

CHAPTER 17

DEPARTMENT OF AGRICULTURE

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17.03 POWERS AND DUTIES OF COMMISSIONER.

[For text of subs 1 to 12, see M.S.2004]

Subd. 13. **Semiannual reports.** (a) The commissioner shall submit to the legislative committees having jurisdiction over appropriations from the agricultural fund in section 16A.531 reports on the amount of revenue raised in each fee account within the fund, the expenditures from each account, and the purposes for which the expenditures were made. The reports must be issued in February and November each year, to coincide with the forecasts of revenue and expenditures prepared under section 16A.103.

(b) The report delivered in February of each year must include the commissioner's recommendations, if any, for changes in statutes relating to the fee accounts of the agricultural fund.

History: 1Sp2005 c 1 art 1 s 7

17.117 AGRICULTURE BEST MANAGEMENT PRACTICES LOAN PROGRAM.

[For text of subs 1 to 5a, see M.S.2004]

Subd. 5b. **Application fee.** The commissioner may impose a nonrefundable application fee of \$50 for each loan issued under the program. The fees must be credited to the agricultural best management practices administration account, which is hereby established in the agricultural fund. Interest earned in the account accrues to the account. Money in the account and interest earned in the accounts established in the agricultural fund under subdivision 5a are appropriated to the commissioner for administrative expenses of the program.

[For text of subs 6 to 10, see M.S.2004]

Subd. 11. **Loans issued to borrower.** (a) Local lenders may issue loans only for projects that are approved and certified by the local government unit as meeting priority needs identified in a comprehensive water management plan or other local planning documents, are in compliance with accepted practices, standards, specifications, or criteria, and are eligible for financing under Environmental Protection Agency or other applicable guidelines.

(b) The local lender may use any additional criteria considered necessary to determine the eligibility of borrowers for loans.

(c) Local lenders shall set the terms and conditions of loans to borrowers, except that:

- (1) no loan to a borrower may exceed \$50,000;
- (2) no loan for a project may exceed \$50,000; and
- (3) no borrower shall, at any time, have multiple loans from this program with a total outstanding loan balance of more than \$50,000.

(d) The maximum term length for conservation tillage projects is five years. The maximum term length for other projects in this paragraph is ten years.

(e) Notwithstanding paragraph (c), a local lender may issue a loan of up to \$100,000 for a community sewage treatment system serving two or more households.

(f) Fees charged at the time of closing must:

- (1) be in compliance with normal and customary practices of the local lender;

(2) be in accordance with published fee schedules issued by the local lender;

(3) not be based on participation program; and

(4) be consistent with fees charged other similar types of loans offered by the local lender.

(g) The interest rate assessed to an outstanding loan balance by the local lender must not exceed three percent per year.

[For text of subs 11a to 17, see M.S.2004]

History: 1Sp2005 c 1 art 1 s 8,9

17.43 VIOLATIONS; PENALTIES.

Any person violating section 17.42 is guilty of a gross misdemeanor.

History: 2005 c 10 art 3 s 1

17.451 [Repealed, 1Sp2005 c 1 art 1 s 98]

17.452 FARM-RAISED CERVIDAE.

[For text of subs 1 to 5, see M.S.2004]

Subd. 5a. **Other applicable definitions.** The definitions in section 35.153 apply to this section.

Subd. 6. [Repealed, 1Sp2005 c 1 art 1 s 98]

Subd. 6a. [Repealed, 1Sp2005 c 1 art 1 s 98]

Subd. 7. [Repealed, 1Sp2005 c 1 art 1 s 98]

[For text of subs 8 and 9, see M.S.2004]

Subd. 10. [Repealed, 1Sp2005 c 1 art 1 s 98]

Subd. 11. [Repealed, 1Sp2005 c 1 art 1 s 98]

Subd. 12. [Repealed, 1Sp2005 c 1 art 1 s 98]

Subd. 13. [Repealed, 1Sp2005 c 1 art 1 s 98]

Subd. 13a. [Repealed, 1Sp2005 c 1 art 1 s 98]

Subd. 14. [Repealed, 1Sp2005 c 1 art 1 s 98]

Subd. 15. [Repealed, 1Sp2005 c 1 art 1 s 98]

Subd. 16. [Repealed, 1Sp2005 c 1 art 1 s 98]

History: 1Sp2005 c 1 art 1 s 10

17.982 CRIMINAL AND ADMINISTRATIVE PENALTIES.

Subdivision 1. **Criminal penalties.** A person who violates a provision of chapter 28A, 29, 31, 31A, 31B, or 34 for which a penalty has not been prescribed is guilty of a misdemeanor.

[For text of subd 2, see M.S.2004]

History: 1Sp2005 c 1 art 1 s 11

17.983 ADMINISTRATIVE PENALTIES AND ENFORCEMENT.

Subdivision 1. **Administrative penalties; citation.** If a person has violated a provision of chapter 28A, 29, 31, 31A, 31B, 32, or 34, the commissioner may issue a written citation to the person by personal service or by certified mail. The citation must describe the nature of the violation and the statute or rule alleged to have been violated; state the time for correction, if applicable; and the amount of any proposed fine. The citation must advise the person to notify the commissioner in writing within 30 days if the person wishes to appeal the citation. If the person fails to appeal the citation, the citation is the final order and not subject to further review.

Subd. 2. [Repealed, 1Sp2005 c 1 art 1 s 98]

Subd. 3. **Contested case.** If a person appeals a citation or a penalty assessment within the time limits in subdivision 1, the commissioner shall initiate a contested proceeding under chapter 14. The report of the administrative law judge is the final decision of the commissioner of agriculture.

History: *1Sp2005 c 1 art 1 s 12,13*