month and year)" or wording that conveys the same meaning; and

(7) the caution statement for any corn or soybean seed treated with a neonicotinoid pesticide, framed in a box and including a bee icon developed by the commissioner that states: "Planting seed treated with a neonicotinoid pesticide may negatively impact pollinator health. Please use care when handling and planting this seed."

Sec. 8. **[21.917] SYSTEMIC PESTICIDE-TREATED SEED PROGRAM.**

By January 1, 2027, the commissioner must develop a program for the regulation of systemic pesticide-treated seed and:

(1) account for the total quantity of systemic pesticide-treated seed purchased and used in the state, and the total acreage and location where systemic pesticide-treated seed is applied each year;

(2) ensure that all treated seed used in the state is subject to any regulatory restrictions necessary to protect human health and the environment, including but not limited to pollinating insects, birds, and aquatic ecosystems, from exposure to systemic insecticides;

(3) require formal verification of need prior to the use of systemic pesticide-treated seed except where systemic pesticide-treated seed is the only commercially available option. At a minimum, the commissioner must require written certification from a trained and approved individual for each use of systemic pesticide-treated field crop seed, verifying that, for the time and location, the use would be effective in addressing a demonstrable pest problem;

(4) study the use, efficacy, and environmental and health impacts of systemic pesticide-treated seed in the state;

(5) develop and disseminate educational materials and best management practices for the use of systemic pesticide-treated seed;

(6) collaborate with the University of Minnesota in developing and implementing the systemic pesticide-treated seed program. This collaboration may include the evaluation of national and international research on treated seed for its applicability to Minnesota-specific conditions to ensure a sound understanding of efficacy of seed treatment rates, scouting techniques, pest pressures, economic thresholds, and planting-technology differences; and

(7) designate any pesticide, including but not limited to any chemical belonging to the neonicotinoid or anthranilcil diamide class, to be a systemic pesticide. The commissioner

5.1 must maintain a list of pesticides designated to be a systemic pesticide on the agency's public
5.2 website.

5.3 Sec. 9. **[21.93] SYSTEMIC PESTICIDE-TREATED SEED ALTERNATIVES**
5.4 **ACCOUNT.**

5.5 The systemic pesticide-treated seed alternatives account is established in the agricultural
5.6 fund. Money in the account, including interest, is appropriated to the University of Minnesota
5.7 for research and outreach regarding nonchemical pest prevention methods that may serve
5.8 as an alternative to the use of systemic pesticide-treated seed. This money may be used to
5.9 award competitive grants.

5.10 Sec. 10. **APPROPRIATION; SYSTEMIC PESTICIDE-TREATED SEED**
5.11 **PROGRAM.**

5.12 \$..... in fiscal year 2026 is appropriated from the pesticide regulatory account in the
5.13 agricultural fund to the commissioner of agriculture to implement the systemic
5.14 pesticide-treated seed program. This is a onetime appropriation.

5.15 Sec. 11. **APPROPRIATION; SYSTEMIC PESTICIDE-TREATED SEED**
5.16 **ALTERNATIVES ACCOUNT.**

5.17 \$..... in fiscal year 2026 is appropriated from the pesticide regulatory account in the
5.18 agricultural fund to the systemic pesticide-treated seed alternatives account. This is a onetime
5.19 appropriation.