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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1437

03/04/2015 Authored by Hamilton

The bill was read for the first time and referred to the Committee on Agriculture Finance

1.1 A bill for an act

1.2 relating to state government; appropriating money for agriculture, animal health,

1.3 and agricultural utilization research; providing retail food establishment and

1.4 food handler license fees; making policy and technical changes to various

1.5 agricultural related provisions, including provisions related to pesticide control,

1.6 plant protection, nursery law, seeds, food handlers, food, farmland, farming,

1.7 and loans; establishing the farm opportunity loan program; modifying fees and

1.8 surcharges; creating accounts; amending Minnesota Statutes 2014, sections

1.9 13.643, subdivision 1; 18B.01, subdivisions 28, 29; 18B.32, subdivision 1;

1.10 18B.33, subdivision 1; 18B.34, subdivision 1; 18C.425, subdivision 6; 18G.10,

1.11 subdivisions 3, 4, 5; 18H.02, subdivision 20, by adding subdivisions; 18H.06,

1.12 subdivision 2; 18H.07; 21.81, by adding subdivisions; 21.82, subdivisions 2, 4;

1.13 21.85, subdivision 2, by adding a subdivision; 21.89, subdivision 2; 21.891,

1.14 subdivisions 2, 5; 25.39, subdivision 1; 28A.03, by adding subdivisions;

1.15 28A.08, subdivision 1, by adding subdivisions; 28A.082, subdivision 1; 31.39,

1.16 subdivision 1; 32.394, subdivisions 8, 8b; 41B.03, subdivision 6, by adding

1.17 a subdivision; 41B.04, subdivision 17; 41B.043, subdivision 3; 41B.045,

1.18 subdivisions 3, 4; 41B.046, subdivision 5; 41B.047, subdivisions 1, 4; 41B.048,

1.19 subdivision 6; 41B.049, subdivision 4; 41B.055, subdivision 3; 41B.056,

1.20 subdivision 2; 41B.06; 500.24, subdivision 4; proposing coding for new law

1.21 in Minnesota Statutes, chapters 15; 41B; repealing Minnesota Statutes 2014,

1.22 sections 17.115; 28A.08, subdivision 3; 41A.12, subdivision 4.

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

1.24 ARTICLE 1

1.25 AGRICULTURE APPROPRIATIONS

1.26 Section 1. AGRICULTURE APPROPRIATIONS.

1.27 The sums shown in the columns marked "Appropriations" are appropriated to the

1.28 agencies and for the purposes specified in this article. The appropriations are from the

1.29 general fund, or another named fund, and are available for the fiscal years indicated

1.30 for each purpose. The figures "2016" and "2017" used in this article mean that the

1.31 appropriations listed under them are available for the fiscal year ending June 30, 2016, or

2.1 June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal  
 2.2 year 2017. "The biennium" is fiscal years 2016 and 2017.

2.3 **APPROPRIATIONS**  
 2.4 **Available for the Year**  
 2.5 **Ending June 30**  
 2.6 **2016** **2017**

2.7 **Sec. 2. DEPARTMENT OF AGRICULTURE**

2.8 **Subdivision 1. Total Appropriation** **\$ 31,329,000** **\$ 31,539,000**

2.9	<u>Appropriations by Fund</u>	
2.10	<u>2016</u>	<u>2017</u>
2.11	<u>General</u> <u>29,951,000</u>	<u>30,161,000</u>
2.12	<u>Remediation</u> <u>388,000</u>	<u>388,000</u>
2.13	<u>Agricultural</u> <u>990,000</u>	<u>990,000</u>

2.14 The amounts that may be spent for each  
 2.15 purpose are specified in the following  
 2.16 subdivisions.

2.17 **Subd. 2. Protection Services** **10,733,000** **10,733,000**

2.18	<u>Appropriations by Fund</u>	
2.19	<u>2016</u>	<u>2017</u>
2.20	<u>General</u> <u>10,155,000</u>	<u>10,155,000</u>
2.21	<u>Agricultural</u> <u>190,000</u>	<u>190,000</u>
2.22	<u>Remediation</u> <u>388,000</u>	<u>388,000</u>

2.23 \$388,000 the first year and \$388,000 the  
 2.24 second year are from the remediation fund  
 2.25 for administrative funding for the voluntary  
 2.26 cleanup program.

2.27 \$150,000 the first year and \$150,000  
 2.28 the second year are for compensation  
 2.29 for destroyed or crippled animals under  
 2.30 Minnesota Statutes, section 3.737. If the  
 2.31 amount in the first year is insufficient, the  
 2.32 amount in the second year is available in the  
 2.33 first year.

2.34 \$50,000 the first year and \$50,000 the second  
 2.35 year are for compensation for crop damage

3.1 under Minnesota Statutes, section 3.7371. If  
 3.2 the amount in the first year is insufficient, the  
 3.3 amount in the second year is available in the  
 3.4 first year.

3.5 If the commissioner determines that claims  
 3.6 made under Minnesota Statutes, section  
 3.7 3.737 or 3.7371, are unusually high, amounts  
 3.8 appropriated for either program may be  
 3.9 transferred to the appropriation for the other  
 3.10 program.

3.11 \$200,000 the first year and \$200,000 the  
 3.12 second year are for additional funding for  
 3.13 dairy inspection services.

3.14 \$150,000 the first year and \$150,000 the  
 3.15 second year are for additional funding for  
 3.16 laboratory services operations.

3.17 \$250,000 the first year and \$250,000  
 3.18 the second year are for additional meat  
 3.19 inspection services.

3.20 Notwithstanding Minnesota Statutes, section  
 3.21 18B.05, \$90,000 the first year and \$90,000  
 3.22 the second year are from the pesticide  
 3.23 regulatory account in the agricultural fund  
 3.24 for an increase in the operating budget for  
 3.25 the Laboratory Services Division.

3.26 \$100,000 the first year and \$100,000 the  
 3.27 second year are from the pesticide regulatory  
 3.28 account in the agricultural fund to update  
 3.29 and modify applicator education and training  
 3.30 materials.

3.31 **Subd. 3. Agricultural Marketing and**  
 3.32 **Development**

3,873,000

3,873,000

3.33 \$186,000 the first year and \$186,000 the  
 3.34 second year are for transfer to the Minnesota  
 3.35 grown account and may be used as grants

4.1 for Minnesota grown promotion under  
4.2 Minnesota Statutes, section 17.102. Grants  
4.3 may be made for one year. Notwithstanding  
4.4 Minnesota Statutes, section 16A.28, the  
4.5 appropriations encumbered under contract  
4.6 on or before June 30, 2017, for Minnesota  
4.7 grown grants in this paragraph are available  
4.8 until June 30, 2019.

4.9 \$634,000 the first year and \$634,000 the  
4.10 second year are for continuation of the dairy  
4.11 development and profitability enhancement  
4.12 and dairy business planning grant programs  
4.13 established under Laws 1997, chapter  
4.14 216, section 7, subdivision 2, and Laws  
4.15 2001, First Special Session chapter 2,  
4.16 section 9, subdivision 2. The commissioner  
4.17 may allocate the available sums among  
4.18 permissible activities, including efforts to  
4.19 improve the quality of milk produced in the  
4.20 state in the proportions that the commissioner  
4.21 deems most beneficial to Minnesota's  
4.22 dairy farmers. The commissioner must  
4.23 submit a detailed accomplishment report  
4.24 and a work plan detailing future plans for,  
4.25 and anticipated accomplishments from,  
4.26 expenditures under this program to the  
4.27 chairs and ranking minority members of the  
4.28 legislative committees with jurisdiction over  
4.29 agricultural policy and finance on or before  
4.30 the start of each fiscal year. If significant  
4.31 changes are made to the plans in the course  
4.32 of the year, the commissioner must notify the  
4.33 chairs and ranking minority members.

4.34 The commissioner may use funds  
4.35 appropriated in this subdivision for annual  
4.36 cost-share payments to resident farmers

5.1 or entities that sell, process, or package  
 5.2 agricultural products in this state for the costs  
 5.3 of organic certification. The commissioner  
 5.4 may allocate these funds for assistance for  
 5.5 persons transitioning from conventional to  
 5.6 organic agriculture.

5.7 **Subd. 4. Bioenergy and Value-Added**  
 5.8 **Agriculture**

10,235,000

10,235,000

5.9 \$10,235,000 the first year and \$10,235,000  
 5.10 the second year are for the agricultural  
 5.11 growth, research, and innovation program  
 5.12 in Minnesota Statutes, section 41A.12. No  
 5.13 later than February 1, 2016, and February  
 5.14 1, 2017, the commissioner must report to  
 5.15 the legislative committees with jurisdiction  
 5.16 over agriculture policy and finance regarding  
 5.17 the commissioner's accomplishments  
 5.18 and anticipated accomplishments in  
 5.19 the following areas: facilitating the  
 5.20 start-up, modernization, or expansion of  
 5.21 livestock operations including beginning  
 5.22 and transitioning livestock operations;  
 5.23 developing new markets for Minnesota  
 5.24 farmers by providing more fruits, vegetables,  
 5.25 meat, grain, and dairy for Minnesota school  
 5.26 children; assisting value-added agricultural  
 5.27 businesses to begin or expand, access new  
 5.28 markets, or diversify products; facilitating  
 5.29 the start-up, modernization, or expansion  
 5.30 of other beginning and transitioning farms;  
 5.31 research on conventional and cover crops;  
 5.32 sustainable agriculture on farm research and  
 5.33 demonstration; and research on bioenergy,  
 5.34 biobased content, or biobased formulated  
 5.35 products and other renewable energy  
 5.36 development.

6.1 The commissioner may use up to 4.5 percent  
6.2 of this appropriation for costs incurred to  
6.3 administer the program. Any unencumbered  
6.4 balance does not cancel at the end of the first  
6.5 year and is available for the second year.  
6.6 Notwithstanding Minnesota Statutes, section  
6.7 16A.28, the appropriations encumbered  
6.8 under contract on or before June 30, 2017, for  
6.9 agricultural growth, research, and innovation  
6.10 grants in this subdivision are available until  
6.11 June 30, 2019.

6.12 Funds in this appropriation may be used for  
6.13 grants under this paragraph. The NextGen  
6.14 Energy Board, established in Minnesota  
6.15 Statutes, section 41A.105, shall make  
6.16 recommendations to the commissioner on  
6.17 grants for owners of Minnesota facilities  
6.18 producing bioenergy, biobased content,  
6.19 or a biobased formulated product; for  
6.20 organizations that provide for on-station,  
6.21 on-farm field scale research and outreach to  
6.22 develop and test the agronomic and economic  
6.23 requirements of diverse strands of prairie  
6.24 plants and other perennials for bioenergy  
6.25 systems; or for certain nongovernmental  
6.26 entities. For the purposes of this paragraph,  
6.27 "bioenergy" includes transportation fuels  
6.28 derived from cellulosic material, as well as  
6.29 the generation of energy for commercial heat,  
6.30 industrial process heat, or electrical power  
6.31 from cellulosic materials via gasification or  
6.32 other processes. Grants are limited to 50  
6.33 percent of the cost of research, technical  
6.34 assistance, or equipment related to bioenergy,  
6.35 biobased content, or biobased formulated  
6.36 product production or \$500,000, whichever

7.1 is less. Grants to nongovernmental entities  
 7.2 for the development of business plans and  
 7.3 structures related to community ownership  
 7.4 of eligible bioenergy facilities together may  
 7.5 not exceed \$150,000. The board shall make  
 7.6 a good-faith effort to select projects that have  
 7.7 merit and, when taken together, represent a  
 7.8 variety of bioenergy technologies, biomass  
 7.9 feedstocks, and geographic regions of the  
 7.10 state. Projects must have a qualified engineer  
 7.11 provide certification on the technology and  
 7.12 fuel source. Grantees must provide reports at  
 7.13 the request of the commissioner.

7.14 Notwithstanding Minnesota Statutes, section  
 7.15 41A.12, subdivision 3, of the amount  
 7.16 appropriated in this subdivision, \$1,000,000  
 7.17 the first year and \$1,000,000 the second year  
 7.18 are for distribution in equal amounts to each  
 7.19 of the state's county fairs to preserve and  
 7.20 promote Minnesota agriculture.

7.21 **Subd. 5. Administration and Financial**  
 7.22 **Assistance**

6,488,000

6,698,000

7.23 Appropriations by Fund

7.24		<u>2016</u>	<u>2017</u>
7.25	<u>General</u>	<u>5,688,000</u>	<u>5,898,000</u>
7.26	<u>Agricultural</u>	<u>800,000</u>	<u>800,000</u>

7.27 \$47,000 the first year and \$47,000 the second  
 7.28 year are for the Northern Crops Institute.

7.29 These appropriations may be spent to  
 7.30 purchase equipment.

7.31 \$18,000 the first year and \$18,000 the  
 7.32 second year are for a grant to the Minnesota  
 7.33 Livestock Breeders Association.

7.34 \$235,000 the first year and \$235,000 the  
 7.35 second year are for grants to the Minnesota

8.1 Agricultural Education and Leadership  
8.2 Council for programs of the council under  
8.3 Minnesota Statutes, chapter 41D.  
8.4 \$474,000 the first year and \$474,000 the  
8.5 second year are for payments to county and  
8.6 district agricultural societies and associations  
8.7 under Minnesota Statutes, section 38.02,  
8.8 subdivision 1. Aid payments to county and  
8.9 district agricultural societies and associations  
8.10 shall be disbursed no later than July 15 of  
8.11 each year. These payments are the amount of  
8.12 aid from the state for an annual fair held in  
8.13 the previous calendar year.  
8.14 \$1,000 the first year and \$1,000 the second  
8.15 year are for grants to the Minnesota State  
8.16 Poultry Association.  
8.17 \$108,000 the first year and \$108,000 the  
8.18 second year are for annual grants to the  
8.19 Minnesota Turf Seed Council for basic  
8.20 and applied research on: (1) the improved  
8.21 production of forage and turf seed related to  
8.22 new and improved varieties; and (2) native  
8.23 plants, including plant breeding, nutrient  
8.24 management, pest management, disease  
8.25 management, yield, and viability. The grant  
8.26 recipient may subcontract with a qualified  
8.27 third party for some or all of the basic or  
8.28 applied research.  
8.29 \$500,000 the first year and \$500,000 the  
8.30 second year are for grants to Second Harvest  
8.31 Heartland on behalf of Minnesota's six  
8.32 Second Harvest food banks for the purchase  
8.33 of milk for distribution to Minnesota's food  
8.34 shelves and other charitable organizations  
8.35 that are eligible to receive food from the food



9.1 banks. Milk purchased under the grants must  
9.2 be acquired from Minnesota milk processors  
9.3 and based on low-cost bids. The milk must be  
9.4 allocated to each Second Harvest food bank  
9.5 serving Minnesota according to the formula  
9.6 used in the distribution of United States  
9.7 Department of Agriculture commodities  
9.8 under The Emergency Food Assistance  
9.9 Program (TEFAP). Second Harvest  
9.10 Heartland must submit quarterly reports  
9.11 to the commissioner on forms prescribed  
9.12 by the commissioner. The reports must  
9.13 include, but are not limited to, information  
9.14 on the expenditure of funds, the amount  
9.15 of milk purchased, and the organizations  
9.16 to which the milk was distributed. Second  
9.17 Harvest Heartland may enter into contracts  
9.18 or agreements with food banks for shared  
9.19 funding or reimbursement of the direct  
9.20 purchase of milk. Each food bank receiving  
9.21 money from this appropriation may use up to  
9.22 two percent of the grant for administrative  
9.23 expenses.

9.24 \$94,000 the first year and \$94,000 the  
9.25 second year are for transfer to the Board of  
9.26 Trustees of the Minnesota State Colleges  
9.27 and Universities for statewide mental health  
9.28 counseling support to farm families and  
9.29 business operators through farm business  
9.30 management programs at Central Lakes  
9.31 College and Ridgewater College.

9.32 \$17,000 the first year and \$17,000 the  
9.33 second year are for grants to the Minnesota  
9.34 Horticultural Society.

10.1 Notwithstanding Minnesota Statutes,  
 10.2 section 18C.131, \$800,000 the first year  
 10.3 and \$800,000 the second year are from the  
 10.4 fertilizer account in the agricultural fund  
 10.5 for grants for fertilizer research as awarded  
 10.6 by the Minnesota Agricultural Fertilizer  
 10.7 Research and Education Council under  
 10.8 Minnesota Statutes, section 18C.71. The  
 10.9 amount appropriated in either fiscal year  
 10.10 must not exceed 57 percent of the inspection  
 10.11 fee revenue collected under Minnesota  
 10.12 Statutes, section 18C.425, subdivision 6,  
 10.13 during the previous fiscal year. No later  
 10.14 than February 1, 2017, the commissioner  
 10.15 shall report to the legislative committees  
 10.16 with jurisdiction over agriculture finance.  
 10.17 The report must include the progress and  
 10.18 outcome of funded projects as well as the  
 10.19 sentiment of the council concerning the need  
 10.20 for additional research funds.

10.21 Sec. 3. **BOARD OF ANIMAL HEALTH**                    \$            **5,318,000** \$            **5,384,000**

10.22 Sec. 4. **AGRICULTURAL UTILIZATION**  
 10.23 **RESEARCH INSTITUTE**                                    \$            **3,643,000** \$            **3,643,000**

10.24 **ARTICLE 2**

10.25 **AGRICULTURE POLICY**

10.26 Section 1. Minnesota Statutes 2014, section 13.643, subdivision 1, is amended to read:

10.27 Subdivision 1. **Department of Agriculture data.** (a) **Loan and grant applicant**  
 10.28 **data.** The following data on applicants, collected by the Department of Agriculture in its  
 10.29 sustainable agriculture revolving loan and grant programs under ~~sections 17.115 and section~~  
 10.30 17.116, are private or nonpublic: nonfarm income; credit history; insurance coverage;  
 10.31 machinery and equipment list; financial information; and credit information requests.

10.32 (b) **Farm advocate data.** The following data supplied by farmer clients to  
 10.33 Minnesota farm advocates and to the Department of Agriculture are private data on

11.1 individuals: financial history, including listings of assets and debts, and personal and  
 11.2 emotional status information.

11.3 **Sec. 2. [15.445] RETAIL FOOD ESTABLISHMENT FEES.**

11.4 Subdivision 1. Fees. The fees in this section are required for retail food handler  
 11.5 and food and beverage service establishments, licensed under chapters 28A and 157.  
 11.6 Permanent retail food handler and food and beverage service establishments must pay  
 11.7 the applicable fee under subdivision 2, paragraph (a), (b), (c), or (d), and all applicable  
 11.8 fees under subdivision 4. Temporary food establishments and special events must pay the  
 11.9 applicable fee under subdivision 3.

11.10 Subd. 2. Permanent food establishments. (a) The Category 1 establishment  
 11.11 license fee is \$210 annually. "Category 1 establishment" means an establishment that  
 11.12 does one or more of the following:

11.13 (1) sells only prepackaged nonpotentially hazardous foods as defined in Minnesota  
 11.14 Rules, chapter 4626;

11.15 (2) provides cleaning for eating, drinking, or cooking utensils, when the only food  
 11.16 served is prepared off-site;

11.17 (3) operates a childcare facility licensed under section 245A.03 and Minnesota  
 11.18 Rules, chapter 9503; or

11.19 (4) operates as a retail food handler classified in section 28A.05 and has gross annual  
 11.20 sales of \$250,000 or less.

11.21 (b) The Category 2 establishment license fee is \$270. "Category 2 establishment"  
 11.22 means an establishment that is not a Category 1 establishment and is either:

11.23 (1) a food establishment where the method of food preparation meets the definition  
 11.24 of a low-risk establishment in section 157.20; or

11.25 (2) an elementary or secondary school as defined in section 120A.05.

11.26 (c) The Category 3 establishment license fee is \$460 annually. "Category 3  
 11.27 establishment" means an establishment that is not a Category 1 or 2 establishment and  
 11.28 the method of food preparation meets the definition of a medium-risk establishment in  
 11.29 section 157.20.

11.30 (d) The Category 4 establishment license fee is \$690 annually. "Category 4  
 11.31 establishment" means an establishment that is not a Category 1, 2, or 3 establishment  
 11.32 and is either:

11.33 (1) a food establishment where the method of food preparation meets the definition  
 11.34 of a high-risk establishment in section 157.20; or

12.1 (2) an establishment where 500 or more meals per day are prepared at one location  
 12.2 and served at one or more separate locations.

12.3 Subd. 3. **Temporary food establishments and special events.** (a) The special  
 12.4 event food stand license fee is \$50 annually. Special event food stand is where food is  
 12.5 prepared or served in conjunction with celebrations, county fairs, or special events from a  
 12.6 special event food stand as defined in section 157.15.

12.7 (b) The temporary food and beverage service license fee is \$210 annually. A  
 12.8 temporary food and beverage service includes food carts, mobile food units, seasonal  
 12.9 temporary food stands, retail food vehicles, portable structures, and seasonal permanent  
 12.10 food stands.

12.11 Subd. 4. **Additional applicable fees.** (a) The individual private sewer or individual  
 12.12 private water license fee is \$60 annually. Individual private water is a water supply other  
 12.13 than a community public water supply as covered in Minnesota Rules, chapter 4720.  
 12.14 Individual private sewer is an individual sewage treatment system which uses subsurface  
 12.15 treatment and disposal.

12.16 (b) The additional food or beverage service license fee is \$165 annually. Additional  
 12.17 food or beverage service is a location at a food service establishment, other than the  
 12.18 primary food preparation and service area, used to prepare or serve food or beverages to  
 12.19 the public. Additional food service does not apply to school concession stands.

12.20 (c) The large retail food handler license fee is .02 percent of gross sales or service  
 12.21 including food service with a maximum fee of \$5,000 annually. Large retail food handler  
 12.22 is a fee category added to a license for retail food handlers as classified in section 28A.05  
 12.23 with gross annual sales over \$10,000,000.

12.24 (d) The specialized processing license fee is \$400 annually. Specialized processing  
 12.25 is a business that performs one or more specialized processes that require a HACCP as  
 12.26 required in Minnesota Rules, chapter 4626.

12.27 Sec. 3. Minnesota Statutes 2014, section 18B.01, subdivision 28, is amended to read:

12.28 Subd. 28. **Structural pest.** "Structural pest" means ~~a~~ an invertebrate pest, other  
 12.29 than a plant, or commensal rodent in, on, under, or near a structure such as a residential  
 12.30 or commercial building.

12.31 Sec. 4. Minnesota Statutes 2014, section 18B.01, subdivision 29, is amended to read:

12.32 Subd. 29. **Structural pest control.** "Structural pest control" means the control of  
 12.33 any structural pest through the ~~use of a device, a procedure, or~~ application of pesticides or  
 12.34 through other means in or around a building or other structures, including trucks, boxcars,

13.1 ships, aircraft, docks, and fumigation vaults, ~~and the business activity related to use of a~~  
 13.2 ~~device, a procedure, or application of a pesticide.~~

13.3 Sec. 5. Minnesota Statutes 2014, section 18B.32, subdivision 1, is amended to read:

13.4 Subdivision 1. **Requirement.** (a) A person may not engage in structural pest  
 13.5 control applications:

13.6 (1) for hire without a structural pest control license; and

13.7 (2) as a sole proprietorship, company, partnership, or corporation unless the person  
 13.8 is or employs a licensed master in structural pest control operations.

13.9 (b) A structural pest control licensee must have a valid license identification card  
 13.10 ~~when applying to purchase a restricted use pesticide or apply pesticides for hire and must~~  
 13.11 display it upon demand by an authorized representative of the commissioner or a law  
 13.12 enforcement officer. The license identification card must contain information required by  
 13.13 the commissioner.

13.14 (c) ~~Notwithstanding the licensing requirements of this subdivision, a person may~~  
 13.15 ~~control the following nuisance or economically damaging wild animals, by trapping,~~  
 13.16 ~~without a structural pest control license:~~

13.17 (1) ~~fur-bearing animals, as defined in section 97A.015, with a valid trapping license~~  
 13.18 ~~or special permit from the commissioner of natural resources; and~~

13.19 (2) ~~skunks, woodchucks, gophers, porcupines, coyotes, moles, and weasels.~~

13.20 Sec. 6. Minnesota Statutes 2014, section 18B.33, subdivision 1, is amended to read:

13.21 Subdivision 1. **Requirement.** (a) A person may not apply a pesticide for hire  
 13.22 without a commercial applicator license for the appropriate use categories or a structural  
 13.23 pest control license.

13.24 (b) A commercial applicator licensee must have a valid license identification card  
 13.25 ~~when applying to purchase a restricted use pesticide or apply pesticides for hire and must~~  
 13.26 display it upon demand by an authorized representative of the commissioner or a law  
 13.27 enforcement officer. The commissioner shall prescribe the information required on the  
 13.28 license identification card.

13.29 Sec. 7. Minnesota Statutes 2014, section 18B.34, subdivision 1, is amended to read:

13.30 Subdivision 1. **Requirement.** (a) Except for a licensed commercial applicator,  
 13.31 certified private applicator, or licensed structural pest control applicator, a person,  
 13.32 including a government employee, may not purchase or use a restricted use pesticide in

14.1 performance of official duties without having a noncommercial applicator license for an  
14.2 appropriate use category.

14.3 (b) A licensee must have a valid license identification card when applying pesticides  
14.4 and must display it upon demand by an authorized representative of the commissioner  
14.5 or a law enforcement officer. The license identification card must contain information  
14.6 required by the commissioner.

14.7 Sec. 8. Minnesota Statutes 2014, section 18C.425, subdivision 6, is amended to read:

14.8 Subd. 6. **Payment of inspection fee.** (a) The person who registers and distributes in  
14.9 the state a specialty fertilizer, soil amendment, or plant amendment under section 18C.411  
14.10 shall pay the inspection fee to the commissioner.

14.11 (b) The person licensed under section 18C.415 who distributes a fertilizer to a person  
14.12 not required to be so licensed shall pay the inspection fee to the commissioner, except as  
14.13 exempted under section 18C.421, subdivision 1, paragraph (b).

14.14 (c) The person responsible for payment of the inspection fees for fertilizers, soil  
14.15 amendments, or plant amendments sold and used in this state must pay an inspection fee  
14.16 of ~~30~~ 39 cents per ton, and until June 30, 2019, an additional 40 cents per ton, of fertilizer,  
14.17 soil amendment, and plant amendment sold or distributed in this state, with a minimum of  
14.18 \$10 on all tonnage reports. Products sold or distributed to manufacturers or exchanged  
14.19 between them are exempt from the inspection fee imposed by this subdivision if the  
14.20 products are used exclusively for manufacturing purposes.

14.21 (d) A registrant or licensee must retain invoices showing proof of fertilizer, plant  
14.22 amendment, or soil amendment distribution amounts and inspection fees paid for a period  
14.23 of three years.

14.24 Sec. 9. Minnesota Statutes 2014, section 18G.10, subdivision 3, is amended to read:

14.25 Subd. 3. **Cooperative agreements.** The commissioner may enter into cooperative  
14.26 agreements with federal and state agencies for administration of the export certification  
14.27 program. ~~An exporter of plants or plant products desiring to originate shipments from  
14.28 Minnesota to a foreign country requiring a phytosanitary certificate or export certificate  
14.29 must submit an application to the commissioner.~~

14.30 Sec. 10. Minnesota Statutes 2014, section 18G.10, subdivision 4, is amended to read:

14.31 Subd. 4. **Phytosanitary and export certificates.** An exporter of plants or plant  
14.32 products desiring to originate shipments from Minnesota to a foreign country requiring  
14.33 a phytosanitary certificate or export certificate must submit an application to the

15.1 commissioner. Application for phytosanitary certificates or export certificates must be  
 15.2 made on forms provided or approved by the commissioner. The commissioner ~~shall~~ may  
 15.3 conduct inspections of plants, plant products, or facilities for persons that have applied for  
 15.4 or intend to apply for a phytosanitary certificate or export certificate from the commissioner.

15.5 ~~Inspections must include one or more of the following as requested or required:~~

15.6 ~~(1) an inspection of the plants or plant products intended for export under a~~  
 15.7 ~~phytosanitary certificate or export certificate;~~

15.8 ~~(2) field inspections of growing plants to determine presence or absence of plant~~  
 15.9 ~~diseases, if necessary;~~

15.10 ~~(3) laboratory diagnosis for presence or absence of plant diseases, if necessary;~~

15.11 ~~(4) observation and evaluation of procedures and facilities utilized in handling~~  
 15.12 ~~plants and plant products, if necessary; and~~

15.13 ~~(5) review of United States Department of Agriculture, Federal Grain Inspection~~  
 15.14 ~~Service Official Export Grain Inspection Certificate logs.~~

15.15 The commissioner may issue a phytosanitary certificate or export certificate if the  
 15.16 plants or plant products satisfactorily meet the requirements of the importing foreign  
 15.17 country and the United States Department of Agriculture requirements. The requirements  
 15.18 of the destination countries must be met by the applicant.

15.19 Sec. 11. Minnesota Statutes 2014, section 18G.10, subdivision 5, is amended to read:

15.20 Subd. 5. **Certificate fees.** (a) The commissioner shall assess ~~the fees in paragraphs~~  
 15.21 ~~(b) to (f) fees sufficient to recover all costs~~ for the inspection, service, and work performed  
 15.22 in carrying out the issuance of a phytosanitary certificate or export certificate. ~~The~~  
 15.23 ~~inspection fee must be based on mileage and inspection time.~~

15.24 ~~(b) Mileage charge: current United States Internal Revenue Service mileage rate.~~

15.25 ~~(c) Inspection time: \$50 per hour minimum or fee necessary to cover department~~  
 15.26 ~~costs. Inspection time includes the driving time to and from the location in addition to~~  
 15.27 ~~the time spent conducting the inspection.~~

15.28 ~~(d) (b)~~ If laboratory analysis or other technical analysis is required to issue a  
 15.29 certificate, the commissioner must set and collect the fee to recover this additional cost.

15.30 ~~(e) (c) The certificate fee for product value greater than \$250: is \$75 or a fee amount,~~  
 15.31 not to exceed \$300, that is sufficient to recover all processing costs for each phytosanitary  
 15.32 or export certificate issued for any single shipment valued at more than \$250 in addition to  
 15.33 any mileage or inspection time charges that are assessed.

16.1 ~~(f) Certificate fee for product value less than \$250: \$25 for each phytosanitary or~~  
 16.2 ~~export certificate issued for any single shipment valued at less than \$250 in addition to~~  
 16.3 ~~any mileage or inspection time charges that are assessed.~~

16.4 ~~(g)~~ (d) For services provided for in subdivision 7 that are goods and services  
 16.5 provided for the direct and primary use of a private individual, business, or other entity,  
 16.6 the commissioner must set and collect the fees to cover the cost of the services provided.

16.7 Sec. 12. Minnesota Statutes 2014, section 18H.02, subdivision 20, is amended to read:

16.8 Subd. 20. **Nursery stock.** "Nursery stock" means a plant intended for planting or  
 16.9 propagation, including, but not limited to, trees, shrubs, vines, perennials, biennials, grafts,  
 16.10 cuttings, and buds that may be sold for propagation, whether cultivated or wild, and all  
 16.11 viable parts of these plants. Nursery stock does not include:

- 16.12 (1) field and forage crops or sod;
- 16.13 (2) ~~the seeds of grasses, cereal grains, vegetable crops, and flowers~~;
- 16.14 (3) vegetable plants, bulbs, or tubers;
- 16.15 (4) cut flowers, unless stems or other portions are intended for propagation;
- 16.16 (5) annuals; or
- 16.17 (6) Christmas trees.

16.18 Sec. 13. Minnesota Statutes 2014, section 18H.02, is amended by adding a subdivision  
 16.19 to read:

16.20 Subd. 32a. **Sod.** "Sod" means the upper portion of soil that contains the roots of  
 16.21 grasses and the living grass plants.

16.22 Sec. 14. Minnesota Statutes 2014, section 18H.02, is amended by adding a subdivision  
 16.23 to read:

16.24 Subd. 35. **Tropical plant.** "Tropical plant" means a plant that has a United States  
 16.25 Department of Agriculture hardiness zone designation of zone 6 or greater, or an annual  
 16.26 minimum hardiness temperature of -9 degrees Fahrenheit.

16.27 Sec. 15. Minnesota Statutes 2014, section 18H.06, subdivision 2, is amended to read:

16.28 Subd. 2. **Occasional sales.** (a) An individual may offer nursery stock for sale and be  
 16.29 exempt from the requirement to obtain a nursery stock dealer certificate if:

- 16.30 (1) the gross sales of all nursery stock in a calendar year do not exceed \$2,000;
- 16.31 (2) all nursery stock sold or distributed by the individual is intended for planting  
 16.32 in Minnesota;



17.1 (3) all nursery stock purchased or procured for resale or distribution was grown in  
 17.2 Minnesota and has been certified by the commissioner; and

17.3 (4) conducts sales or distributions of nursery stock on ten or fewer days in a calendar  
 17.4 year.

17.5 (b) The commissioner may prescribe the conditions of the exempt nursery sales under  
 17.6 this subdivision and may conduct routine inspections of the nursery stock offered for sale.

17.7 Sec. 16. Minnesota Statutes 2014, section 18H.07, is amended to read:

17.8 **18H.07 FEE SCHEDULE.**

17.9 Subdivision 1. **Establishment of fees.** The commissioner shall establish fees  
 17.10 sufficient to allow for the administration and enforcement of this chapter and rules adopted  
 17.11 under this chapter, including the portion of general support costs and statewide indirect  
 17.12 costs of the agency attributable to that function, with a reserve sufficient for up to six  
 17.13 months. The commissioner shall review the fee schedule annually in consultation with  
 17.14 the Minnesota Nursery and Landscape Advisory Committee. For the certificate year  
 17.15 beginning January 1, 2006, the fees are as described in this section.

17.16 Subd. 2. **Nursery stock grower certificate.** (a) A nursery stock grower must  
 17.17 pay an annual fee based on the area of all acreage on which nursery stock is grown ~~for~~  
 17.18 ~~certification~~ as follows:

- 17.19 (1) less than one-half acre, \$150;
- 17.20 (2) from one-half acre to two acres, \$200;
- 17.21 (3) over two acres up to five acres, \$300;
- 17.22 (4) over five acres up to ten acres, \$350;
- 17.23 (5) over ten acres up to 20 acres, \$500;
- 17.24 (6) over 20 acres up to 40 acres, \$650;
- 17.25 (7) over 40 acres up to 50 acres, \$800;
- 17.26 (8) over 50 acres up to 200 acres, \$1,100;
- 17.27 (9) over 200 acres up to 500 acres, \$1,500; and
- 17.28 (10) over 500 acres, \$1,500 plus \$2 for each additional acre.

17.29 (b) In addition to the fees in paragraph (a), a penalty of ten percent of the fee due  
 17.30 must be charged for each month, or portion thereof, that the fee is delinquent up to a  
 17.31 maximum of 30 percent for any application for renewal not postmarked by December 31  
 17.32 of the current year.

17.33 (c) A nursery stock grower found operating without a valid nursery stock grower  
 17.34 certificate cannot offer for sale or sell nursery stock until (1) payment is received by the

18.1 commissioner for (i) the certificate fee due and (ii) a penalty equal to the certificate fee  
 18.2 owed, and (2) a new certificate is issued to the nursery stock grower by the commissioner.

18.3 Subd. 3. **Nursery stock dealer certificate.** (a) A nursery stock dealer must pay an  
 18.4 annual fee based on the dealer's gross sales of certified nursery stock per location during  
 18.5 the most recent certificate year. A certificate applicant operating for the first time must pay  
 18.6 the minimum fee. The fees per sales location are:

- 18.7 (1) gross sales up to \$5,000, \$150;
- 18.8 (2) gross sales over \$5,000 up to \$20,000, \$175;
- 18.9 (3) gross sales over \$20,000 up to \$50,000, \$300;
- 18.10 (4) gross sales over \$50,000 up to \$75,000, \$425;
- 18.11 (5) gross sales over \$75,000 up to \$100,000, \$550;
- 18.12 (6) gross sales over \$100,000 up to \$200,000, \$675; and
- 18.13 (7) gross sales over \$200,000, \$800.

18.14 (b) In addition to the fees in paragraph (a), a penalty of ten percent of the fee due  
 18.15 must be charged for each month, or portion thereof, that the fee is delinquent up to a  
 18.16 maximum of 30 percent for any application for renewal not postmarked by December 31  
 18.17 of the current year.

18.18 (c) A nursery stock dealer found operating without a valid nursery stock dealer  
 18.19 certificate cannot offer for sale or sell nursery stock until (1) payment is received by the  
 18.20 commissioner for (i) the certificate fee due and (ii) a penalty equal to the certificate fee  
 18.21 owed, and (2) a new certificate is issued to the nursery stock dealer by the commissioner.

18.22 Subd. 4. **Reinspection; additional or optional inspection fees.** If a reinspection is  
 18.23 required or an additional inspection is needed or requested a fee must be assessed based  
 18.24 on mileage and inspection time as follows:

- 18.25 (1) mileage must be charged at the current United States Internal Revenue Service  
 18.26 reimbursement rate; and
- 18.27 (2) inspection time must be charged at ~~the rate of \$50 per hour~~, a rate sufficient to  
 18.28 recover all inspection costs including the driving time to and from the location in addition  
 18.29 to the time spent conducting the inspection.

18.30 Sec. 17. Minnesota Statutes 2014, section 21.81, is amended by adding a subdivision  
 18.31 to read:

18.32 Subd. 1a. **Address.** "Address" means the complete primary mailing address of the  
 18.33 labeler or the person or firm selling seed. A complete address includes the street address,  
 18.34 post office box, or rural route, and city, state, and zip code or postal code.

19.1 Sec. 18. Minnesota Statutes 2014, section 21.81, is amended by adding a subdivision  
19.2 to read:

19.3 Subd. 27a. **Total viable.** "Total viable" means the sum of the germination  
19.4 percentage, plus hard seeds, dormant seeds, or both.

19.5 Sec. 19. Minnesota Statutes 2014, section 21.82, subdivision 2, is amended to read:

19.6 Subd. 2. **Content.** For agricultural, vegetable, flower, or wildflower seeds offered  
19.7 for sale as agricultural seed, except as otherwise provided in subdivisions 4, 5, and 6, the  
19.8 label must contain:

19.9 (a) The name of the kind or kind and variety for each seed component in excess  
19.10 of five percent of the whole and the percentage by weight of each in order of its  
19.11 predominance. The commissioner shall by rule designate the kinds that are required to be  
19.12 labeled as to variety. If the variety of those kinds generally labeled as to variety is not  
19.13 stated and it is not required to be stated, the label shall show the name of the kind and the  
19.14 words: "Variety not stated." The heading "pure seed" must be indicated on the seed label  
19.15 in close association with other required label information.

19.16 (1) The percentage that is hybrid shall be at least 95 percent of the percentage of pure  
19.17 seed shown unless the percentage of pure seed which is hybrid seed is shown separately.  
19.18 If two or more kinds or varieties are present in excess of five percent and are named on  
19.19 the label, each that is hybrid shall be designated as hybrid on the label. Any one kind or  
19.20 kind and variety that has pure seed which is less than 95 percent but more than 75 percent  
19.21 hybrid seed as a result of incompletely controlled pollination in a cross shall be labeled to  
19.22 show the percentage of pure seed that is hybrid seed or a statement such as "contains from  
19.23 75 percent to 95 percent hybrid seed." No one kind or variety of seed shall be labeled as  
19.24 hybrid if the pure seed contains less than 75 percent hybrid seed. The word hybrid shall be  
19.25 shown on the label in conjunction with the kind.

19.26 (2) Blends shall be listed on the label using the term "blend" in conjunction with  
19.27 the kind.

19.28 (3) Mixtures shall be listed on the label using the term "mixture," "mix," or "mixed."

19.29 (b) Lot number or other lot identification.

19.30 (c) Origin, if known, or that the origin is unknown.

19.31 (d) Percentage by weight of all weed seeds present. This percentage may not exceed  
19.32 one percent. The heading "weed seed" must be indicated on the seed label in close  
19.33 association with other required label information.

20.1 (e) Name and rate of occurrence per pound of each kind of restricted noxious weed  
 20.2 seeds present. They must be listed under the heading "noxious weed seeds" in close  
 20.3 association with other required label information.

20.4 (f) Percentage by weight of seeds other than those kinds and varieties required  
 20.5 to be named on the label. They must be listed under the heading "other crop" in close  
 20.6 association with other required label information.

20.7 (g) Percentage by weight of inert matter. The heading "inert matter" must be  
 20.8 indicated on the seed label in close association with other required label information.

20.9 (h) Net weight of contents, to appear on either the container or the label.

20.10 (i) For each named kind or variety of seed:

20.11 (1) percentage of germination, exclusive of hard or dormant seed or both;

20.12 (2) percentage of hard or dormant seed or both, if present; and

20.13 (3) the calendar month and year the percentages were determined by test or the  
 20.14 statement "sell by (month and year)" which may not be more than 12 months from the  
 20.15 date of test, exclusive of the month of test.

20.16 The headings for "germination" and "hard seed or dormant seed" percentages must be  
 20.17 stated separately on the seed label. A separate percentage derived from combining these  
 20.18 percentages may also be stated on the seed label, ~~but the heading for this percentage must~~  
 20.19 ~~be "total germination and hard seed or dormant seed when applicable." They must not be~~  
 20.20 ~~stated as "total live seed," "total germination," or in any other unauthorized manner. as~~  
 20.21 "total viable."

20.22 (j) Name and address of the person who labeled the seed or who sells the seed within  
 20.23 this state, or a code number which has been registered with the commissioner.

20.24 Sec. 20. Minnesota Statutes 2014, section 21.82, subdivision 4, is amended to read:

20.25 Subd. 4. **Hybrid seed corn.** For hybrid seed corn purposes a label must contain:

20.26 (1) a statement indicating the number of seeds in the container may be listed along  
 20.27 with or in lieu of the net weight of contents; and

20.28 (2) for each variety of hybrid seed field corn, the day classification as determined  
 20.29 by the originator or owner. The day classification must approximate the number of days  
 20.30 of growing season necessary from emergence of the corn plant above ground to relative  
 20.31 maturity and must ~~conform to the day classification established by the director of~~ be  
 20.32 within three days of maturity ratings determined in comparative trials by the Minnesota  
 20.33 agricultural experiment station for the appropriate zone.

20.34 Sec. 21. Minnesota Statutes 2014, section 21.85, subdivision 2, is amended to read:

21.1 Subd. 2. **Seed laboratory.** (a) The commissioner shall establish and maintain a seed  
 21.2 laboratory for seed testing, employing necessary agents and assistants to administer and  
 21.3 enforce sections 21.80 to 21.92, who shall be governed by chapter 43A.

21.4 (b) The laboratory procedures for testing official seed samples are the procedures  
 21.5 set forth in the Rules for Testing Seeds that is published annually by the Association of  
 21.6 Official Seed Analysts. If a laboratory procedure rule does not exist for a particular type  
 21.7 of seed, then laboratory procedures from other recognized seed testing sources may be  
 21.8 used, including procedures under the Code of Federal Regulations, title 7, part 201, or  
 21.9 the International Rules for Testing Seeds.

21.10 Sec. 22. Minnesota Statutes 2014, section 21.85, is amended by adding a subdivision  
 21.11 to read:

21.12 Subd. 15. **Prohibited and restricted seeds.** The commissioner shall determine  
 21.13 species that are considered prohibited weed seeds and restricted noxious weed seeds and  
 21.14 the allowable rate of occurrence of restricted noxious weed seeds.

21.15 Sec. 23. Minnesota Statutes 2014, section 21.89, subdivision 2, is amended to read:

21.16 Subd. 2. **Permits; issuance and revocation.** The commissioner shall issue a permit  
 21.17 to the initial labeler of agricultural, vegetable, flower, and wildflower seeds which are sold  
 21.18 for use in Minnesota and which conform to and are labeled under sections 21.80 to 21.92.  
 21.19 The categories of permits are as follows:

21.20 (1) for initial labelers who sell 50,000 pounds or less of agricultural seed each  
 21.21 calendar year, an annual permit issued for a fee established in section 21.891, subdivision  
 21.22 2, paragraph (b);

21.23 (2) for initial labelers who sell vegetable, flower, and wildflower seed packed for  
 21.24 use in home gardens or household plantings, and initial labelers who sell native grasses  
 21.25 and wildflower seed in commercial or agricultural quantities, an annual permit issued for  
 21.26 a fee established in section 21.891, subdivision 2, paragraph (c), based upon the gross  
 21.27 sales from the previous year; and

21.28 (3) for initial labelers who sell more than 50,000 pounds of agricultural seed  
 21.29 each calendar year, a permanent permit issued for a fee established in section 21.891,  
 21.30 subdivision 2, paragraph (d).

21.31 In addition, the person shall furnish to the commissioner an itemized statement of all  
 21.32 seeds sold in Minnesota for the periods established by the commissioner. This statement  
 21.33 shall be delivered, along with the payment of the fee, based upon the amount and type  
 21.34 of seed sold, to the commissioner no later than 30 days after the end of each reporting

22.1 period. Any person holding a permit shall show as part of the analysis labels or invoices  
 22.2 on all agricultural, vegetable, flower, wildflower, tree, or shrub seeds all information the  
 22.3 commissioner requires. The commissioner may revoke any permit in the event of failure  
 22.4 to comply with applicable laws and rules.

22.5 Sec. 24. Minnesota Statutes 2014, section 21.891, subdivision 2, is amended to read:

22.6 Subd. 2. **Seed fee permits.** (a) An initial labeler who wishes to sell seed in  
 22.7 Minnesota must comply with section 21.89, subdivisions 1 and 2, and the procedures in  
 22.8 this subdivision. Each initial labeler who wishes to sell seed in Minnesota must apply to  
 22.9 the commissioner to obtain a permit. The application must contain the name and address of  
 22.10 the applicant, the application date, and the name and title of the applicant's contact person.

22.11 (b) The application for a seed permit covered by section 21.89, subdivision 2, clause  
 22.12 (1), must be accompanied by an application fee of ~~\$50~~ \$75.

22.13 (c) The application for a seed permit covered by section 21.89, subdivision 2, clause  
 22.14 (2), must be accompanied by an application fee based on the level of annual gross sales  
 22.15 as follows:

22.16 (1) for gross sales of \$0 to \$25,000, the annual permit fee is ~~\$50~~ \$75;

22.17 (2) for gross sales of \$25,001 to \$50,000, the annual permit fee is ~~\$100~~ \$150;

22.18 (3) for gross sales of \$50,001 to \$100,000, the annual permit fee is ~~\$200~~ \$300;

22.19 (4) for gross sales of \$100,001 to \$250,000, the annual permit fee is ~~\$500~~ \$750;

22.20 (5) for gross sales of \$250,001 to \$500,000, the annual permit fee is ~~\$1,000~~ \$1,500;

22.21 and

22.22 (6) for gross sales of \$500,001 ~~and above~~ to \$1,000,000, the annual permit fee is  
 22.23 ~~\$2,000~~ \$3,000; and

22.24 (7) for gross sales of \$1,000,001 and above, the annual permit fee is \$4,500.

22.25 (d) The application for a seed permit covered by section 21.89, subdivision 2, clause  
 22.26 (3), must be accompanied by an application fee of ~~\$50~~ \$75. Initial labelers holding seed  
 22.27 fee permits covered under this paragraph need not apply for a new permit or pay the  
 22.28 application fee. Under this permit category, the fees for the following kinds of agricultural  
 22.29 seed sold either in bulk or containers are:

22.30 (1) oats, wheat, and barley, ~~6.3~~ 9 cents per hundredweight;

22.31 (2) rye, field beans, soybeans, buckwheat, and flax, ~~8.4~~ 12 cents per hundredweight;

22.32 (3) field corn, ~~29.4~~ 17 cents per ~~hundredweight~~ 80,000 seed unit;

22.33 (4) forage, lawn and turf grasses, and legumes, ~~49~~ 69 cents per hundredweight;

22.34 (5) sunflower, ~~\$1.40~~ \$1.96 per hundredweight;

22.35 (6) sugar beet, ~~\$3.29~~ 12 cents per ~~hundredweight~~ 100,000 seed unit; and

23.1 (7) soybeans, 7.5 cents per 140,000 seed unit; and  
 23.2 ~~(7)~~ (8) for any agricultural seed not listed in clauses (1) to ~~(6)~~ (7), the fee for the crop  
 23.3 most closely resembling it in normal planting rate applies.

23.4 (e) If, for reasons beyond the control and knowledge of the initial labeler, seed is  
 23.5 shipped into Minnesota by a person other than the initial labeler, the responsibility for the  
 23.6 seed fees are transferred to the shipper. An application for a transfer of this responsibility  
 23.7 must be made to the commissioner. Upon approval by the commissioner of the transfer,  
 23.8 the shipper is responsible for payment of the seed permit fees.

23.9 (f) Seed permit fees may be included in the cost of the seed either as a hidden cost or  
 23.10 as a line item cost on each invoice for seed sold. To identify the fee on an invoice, the  
 23.11 words "Minnesota seed permit fees" must be used.

23.12 (g) All seed fee permit holders must file semiannual reports with the commissioner,  
 23.13 even if no seed was sold during the reporting period. Each semiannual report must be  
 23.14 submitted within 30 days of the end of each reporting period. The reporting periods are  
 23.15 October 1 to March 31 and April 1 to September 30 of each year or July 1 to December  
 23.16 31 and January 1 to June 30 of each year. Permit holders may change their reporting  
 23.17 periods with the approval of the commissioner.

23.18 (h) The holder of a seed fee permit must pay fees on all seed for which the permit  
 23.19 holder is the initial labeler and which are covered by sections 21.80 to 21.92 and sold  
 23.20 during the reporting period.

23.21 (i) If a seed fee permit holder fails to submit a semiannual report and pay the seed  
 23.22 fee within 30 days after the end of each reporting period, the commissioner shall assess a  
 23.23 penalty of \$100 or eight percent, calculated on an annual basis, of the fee due, whichever  
 23.24 is greater, but no more than \$500 for each late semiannual report. A \$15 penalty must be  
 23.25 charged when the semiannual report is late, even if no fee is due for the reporting period.  
 23.26 Seed fee permits may be revoked for failure to comply with the applicable provisions of  
 23.27 this paragraph or the Minnesota seed law.

23.28 Sec. 25. Minnesota Statutes 2014, section 21.891, subdivision 5, is amended to read:

23.29 Subd. 5. **Brand name registration fee.** The fee is ~~\$25~~ \$50 for each variety  
 23.30 registered for sale by brand name.

23.31 Sec. 26. Minnesota Statutes 2014, section 25.39, subdivision 1, is amended to read:

23.32 Subdivision 1. **Amount of fee.** (a) An inspection fee at the rate of ~~16~~ 26 cents per  
 23.33 ton must be paid to the commissioner on commercial feeds distributed in this state by the

24.1 ~~a person who first distributes the commercial feed, licensed under section 25.341 who~~  
 24.2 ~~distributes a commercial feed to a person not required to be licensed, except that:~~

24.3 ~~(1) no fee need be paid on:~~

24.4 ~~(i) (1) a commercial feed if the payment has been made by a previous distributor; or~~

24.5 ~~(ii) (2) customer formula feeds if the inspection fee is paid on the commercial feeds~~

24.6 ~~which are used as ingredients; or~~

24.7 ~~(2) a Minnesota feed distributor who can substantiate that greater than 50 percent~~  
 24.8 ~~of the distribution of commercial feed is to purchasers outside the state may purchase~~  
 24.9 ~~commercial feeds without payment of the inspection fee under a tonnage fee exemption~~  
 24.10 ~~permit issued by the commissioner. Such location specific permits shall be issued on a~~  
 24.11 ~~calendar year basis to commercial feed distributors who submit a \$100 nonrefundable~~  
 24.12 ~~application fee and comply with rules adopted by the commissioner relative to record~~  
 24.13 ~~keeping, tonnage of commercial feed distributed in Minnesota, total of all commercial~~  
 24.14 ~~feed tonnage distributed, and all other information which the commissioner may require~~  
 24.15 ~~so as to ensure that proper inspection fee payment has been made.~~

24.16 (b) In the case of pet food distributed in the state only in packages of ten pounds  
 24.17 or less, a listing of each product and a current label for each product must be submitted  
 24.18 annually on forms provided by the commissioner and accompanied by an annual fee  
 24.19 of \$50 for each product in lieu of the inspection fee. This annual fee is due by July 1.  
 24.20 The inspection fee required by paragraph (a) applies to pet food distributed in packages  
 24.21 exceeding ten pounds.

24.22 (c) In the case of specialty pet food distributed in the state only in packages of  
 24.23 ten pounds or less, a listing of each product and a current label for each product must  
 24.24 be submitted annually on forms provided by the commissioner and accompanied by an  
 24.25 annual fee of \$25 for each product in lieu of the inspection fee. This annual fee is due  
 24.26 by July 1. The inspection fee required by paragraph (a) applies to specialty pet food  
 24.27 distributed in packages exceeding ten pounds.

24.28 (d) The minimum inspection fee is ~~\$40~~ \$100 per annual reporting period.

24.29 Sec. 27. Minnesota Statutes 2014, section 28A.03, is amended by adding a subdivision  
 24.30 to read:

24.31 Subd. 11. HACCP plan. "Hazard analysis critical control point (HACCP) plan"  
 24.32 means a written document that delineates the formal procedures for following the HACCP  
 24.33 principles developed by the National Advisory Committee on Microbiological Criteria  
 24.34 for Foods.



25.1 Sec. 28. Minnesota Statutes 2014, section 28A.03, is amended by adding a subdivision  
25.2 to read:

25.3 Subd. 12. **Statewide education and evaluation fee.** "Statewide education and  
25.4 evaluation fee" means a fee to fund statewide retail food program development activities,  
25.5 including training for inspection staff, technical assistance, maintenance of a statewide  
25.6 integrated food safety and security information system, and other related statewide  
25.7 activities that support the retail food program activities.

25.8 Sec. 29. Minnesota Statutes 2014, section 28A.08, subdivision 1, is amended to read:

25.9 Subdivision 1. **General.** License fees, penalties for late renewal of licenses, and  
25.10 penalties for not obtaining a license before conducting business in food handling that are set  
25.11 in this section apply to the sections named except as provided under section 28A.09. Except  
25.12 as specified herein, bonds and assessments based on number of units operated or volume  
25.13 handled or processed which are provided for in said laws shall not be affected, nor shall any  
25.14 penalties for late payment of said assessments, nor shall inspection fees, be affected by this  
25.15 chapter. The penalties may be waived by the commissioner. Fees for all new licenses must  
25.16 be based on the anticipated future gross annual food sales. If a firm is found to be operating  
25.17 for multiple years without paying license fees, the state may collect the appropriate fees  
25.18 and penalties for each year of operation. Food handlers must pay the highest applicable  
25.19 fee under subdivisions 4 to 9, and must pay all applicable fees under subdivision 10.

25.20 Sec. 30. Minnesota Statutes 2014, section 28A.08, is amended by adding a subdivision  
25.21 to read:

25.22 Subd. 4. **Retail food handler license fees.** Retail food handler license fees are set  
25.23 forth under section 15.445.

25.24 Sec. 31. Minnesota Statutes 2014, section 28A.08, is amended by adding a subdivision  
25.25 to read:

25.26 Subd. 5. **Wholesale food handler.** (a) Wholesale food handler license fees are  
25.27 set forth under this subdivision.

25.28 (b) The Category 1 license fee is \$250. "Category 1" means a fee category as a  
25.29 wholesale food handler as classified in section 28A.05 that has gross annual sales of  
25.30 \$250,000 or less.

25.31 (c) The Category 2 license fee is \$500. "Category 2" means a fee category as a  
25.32 wholesale food handler as classified in section 28A.05 that is not a Category 1 and where  
25.33 food sales are limited to frozen storage or ambient, shelf-stable storage.

26.1 (d) The Category 3 license fee is \$1,000. "Category 3" means a fee category as  
26.2 a wholesale food handler as classified in section 28A.05 that is not Category 1 or 2  
26.3 and where food sales include refrigerated storage or the distribution of perishable food  
26.4 products as defined in section 34A.01.

26.5 (e) The Category 4 license fee is \$1,500. "Category 4" means a fee category as a  
26.6 wholesale food handler as classified in section 28A.05 that is not Category 1, 2, or 3 and  
26.7 where food sales include one or more of the following:

26.8 (1) potentially hazardous foods that are considered ready-to-eat or are considered  
26.9 specialized processes as defined and required by Code of Federal Regulations, title 21,  
26.10 parts 113, 114, 120, and 123;

26.11 (2) high-risk production such as canning low-acid foods, acidifying foods, vacuum  
26.12 packaging, salvaging, smoking for preservation, or curing; or

26.13 (3) potentially hazardous food frequently implicated in foodborne illnesses.

26.14 Sec. 32. Minnesota Statutes 2014, section 28A.08, is amended by adding a subdivision  
26.15 to read:

26.16 Subd. 6. **Wholesale food processor or manufacturer.** (a) Wholesale food  
26.17 processor or manufacturer license fees are set forth under this subdivision.

26.18 (b) The Category 1 license fee is \$250. "Category 1" means a fee category as a  
26.19 wholesale food processor or manufacturer as classified in section 28A.05 that has gross  
26.20 annual sales of \$250,000 or less.

26.21 (c) The Category 2 license fee is \$600. "Category 2" means a fee category as a  
26.22 wholesale food processor or manufacturer as classified in section 28A.05 that is not a  
26.23 Category 1 and where food sales are limited to food that is not ready-to-eat or potentially  
26.24 hazardous.

26.25 (d) The Category 3 license fee is \$1,200. "Category 3" means a fee category  
26.26 as a wholesale food processor or manufacturer as classified in section 28A.05 that is  
26.27 not Category 1 or 2 and where food sales include foods that are either ready-to-eat or  
26.28 potentially hazardous, but not both.

26.29 (e) The Category 4 license fee is \$2,000. "Category 4" means a fee category as  
26.30 a wholesale food processor or manufacturer as classified in section 28A.05 that is not  
26.31 Category 1, 2, or 3 and where food sales include one or more of the following:

26.32 (1) potentially hazardous foods that are considered ready-to-eat or are considered  
26.33 specialized processes as defined and required by Code of Federal Regulations, title 21,  
26.34 parts 113, 114, 120, and 123;

27.1 (2) high-risk production such as canning low-acid foods, acidifying foods, vacuum  
27.2 packaging, salvaging, smoking for preservation, or curing; or

27.3 (3) potentially hazardous food frequently implicated in foodborne illnesses.

27.4 (f) The fee for a wholesale food processor or manufacturer operating only at the  
27.5 Minnesota State Fair is \$125.

27.6 (g) The fee for a wholesale food manufacturer that has the permission of the  
27.7 commissioner to use the name Minnesota Farmstead cheese is \$30.

27.8 (h) The fee for a wholesale food manufacturer processing less than 700,000 pounds  
27.9 of raw milk per year is \$30.

27.10 Sec. 33. Minnesota Statutes 2014, section 28A.08, is amended by adding a subdivision  
27.11 to read:

27.12 Subd. 7. **Certain wholesale food processors.** (a) For purposes of this subdivision,  
27.13 "wholesale food processor" means a wholesale food processor of meat or poultry products  
27.14 that is solely under the supervision of the United States Department of Agriculture. The  
27.15 wholesale food processor fees are set forth in this subdivision.

27.16 (b) For a wholesale food processor with:

27.17 (1) gross sales or service of less than \$250,000 for the immediately previous license  
27.18 or fiscal year, the fee is \$250;

27.19 (2) \$250,001 to \$5,000,000 gross sales or service for the immediately previous  
27.20 license or fiscal year, the fee is \$435;

27.21 (3) \$5,000,001 to \$10,000,000 gross sales or service for the immediately previous  
27.22 license or fiscal year, the fee is \$680;

27.23 (4) \$10,000,001 to \$25,000,000 gross sales or service for the immediately previous  
27.24 license or fiscal year, the fee is \$1,335;

27.25 (5) \$25,000,001 to \$100,000,000 gross sales or service for the immediately previous  
27.26 license or fiscal year, the fee is \$1,685; or

27.27 (6) \$100,000,001 or more gross sales or service for the immediately previous  
27.28 license or fiscal year, the fee is \$1,860.

27.29 Sec. 34. Minnesota Statutes 2014, section 28A.08, is amended by adding a subdivision  
27.30 to read:

27.31 Subd. 8. **Food broker.** The license fee for a food broker or wholesaler food handler  
27.32 that does not take physical possession of food is \$250.

28.1 Sec. 35. Minnesota Statutes 2014, section 28A.08, is amended by adding a subdivision  
28.2 to read:

28.3 Subd. 9. **Milk marketing organization.** The license fee for or a milk marketing  
28.4 organization without facilities for processing or manufacturing that purchases milk from  
28.5 milk producers for delivery to a licensed wholesale food processor or manufacturer is \$50.

28.6 Sec. 36. Minnesota Statutes 2014, section 28A.08, is amended by adding a subdivision  
28.7 to read:

28.8 Subd. 10. **Additional applicable fees.** (a) The license fee for an individual private  
28.9 sewer or individual private water is \$60. "Individual private water" means a fee category  
28.10 with a water supply other than a community public water supply as defined in Minnesota  
28.11 Rules, chapter 4720. "Individual private sewer" means a fee category with an individual  
28.12 sewage treatment system that uses subsurface treatment and disposal.

28.13 (b) "Large wholesale food handler establishment" means a fee category added to  
28.14 a license based on gross annual sales over \$10,000,000 for wholesale food handlers as  
28.15 classified in section 28A.05. The fee for a large wholesale food handler establishment shall  
28.16 equal 0.02 percent of gross sales or service, including food, with a maximum fee of \$7,500.

28.17 (c) "Large wholesale food processor or manufacturer establishment" means a fee  
28.18 category added to a license based on gross annual sales over \$10,000,000 for wholesale  
28.19 food processors or manufacturers as classified in section 28A.05. The fee for a large  
28.20 wholesale food processor or manufacturer establishment shall equal 0.02 percent of  
28.21 gross sales or service, including food, with a maximum fee of \$10,000. Wholesale food  
28.22 processors or manufacturers paying license fees under section 28A.08, subdivision 7,  
28.23 are exempt from this fee.

28.24 Sec. 37. Minnesota Statutes 2014, section 28A.08, is amended by adding a subdivision  
28.25 to read:

28.26 Subd. 11. **Statewide education and evaluation fee.** Every person, individual, firm,  
28.27 or corporation that operates as a retail food handler, retail mobile food handler, seasonal  
28.28 temporary or permanent food stand, special event food stand, mobile food unit, or food  
28.29 cart in Minnesota must submit to the commissioner a \$15 annual statewide education  
28.30 and evaluation fee for each licensed activity. The fee for establishments licensed by  
28.31 the Department of Agriculture is required at the same time the licensure fee is due. For  
28.32 establishments licensed by local governments, the fee shall be collected by the local  
28.33 board of health as described in section 28A.075 and paid to the commissioner by July  
28.34 1 of each year.

29.1 Sec. 38. Minnesota Statutes 2014, section 28A.08, is amended by adding a subdivision  
29.2 to read:

29.3 Subd. 12. **Penalties.** The penalty for the late renewal of licenses or for not obtaining  
29.4 a license before conducting business in food handling is 50 percent of the total license fee  
29.5 and additional applicable fees as required under subdivisions 4 to 10.

29.6 Sec. 39. Minnesota Statutes 2014, section 28A.08, is amended by adding a subdivision  
29.7 to read:

29.8 Subd. 13. **Food handler license account; appropriation.** A food handler license  
29.9 fee account is created in the agricultural fund. Fees and penalties paid under this section  
29.10 must be deposited in the food handler license fee account. Money in the account,  
29.11 including interest accrued, is appropriated to the commissioner for the costs of the food  
29.12 handler inspection program.

29.13 Sec. 40. Minnesota Statutes 2014, section 28A.082, subdivision 1, is amended to read:

29.14 Subdivision 1. **Fees; application.** The fees for review of food handler facility floor  
29.15 plans under the Minnesota Food Code are based upon the square footage of the structure  
29.16 being newly constructed, remodeled, or converted. The fees for the review shall be:

square footage	review fee
	<del>200.00</del>
0 - 4,999 .....	\$ <u>600.00</u>
	<del>275.00</del>
5,000 - 24,999 .....	\$ <u>825.00</u>
	<del>425.00</del>
25,000 plus.....	\$ <u>1,275.00</u>

29.24 The applicant must submit the required fee, review application, plans, equipment  
29.25 specifications, materials lists, and other required information on forms supplied by the  
29.26 department at least 30 days prior to commencement of construction, remodeling, or  
29.27 conversion. The commissioner may waive this fee after determining that the facility's  
29.28 principal mode of business is not the sale of food and that the facility sells only  
29.29 prepackaged foods.

29.30 Sec. 41. Minnesota Statutes 2014, section 31.39, subdivision 1, is amended to read:

29.31 Subdivision 1. **Assessments.** The commissioner is hereby authorized and directed to  
29.32 collect from each commercial cannery an assessment for inspection and services furnished,  
29.33 and for maintaining a bacteriological laboratory and employing such bacteriologists  
29.34 and trained and qualified sanitarians as the commissioner may deem necessary. The  
29.35 assessment to be made on each commercial cannery, for each and every packing season,

30.1 shall not exceed one-half cent per case on all foods packed, canned, or preserved therein,  
30.2 nor shall the assessment in any one calendar year to any one cannery exceed ~~\$6,000~~  
30.3 \$12,000, and the minimum assessment to any cannery in any one calendar year shall be  
30.4 \$100. The commissioner shall provide appropriate deductions from assessments for the  
30.5 net weight of meat, chicken, or turkey ingredients which have been inspected and passed  
30.6 for wholesomeness by the United States Department of Agriculture. The commissioner  
30.7 may, when the commissioner deems it advisable, graduate and reduce the assessment to  
30.8 such sum as is required to furnish the inspection and laboratory services rendered. The  
30.9 amount of the assessment shall be due and payable on or before December 31, of each  
30.10 year, and if not paid on or before February 15 following, shall bear interest after that date  
30.11 at the rate of seven percent per annum, and a penalty of ten percent on the amount of the  
30.12 assessment shall also be added and collected.

30.13 Sec. 42. Minnesota Statutes 2014, section 32.394, subdivision 8, is amended to read:

30.14 Subd. 8. **Grade A inspection fees.** A processor or marketing organization of milk,  
30.15 milk products, sheep milk, or goat milk who wishes to market Grade A milk or use the  
30.16 Grade A label must apply for Grade A inspection service from the commissioner. A  
30.17 pasteurization plant requesting Grade A inspection service must hold a Grade A permit  
30.18 and pay an annual inspection fee of no more than \$500. For Grade A farm inspection  
30.19 service, the fee must be no more than ~~\$50~~ \$150 per farm, paid annually by the processor  
30.20 or by the marketing organization on behalf of its patrons. For a farm requiring a  
30.21 reinspection in addition to the required biannual inspections, an additional fee must be  
30.22 paid by the processor or by the marketing organization on behalf of its patrons. The fee  
30.23 for reinspection of a farm with fewer than 100 cows is \$60 per reinspection. The fee for  
30.24 reinspection of a farm with 100 or more cows is \$150 per reinspection.

30.25 Sec. 43. Minnesota Statutes 2014, section 32.394, subdivision 8b, is amended to read:

30.26 Subd. 8b. **Manufacturing grade farm certification.** A processor or marketing  
30.27 organization of milk, milk products, sheep milk, or goat milk who wishes to market other  
30.28 than Grade A milk must apply for a manufacturing grade farm certification inspection  
30.29 from the commissioner. A manufacturing plant that pasteurizes milk or milk by-products  
30.30 must pay an annual fee based on the number of pasteurization units. This fee must not  
30.31 exceed \$140 per unit. The fee for farm certification inspection must not be more than ~~\$25~~  
30.32 \$75 per farm to be paid annually by the processor or by the marketing organization on  
30.33 behalf of its patrons. For a farm requiring more than the one inspection for certification, a

31.1 reinspection fee of \$45 must be paid by the processor or by the marketing organization  
31.2 on behalf of its patrons.

31.3 Sec. 44. Minnesota Statutes 2014, section 41B.03, subdivision 6, is amended to read:

31.4 Subd. 6. **Application fee.** The authority may impose a reasonable nonrefundable  
31.5 application fee for each application submitted for a beginning farmer loan or a  
31.6 seller-sponsored loan. The application fee is initially \$50. The authority may review the  
31.7 fee annually and make adjustments as necessary. The fee must be deposited in the state  
31.8 treasury and credited to ~~an account in the special revenue fund. Money in the account is~~  
31.9 ~~appropriated to the commissioner for administrative expenses of the beginning farmer~~  
31.10 ~~and seller-sponsored loan programs~~ the Rural Finance Authority administrative account  
31.11 established in subdivision 7.

31.12 Sec. 45. Minnesota Statutes 2014, section 41B.03, is amended by adding a subdivision  
31.13 to read:

31.14 Subd. 7. **Rural Finance Authority administrative account.** There is established  
31.15 in the special revenue fund a Rural Finance Authority administrative account. Money in  
31.16 the account, including interest, is appropriated to the commissioner for the administrative  
31.17 expenses of the loan programs administered by the Rural Finance Authority.

31.18 Sec. 46. Minnesota Statutes 2014, section 41B.04, subdivision 17, is amended to read:

31.19 Subd. 17. **Application and origination fee.** The authority may impose a reasonable  
31.20 nonrefundable application fee for each application and an origination fee for each loan  
31.21 issued under the loan restructuring program. The origination fee is 1.5 percent of the  
31.22 authority's participation interest in the loan and the application fee is \$50. The authority  
31.23 may review the fees annually and make adjustments as necessary. The fees must be  
31.24 deposited in the state treasury and credited to ~~an account in the special revenue fund.~~  
31.25 ~~Money in the account is appropriated to the commissioner for administrative expenses~~  
31.26 ~~of the loan restructuring program~~ the Rural Finance Authority administrative account  
31.27 established in section 41B.03.

31.28 Sec. 47. Minnesota Statutes 2014, section 41B.043, subdivision 3, is amended to read:

31.29 Subd. 3. **Application and origination fee.** The authority may impose a reasonable  
31.30 nonrefundable application fee for each application submitted for a participation issued  
31.31 under the agricultural improvement loan program. The application fee is initially \$50. The  
31.32 authority may review the fees annually and make adjustments as necessary. The fees must

32.1 be deposited in the state treasury and credited to ~~an account in the special revenue fund.~~  
 32.2 ~~Money in this account is appropriated to the commissioner for administrative expenses of~~  
 32.3 ~~the agricultural improvement loan program~~ the Rural Finance Authority administrative  
 32.4 account established in section 41B.03.

32.5 Sec. 48. Minnesota Statutes 2014, section 41B.045, subdivision 3, is amended to read:

32.6 Subd. 3. **Specifications.** ~~No loan may be made to refinance an existing debt.~~ Each  
 32.7 loan participation must be secured by a mortgage on real property and such other security  
 32.8 as the authority may require.

32.9 Sec. 49. Minnesota Statutes 2014, section 41B.045, subdivision 4, is amended to read:

32.10 Subd. 4. **Application and origination fee.** The authority may impose a reasonable  
 32.11 nonrefundable application fee for each application for a loan participation and an  
 32.12 origination fee for each loan issued under the livestock expansion loan program. The  
 32.13 origination fee initially shall be set at 1.5 percent and the application fee at \$50. The  
 32.14 authority may review the fees annually and make adjustments as necessary. The fees must  
 32.15 be deposited in the state treasury and credited to ~~an account in the special revenue fund.~~  
 32.16 ~~Money in this account is appropriated to the commissioner for administrative expenses of~~  
 32.17 ~~the livestock expansion loan program~~ the Rural Finance Authority administrative account  
 32.18 established in section 41B.03.

32.19 Sec. 50. Minnesota Statutes 2014, section 41B.046, subdivision 5, is amended to read:

32.20 Subd. 5. **Loans.** (a) The authority may participate in a stock loan with an eligible  
 32.21 lender to a farmer who is eligible under subdivision 4. Participation is limited to 45  
 32.22 percent of the principal amount of the loan or \$40,000, whichever is less. The interest  
 32.23 rates and repayment terms of the authority's participation interest may differ from the  
 32.24 interest rates and repayment terms of the lender's retained portion of the loan, but the  
 32.25 authority's interest rate must not exceed 50 percent of the lender's interest rate.

32.26 (b) No more than 95 percent of the purchase price of the stock may be financed  
 32.27 under this program.

32.28 (c) Security for stock loans must be the stock purchased, a personal note executed by  
 32.29 the borrower, and whatever other security is required by the eligible lender or the authority.

32.30 (d) The authority may impose a reasonable nonrefundable application fee for each  
 32.31 application for a stock loan. The authority may review the fee annually and make  
 32.32 adjustments as necessary. The application fee is initially \$50. Application fees received



33.1 by the authority must be deposited in the revolving loan account established in section  
 33.2 ~~41B.06~~ Rural Finance Authority administrative account established in section 41B.03.

33.3 (e) Stock loans under this program will be made using money in the revolving  
 33.4 loan account established in section 41B.06.

33.5 (f) The authority may not grant stock loans in a cumulative amount exceeding  
 33.6 \$2,000,000 for the financing of stock purchases in any one cooperative.

33.7 (g) Repayments of financial assistance under this section, including principal and  
 33.8 interest, must be deposited into the revolving loan account established in section 41B.06.

33.9 Sec. 51. Minnesota Statutes 2014, section 41B.047, subdivision 1, is amended to read:

33.10 Subdivision 1. **Establishment.** The authority shall establish and implement a  
 33.11 disaster recovery loan program to help farmers:

33.12 (1) clean up, repair, or replace farm structures and septic and water systems, as well  
 33.13 as replace seed, other crop inputs, feed, and livestock, when damaged by high winds,  
 33.14 hail, tornado, or flood; ~~or~~

33.15 (2) purchase watering systems, irrigation systems, and other drought mitigation  
 33.16 systems and practices when drought is the cause of the purchase; or

33.17 (3) restore farmland.

33.18 Sec. 52. Minnesota Statutes 2014, section 41B.047, subdivision 4, is amended to read:

33.19 Subd. 4. **Loans.** (a) The authority may participate in a disaster recovery loan with  
 33.20 an eligible lender to a farmer who is eligible under subdivision 3. Participation is limited  
 33.21 to 45 percent of the principal amount of the loan or \$50,000, whichever is less. The  
 33.22 interest rates and repayment terms of the authority's participation interest may differ from  
 33.23 the interest rates and repayment terms of the lender's retained portion of the loan, but the  
 33.24 authority's interest rate must not exceed four percent.

33.25 (b) Standards for loan amortization shall be set by the Rural Finance Authority  
 33.26 not to exceed ten years.

33.27 (c) Security for the disaster recovery loans must be a personal note executed by the  
 33.28 borrower and whatever other security is required by the eligible lender or the authority.

33.29 (d) The authority may impose a reasonable nonrefundable application fee for a  
 33.30 disaster recovery loan. The authority may review the fee annually and make adjustments  
 33.31 as necessary. The application fee is initially \$50. Application fees received by the  
 33.32 authority must be deposited in the revolving loan account established under section  
 33.33 ~~41B.06~~ Rural Finance Authority administrative account established in section 41B.03.

34.1 (e) Disaster recovery loans under this program will be made using money in the  
34.2 revolving loan account established under section 41B.06.

34.3 (f) Repayments of financial assistance under this section, including principal and  
34.4 interest, must be deposited into the revolving loan account established under section  
34.5 41B.06.

34.6 Sec. 53. Minnesota Statutes 2014, section 41B.048, subdivision 6, is amended to read:

34.7 Subd. 6. **Loans.** (a) The authority may disburse loans through a fiscal agent to  
34.8 farmers and agricultural landowners who are eligible under subdivision 5. The total  
34.9 accumulative loan principal must not exceed \$75,000 per loan.

34.10 (b) The fiscal agent may impose a loan origination fee in the amount of one percent  
34.11 of the total approved loan. This fee is to be paid by the borrower to the fiscal agent at  
34.12 the time of loan closing.

34.13 (c) The loan may be disbursed over a period not to exceed 12 years.

34.14 (d) A borrower may receive loans, depending on the availability of funds, for planted  
34.15 areas up to 160 acres for up to:

34.16 (1) the total amount necessary for establishment of the crop;

34.17 (2) the total amount of maintenance costs, including weed control, during the first  
34.18 three years; and

34.19 (3) 70 percent of the estimated value of one year's growth of the crop for years  
34.20 four through 12.

34.21 (e) Security for the loan must be the crop, a personal note executed by the borrower, an  
34.22 interest in the land upon which the crop is growing, and whatever other security is required  
34.23 by the fiscal agent or the authority. All recording fees must be paid by the borrower.

34.24 (f) The authority may prescribe forms and establish an application process for  
34.25 applicants to apply for a loan.

34.26 (g) The authority may impose a reasonable, nonrefundable application fee for each  
34.27 application for a loan under this program. The application fee is initially \$50. Application  
34.28 fees received by the authority must be deposited in the revolving loan account established  
34.29 under section 41B.06 Rural Finance Authority administrative account established in  
34.30 section 41B.03.

34.31 (h) Loans under the program must be made using money in the revolving loan  
34.32 account established under section 41B.06.

34.33 (i) All repayments of financial assistance granted under this section, including  
34.34 principal and interest, must be deposited into the revolving loan account established  
34.35 under section 41B.06.

35.1 (j) The interest payable on loans made by the authority for the agroforestry loan  
 35.2 program must, if funded by revenue bond proceeds, be at a rate not less than the rate on the  
 35.3 revenue bonds, and may be established at a higher rate necessary to pay costs associated  
 35.4 with the issuance of the revenue bonds and a proportionate share of the cost of administering  
 35.5 the program. The interest payable on loans for the agroforestry loan program funded from  
 35.6 sources other than revenue bond proceeds must be at a rate determined by the authority.

35.7 (k) Loan principal balance outstanding plus all assessed interest must be repaid  
 35.8 within 120 days of harvest, but no later than 15 years from planting.

35.9 Sec. 54. Minnesota Statutes 2014, section 41B.049, subdivision 4, is amended to read:

35.10 Subd. 4. **Loans.** (a) The authority may make a direct loan or participate in a loan  
 35.11 with an eligible lender to a farmer who is eligible under subdivision 3. Repayment terms  
 35.12 of the authority's participation interest may differ from repayment terms of the lender's  
 35.13 retained portion of the loan. Loans made under this section must be no-interest loans.

35.14 (b) Application for a direct loan or a loan participation must be made on forms  
 35.15 prescribed by the authority.

35.16 (c) Standards for loan amortization shall be set by the Rural Finance Authority  
 35.17 not to exceed ten years.

35.18 (d) Security for the loans must be a personal note executed by the borrower and  
 35.19 whatever other security is required by the eligible lender or the authority.

35.20 (e) No loan proceeds may be used to refinance a debt existing prior to application.

35.21 (f) The authority may impose a reasonable nonrefundable application fee for  
 35.22 each application for a direct loan or a loan participation. The authority may review the  
 35.23 application fees annually and make adjustments as necessary. The application fee is  
 35.24 initially set at \$100 for a loan under subdivision 1. The fees received by the authority must  
 35.25 be deposited in the revolving loan account established in section 41B.06 Rural Finance  
 35.26 Authority administrative account established in section 41B.03.

35.27 Sec. 55. Minnesota Statutes 2014, section 41B.055, subdivision 3, is amended to read:

35.28 Subd. 3. **Loans.** (a) The authority may participate in a livestock equipment loan  
 35.29 equal to 90 percent of the purchased equipment value with an eligible lender to a farmer  
 35.30 who is eligible under subdivision 2. Participation is limited to 45 percent of the principal  
 35.31 amount of the loan or \$40,000, whichever is less. The interest rates and repayment terms  
 35.32 of the authority's participation interest may differ from the interest rates and repayment  
 35.33 terms of the lender's retained portion of the loan, but the authority's interest rate must

36.1 not exceed three percent. The authority may review the interest annually and make  
36.2 adjustments as necessary.

36.3 (b) Standards for loan amortization must be set by the Rural Finance Authority  
36.4 and must not exceed ten years.

36.5 (c) Security for a livestock equipment loan must be a personal note executed by the  
36.6 borrower and whatever other security is required by the eligible lender or the authority.

36.7 (d) Refinancing of existing debt is not an eligible purpose.

36.8 (e) The authority may impose a reasonable, nonrefundable application fee for  
36.9 a livestock equipment loan. The authority may review the fee annually and make  
36.10 adjustments as necessary. The initial application fee is \$50. Application fees received  
36.11 by the authority must be deposited in the ~~revolving loan account established in section~~  
36.12 41B.06 Rural Finance Authority administrative account established in section 41B.03.

36.13 (f) Loans under this program must be made using money in the revolving loan  
36.14 account established in section 41B.06.

36.15 Sec. 56. Minnesota Statutes 2014, section 41B.056, subdivision 2, is amended to read:

36.16 Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

36.17 (b) "Intermediary" means any lending institution or other organization of a for-profit  
36.18 or nonprofit nature that is in good standing with the state of Minnesota that has the  
36.19 appropriate business structure and trained personnel suitable to providing efficient  
36.20 disbursement of loan funds and the servicing and collection of loans.

36.21 (c) "Specialty crops" means agricultural crops, such as annuals, flowers, perennials,  
36.22 and other horticultural products, that are intensively cultivated.

36.23 (d) "Eligible livestock" means ~~poultry that has been allowed access to the outside,~~  
36.24 sheep, or goats ~~beef cattle, dairy cattle, swine, poultry, goats, mules, farmed cervidae,~~  
36.25 ratitae, bison, sheep, horses, and llamas.

36.26 Sec. 57. **[41B.057] FARM OPPORTUNITY LOAN PROGRAM.**

36.27 Subdivision 1. **Establishment.** The commissioner of agriculture shall establish a  
36.28 farm opportunity loan program to provide loans that enable farmers to:

36.29 (1) add value to crops or livestock produced in Minnesota;

36.30 (2) adopt best management practices that emphasize sufficiency and self-sufficiency;

36.31 (3) reduce or improve management of agricultural inputs resulting in environmental  
36.32 improvements; or

36.33 (4) increase production of on-farm energy.

37.1 Subd. 2. **Loan criteria.** (a) The farm opportunity loan program shall provide loans  
 37.2 for purchase of new or used equipment and installation of equipment for projects that  
 37.3 make environmental improvements and enhance farm profitability. The loan program  
 37.4 shall also be used to add value to crops or livestock produced in Minnesota by, but not  
 37.5 limited to, initiating or expanding livestock product processing; purchasing equipment to  
 37.6 initiate, upgrade, or modernize value-added agricultural businesses; or increasing farmers'  
 37.7 processing and aggregating capacity facilitating entry into farm-to-institution and other  
 37.8 markets. Eligible loan uses do not include expenses related to seeds, fertilizer, fuel, or  
 37.9 other operating expenses.

37.10 (b) The authority may impose a reasonable, nonrefundable application fee for a farm  
 37.11 opportunity loan. The authority may review the fee annually and make adjustments as  
 37.12 necessary. The initial application fee is \$50. Application fees received by the authority  
 37.13 must be deposited in the Rural Finance Authority administrative account established  
 37.14 in section 41B.03.

37.15 (c) Loans may only be made to Minnesota residents engaged in farming. Standards  
 37.16 for loan amortization must be set by the Rural Finance Authority and must not exceed  
 37.17 ten years.

37.18 (d) The borrower must show the ability to repay the loan.

37.19 (e) Refinancing of existing debt is not an eligible expense.

37.20 (f) Loans under this program must be made using money in the revolving loan  
 37.21 account established in section 41B.06.

37.22 Subd. 3. **Loan participation.** The authority may participate in a farm opportunity  
 37.23 loan with an eligible lender, as defined in section 41B.02, subdivision 8, to a farmer or a  
 37.24 group of farmers on joint projects who are eligible under subdivision 2, paragraph (c),  
 37.25 and who are actively engaged in farming. Participation is limited to 45 percent of the  
 37.26 principal amount of the loan or \$45,000 per individual, whichever is less. For loans to a  
 37.27 group made up of four or more individuals, participation is limited to 45 percent of the  
 37.28 principal amount of the loan or \$180,000, whichever is less. The interest rate on the  
 37.29 loans must not exceed six percent.

37.30 Sec. 58. Minnesota Statutes 2014, section 41B.06, is amended to read:

37.31 **41B.06 RURAL FINANCE AUTHORITY REVOLVING LOAN ACCOUNT.**

37.32 There is established in the rural finance administration fund a Rural Finance  
 37.33 Authority revolving loan account that is eligible to receive appropriations and the transfer  
 37.34 of loan funds from other programs. All repayments of financial assistance granted from  
 37.35 this account, including principal and interest, must be deposited into this account. Interest

38.1 earned on money in the account accrues to the account, and the money in the account is  
38.2 appropriated to the commissioner of agriculture for purposes of the Rural Finance Authority  
38.3 livestock equipment, methane digester, disaster recovery, value-added agricultural  
38.4 product, agroforestry, ~~and agricultural microloan~~, and farm opportunity loan programs,  
38.5 including costs incurred by the authority to establish and administer the programs.

38.6 Sec. 59. Minnesota Statutes 2014, section 500.24, subdivision 4, is amended to read:

38.7 Subd. 4. **Reports.** (a) The chief executive officer of every pension or investment  
38.8 fund, corporation, limited partnership, limited liability company, or entity that is seeking  
38.9 to qualify for an exemption from the commissioner, and the trustee of a family farm trust  
38.10 that holds any interest in agricultural land or land used for the breeding, feeding, pasturing,  
38.11 growing, or raising of livestock, dairy or poultry, or products thereof, or land used for  
38.12 the production of agricultural crops or fruit or other horticultural products, other than a  
38.13 bona fide encumbrance taken for purposes of security, or which is engaged in farming  
38.14 or proposing to commence farming in this state after May 20, 1973, shall file with the  
38.15 commissioner a report containing the following information and documents:

38.16 (1) the name of the pension or investment fund, corporation, limited partnership, or  
38.17 limited liability company and its place of incorporation, certification, or registration;

38.18 (2) the address of the pension or investment plan headquarters or of the registered  
38.19 office of the corporation in this state, the name and address of its registered agent in this state  
38.20 and, in the case of a foreign corporation, limited partnership, or limited liability company,  
38.21 the address of its principal office in its place of incorporation, certification, or registration;

38.22 (3) the acreage and location listed by quarter-quarter section, township, and county  
38.23 of each lot or parcel of agricultural land or land used for the keeping or feeding of poultry  
38.24 in this state owned or leased by the pension or investment fund, limited partnership,  
38.25 corporation, or limited liability company;

38.26 (4) the names and addresses of the officers, administrators, directors, or trustees of  
38.27 the pension or investment fund, or of the officers, shareholders owning more than ten  
38.28 percent of the stock, including the percent of stock owned by each such shareholder, the  
38.29 members of the board of directors of the corporation, and the members of the limited  
38.30 liability company, and the general and limited partners and the percentage of interest in  
38.31 the partnership by each partner;

38.32 (5) the farm products which the pension or investment fund, limited partnership,  
38.33 corporation, or limited liability company produces or intends to produce on its agricultural  
38.34 land;

39.1 (6) with the first report, a copy of the title to the property where the farming operations  
39.2 are or will occur indicating the particular exception claimed under subdivision 3; and

39.3 (7) with the first or second report, a copy of the conservation plan proposed by the  
39.4 soil and water conservation district, and with subsequent reports a statement of whether  
39.5 the conservation plan was implemented.

39.6 The report of a corporation, trust, limited liability company, or partnership seeking  
39.7 to qualify hereunder as a family farm corporation, an authorized farm corporation, an  
39.8 authorized livestock farm corporation, a family farm partnership, an authorized farm  
39.9 partnership, a family farm limited liability company, an authorized farm limited liability  
39.10 company, or a family farm trust or under an exemption from the commissioner shall  
39.11 contain the following additional information: the number of shares, partnership interests,  
39.12 or governance and financial rights owned by persons or current beneficiaries of a family  
39.13 farm trust residing on the farm or actively engaged in farming, or their relatives within  
39.14 the third degree of kindred according to the rules of the civil law or their spouses; the  
39.15 name, address, and number of shares owned by each shareholder, partnership interests  
39.16 owned by each partner or governance and financial rights owned by each member, and a  
39.17 statement as to percentage of gross receipts of the corporation derived from rent, royalties,  
39.18 dividends, interest, and annuities. No pension or investment fund, limited partnership,  
39.19 corporation, or limited liability company shall commence farming in this state until the  
39.20 commissioner has inspected the report and certified that its proposed operations comply  
39.21 with the provisions of this section.

39.22 (b) Every pension or investment fund, limited partnership, trust, corporation, or  
39.23 limited liability company as described in paragraph (a) shall, prior to April 15 of each  
39.24 year, file with the commissioner a report containing the information required in paragraph  
39.25 (a), based on its operations in the preceding calendar year and its status at the end of the  
39.26 year. A pension or investment fund, limited partnership, corporation, or limited liability  
39.27 company that does not file the report by April 15 must pay a \$500 civil penalty. The  
39.28 penalty is a lien on the land being farmed under subdivision 3 until the penalty is paid.

39.29 (c) The commissioner may, for good cause shown, issue a written waiver or  
39.30 reduction of the civil penalty for failure to make a timely filing of the annual report  
39.31 required by this subdivision. The waiver or reduction is final and conclusive with respect  
39.32 to the civil penalty, and may not be reopened or modified by an officer, employee, or  
39.33 agent of the state, except upon a showing of fraud or malfeasance or misrepresentation  
39.34 of a material fact. The report required under paragraph (b) must be completed prior to a  
39.35 reduction or waiver under this paragraph. The commissioner may enter into an agreement  
39.36 under this paragraph only once for each corporation or partnership.

40.1 (d) All reports required by paragraph (a) shall include a filing fee of \$15. The fee  
40.2 must be deposited in the state treasury and credited to an account in the special revenue  
40.3 fund. Money in the account, including interest, is appropriated to the commissioner for  
40.4 the administrative expenses of this section.

40.5 ~~(d)~~ (e) Failure to file a required report or the willful filing of false information is a  
40.6 gross misdemeanor.

40.7 Sec. 60. **BALANCES TRANSFERRED; ACCOUNTS ABOLISHED.**

40.8 The balances in the accounts created under sections 41B.03, subdivision 6; 41B.04,  
40.9 subdivision 17; 41B.043, subdivision 3; and 41B.045, subdivision 4, are transferred to  
40.10 the Rural Finance Authority administrative account established under section 41B.03,  
40.11 subdivision 7, and the original accounts are abolished.

40.12 The balance in the account created under section 17.115 is transferred to the Rural  
40.13 Finance Authority revolving loan account established under section 41B.06, and the  
40.14 original account is abolished.

40.15 Sec. 61. **REPEALER.**

40.16 Minnesota Statutes 2014, sections 17.115; 28A.08, subdivision 3; and 41A.12,  
40.17 subdivision 4, are repealed.



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**17.115 SHARED SAVINGS LOAN PROGRAM.**

Subdivision 1. **Establishment.** The commissioner shall establish a shared savings loan program to provide loans that enable farmers to adopt best management practices that emphasize sufficiency and self-sufficiency in agricultural inputs, including energy efficiency, reduction or improved management of inputs, increasing energy production by agricultural producers, and environmental improvements.

Subd. 2. **Loan criteria.** (a) The shared savings loan program must provide loans for purchase of new or used machinery and installation of equipment for projects that make environmental improvements and enhance farm profitability. Eligible loan uses do not include seed, fertilizer, or fuel.

(b) Loans may not exceed \$40,000 per individual applying for a loan and may not exceed \$160,000 for loans to four or more individuals on joint projects. The loan repayment period may be up to seven years as determined by project cost and energy savings. The interest rate on the loans must not exceed six percent.

(c) Loans may only be made to residents of this state engaged in farming.

Subd. 3. **Awarding of loans.** (a) Applications for loans must be made to the commissioner on forms prescribed by the commissioner.

(b) The applications must be reviewed, ranked, and recommended by a loan review panel appointed by the commissioner. The loan review panel shall consist of two lenders with agricultural experience, two resident farmers of the state using sustainable agriculture methods, two resident farmers of the state using organic agriculture methods, a farm management specialist, a representative from a postsecondary education institution, and a chair from the department.

(c) The loan review panel shall rank applications according to the following criteria:

- (1) realize savings to the cost of agricultural production;
- (2) reduce or make more efficient use of energy or inputs;
- (3) increase overall farm profitability; and
- (4) result in environmental benefits.

(d) A loan application must show that the loan can be repaid by the applicant.

(e) The commissioner must consider the recommendations of the loan review panel and may make loans for eligible projects.

Subd. 4. **Administration; information dissemination.** The amount in the revolving loan account is appropriated to the commissioner to make loans under this section and administer the loan program. The interest on the money in the revolving loan account and the interest on loans repaid to the state may be spent by the commissioner for administrative expenses. The commissioner shall collect and disseminate information relating to projects for which loans are given under this section.

Subd. 5. **Farm manure digester technology.** Appropriations in Laws 1998, chapter 401, section 6, must be used for revolving loans for demonstration projects of farm manure digester technology. Notwithstanding the limitations of subdivision 2, paragraphs (b) and (c), loans under this subdivision are no-interest loans in principal amounts not to exceed \$200,000 and may be made to any resident of this state. Loans for one or more projects must be made only after the commissioner seeks applications. Loans under this program may be used as a match for federal loans or grants. Money repaid from loans must be returned to the revolving fund for future projects.

**28A.08 LICENSE FEES; PENALTIES.**

Subd. 3. **Fees effective July 1, 2003.**

Type of food handler	Penalties		
	License Fee Effective July 1, 2003	Late Renewal	NoLicense
1. Retail food handler			
(a) Having gross sales of only prepackaged nonperishable food of less than \$15,000 for the immediately previous license or fiscal year and filing a statement with the commissioner	\$ 50	\$ 17	\$ 33

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(b) Having under \$15,000 gross sales or service including food preparation or having \$15,000 to \$50,000 gross sales or service for the immediately previous license or fiscal year	\$ 77	\$ 25	\$ 51
(c) Having \$50,001 to \$250,000 gross sales or service for the immediately previous license or fiscal year	\$155	\$ 51	\$102
(d) Having \$250,001 to \$1,000,000 gross sales or service for the immediately previous license or fiscal year	\$276	\$ 91	\$182
(e) Having \$1,000,001 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	\$799	\$264	\$527
(f) Having \$5,000,001 to \$10,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,162	\$383	\$767
(g) Having \$10,000,001 to \$15,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,376	\$454	\$908
(h) Having \$15,000,001 to \$20,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,607	\$530	\$1,061
(i) Having \$20,000,001 to \$25,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,847	\$610	\$1,219
(j) Having over \$25,000,001 gross sales or service for the immediately previous license or fiscal year	\$2,001	\$660	\$1,321
2. Wholesale food handler			
(a) Having gross sales or service of less than \$25,000 for the immediately previous license or fiscal year	\$ 57	\$ 19	\$ 38
(b) Having \$25,001 to \$250,000 gross sales or service for the immediately previous license or fiscal year	\$284	\$ 94	\$187
(c) Having \$250,001 to \$1,000,000 gross sales or service from a mobile unit without a separate food facility for the immediately previous license or fiscal year	\$444	\$147	\$293
(d) Having \$250,001 to \$1,000,000 gross sales or service not covered under paragraph (c) for the immediately previous license or fiscal year	\$590	\$195	\$389
(e) Having \$1,000,001 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	\$769	\$254	\$508
(f) Having \$5,000,001 to \$10,000,000 gross sales or service for the immediately previous license or fiscal year	\$920	\$304	\$607
(g) Having \$10,000,001 to \$15,000,000 gross sales or service for the immediately previous license or fiscal year	\$990	\$327	\$653
(h) Having \$15,000,001 to \$20,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,156	\$381	\$763

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(i) Having \$20,000,001 to \$25,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,329	\$439	\$877
(j) Having over \$25,000,001 or more gross sales or service for the immediately previous license or fiscal year	\$1,502	\$496	\$991
3. Food broker	\$150	\$ 50	\$ 99
4. Wholesale food processor or manufacturer			
(a) Having gross sales or service of less than \$125,000 for the immediately previous license or fiscal year	\$169	\$ 56	\$112
(b) Having \$125,001 to \$250,000 gross sales or service for the immediately previous license or fiscal year	\$392	\$129	\$259
(c) Having \$250,001 to \$1,000,000 gross sales or service for the immediately previous license or fiscal year	\$590	\$195	\$389
(d) Having \$1,000,001 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	\$769	\$254	\$508
(e) Having \$5,000,001 to \$10,000,000 gross sales or service for the immediately previous license or fiscal year	\$920	\$304	\$607
(f) Having \$10,000,001 to \$15,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,377	\$454	\$909
(g) Having \$15,000,001 to \$20,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,608	\$531	\$1,061
(h) Having \$20,000,001 to \$25,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,849	\$610	\$1,220
(i) Having \$25,000,001 to \$50,000,000 gross sales or service for the immediately previous license or fiscal year	\$2,090	\$690	\$1,379
(j) Having \$50,000,001 to \$100,000,000 gross sales or service for the immediately previous license or fiscal year	\$2,330	\$769	\$1,538
(k) Having \$100,000,000 or more gross sales or service for the immediately previous license or fiscal year	\$2,571	\$848	\$1,697
5. Wholesale food processor of meat or poultry products under supervision of the U.S. Department of Agriculture			
(a) Having gross sales or service of less than \$125,000 for the immediately previous license or fiscal year	\$112	\$ 37	\$ 74
(b) Having \$125,001 to \$250,000 gross sales or service for the immediately previous license or fiscal year	\$214	\$ 71	\$141
(c) Having \$250,001 to \$1,000,000 gross sales or service for the immediately previous license or fiscal year	\$333	\$110	\$220

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(d) Having \$1,000,001 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	\$425	\$140	\$281
(e) Having \$5,000,001 to \$10,000,000 gross sales or service for the immediately previous license or fiscal year	\$521	\$172	\$344
(f) Having over \$10,000,001 gross sales or service for the immediately previous license or fiscal year	\$765	\$252	\$505
(g) Having \$15,000,001 to \$20,000,000 gross sales or service for the immediately previous license or fiscal year	\$893	\$295	\$589
(h) Having \$20,000,001 to \$25,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,027	\$339	\$678
(i) Having \$25,000,001 to \$50,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,161	\$383	\$766
(j) Having \$50,000,001 to \$100,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,295	\$427	\$855
(k) Having \$100,000,001 or more gross sales or service for the immediately previous license or fiscal year	\$1,428	\$471	\$942
6. Wholesale food processor or manufacturer operating only at the State Fair	\$125	\$ 40	\$ 50
7. Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota Farmstead cheese	\$ 30	\$ 10	\$ 15
8. Wholesale food manufacturer processing less than 700,000 pounds per year of raw milk	\$ 30	\$ 10	\$ 15
9. A milk marketing organization without facilities for processing or manufacturing that purchases milk from milk producers for delivery to a licensed wholesale food processor or manufacturer	\$ 50	\$ 15	\$ 25

**41A.12 AGRICULTURAL GROWTH, RESEARCH, AND INNOVATION PROGRAM.**

Subd. 4. **Sunset.** This section expires on June 30, 2015.