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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **1138**

02/23/2015 Authored by Clark, Franson, Schultz, Simonson, Davids and others
The bill was read for the first time and referred to the Committee on Agriculture Policy

1.1 A bill for an act
1.2 relating to agriculture; providing exemptions from and modifying definitions for
1.3 the Minnesota Seed Law; amending Minnesota Statutes 2014, sections 21.81,
1.4 subdivision 26; 21.87.

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

1.6 Section 1. Minnesota Statutes 2014, section 21.81, subdivision 26, is amended to read:

1.7 Subd. 26. **Sell.** "Sell," when applying to agricultural, vegetable, flower, tree or
1.8 shrub seed, and seed samples, includes:

1.9 (a) selling or transferring ownership;

1.10 (b) offering and exposing for sale, exchange, distribution, ~~giving away~~, and
1.11 transportation in or into this state;

1.12 (c) having in possession with intent to sell, exchange, distribute, ~~give away~~, or
1.13 transport in or into this state;

1.14 (d) storing, carrying, and handling in aid of traffic in seeds, whether done in person
1.15 or through an agent, employee, or other person; and

1.16 (e) receiving, accepting, and holding on consignment for sale.

1.17 Sec. 2. Minnesota Statutes 2014, section 21.87, is amended to read:

1.18 **21.87 EXEMPTION.**

1.19 Sections 21.82 and 21.83 do not apply:

1.20 (a) to seed or grain not intended for sowing purposes;

1.21 (b) to a religious, charitable, scientific, literary, or educational organization that
1.22 receives less than \$5,000 in gross receipts in a calendar year from the sale of seeds for use
1.23 in the state or to interpersonal sharing of seeds;

2.1 (c) to seed in storage in or being transported or consigned to a conditioning
2.2 establishment for conditioning, provided that the invoice or label accompanying any
2.3 shipment of the seeds bears the statement "seeds for conditioning," and provided that any
2.4 labeling or other representation which may be made with respect to the unconditioned
2.5 seed is subject to the provisions of sections 21.82 and 21.83; or

2.6 ~~(e)~~ (d) to any carrier with respect to seed transported or delivered for transportation
2.7 in the ordinary course of its business as a carrier, provided that the carrier is not engaged
2.8 in producing, conditioning, or marketing seeds subject to sections 21.82 and 21.83.