

(SENATE AUTHORS: KUBLY, Skoe and Stumpf)

DATE	D-PG	OFFICIAL STATUS
03/24/2011	701	Introduction and first reading Referred to Rules and Administration
04/05/2011	1189	Withdrawn and re-referred to Agriculture and Rural Economies See SF1016, Sec. 3, 10-12, 16 See HF1010, Art. 4, Sec. 42 (vetoed)

A bill for an act
relating to appropriations; appropriating money for agriculture and the Board
of Animal Health; changing certain requirements, programs, and provisions;
amending Minnesota Statutes 2010, sections 18C.005, by adding a subdivision;
18C.111, by adding a subdivision; 18C.131; 18C.425, by adding a subdivision;
18D.201, subdivision 5, by adding a subdivision; 18E.03, subdivision 4; 27.041,
by adding a subdivision; 28A.08, subdivision 3; repealing Minnesota Statutes
2010, section 41A.09, subdivisions 1a, 2a, 3a, 4, 10.

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

Section 1. **SUMMARY OF APPROPRIATIONS.**

The amounts shown in this section summarize direct appropriations, by fund, made
in this article.

		<u>2012</u>	<u>2013</u>	<u>Total</u>
<u>General</u>	\$	<u>36,224,000</u>	<u>26,690,000</u>	<u>62,914,000</u>
<u>Agricultural</u>	\$	<u>800,000</u>	<u>800,000</u>	<u>1,600,000</u>
<u>Remediation</u>	\$	<u>388,000</u>	<u>388,000</u>	<u>776,000</u>
<u>Total</u>	\$	<u>37,412,000</u>	<u>27,878,000</u>	<u>65,290,000</u>

Sec. 2. **AGRICULTURE APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the
agencies and for the purposes specified in this act. The appropriations are from the general
fund, or another named fund, and are available for the fiscal years indicated for each
purpose. The figures "2012" and "2013" used in this act mean that the appropriations
listed under them are available for the fiscal year ending June 30, 2012, or June 30, 2013,
respectively. "The first year" is fiscal year 2012. "The second year" is fiscal year 2013.
"The biennium" is fiscal years 2012 and 2013.

2.1				<u>APPROPRIATIONS</u>
2.2				<u>Available for the Year</u>
2.3				<u>Ending June 30</u>
2.4				<u>2012</u> <u>2013</u>
2.5	Sec. 3. <u>DEPARTMENT OF AGRICULTURE</u>			
2.6	<u>Subdivision 1. Total Appropriation</u>	\$	<u>37,412,000</u>	\$ <u>27,878,000</u>
2.7	<u>Appropriations by Fund</u>			
2.8		<u>2012</u>	<u>2013</u>	
2.9	<u>General</u>	<u>36,224,000</u>	<u>26,690,000</u>	
2.10	<u>Remediation</u>	<u>388,000</u>	<u>388,000</u>	
2.11	<u>Agricultural</u>	<u>800,000</u>	<u>800,000</u>	
2.12	<u>The amounts that may be spent for each</u>			
2.13	<u>purpose are specified in the following</u>			
2.14	<u>subdivisions.</u>			
2.15	<u>Subd. 2. Protection Services</u>		<u>12,193,000</u>	<u>12,193,000</u>
2.16	<u>Appropriations by Fund</u>			
2.17	<u>General</u>	<u>11,805,000</u>	<u>11,805,000</u>	
2.18	<u>Remediation</u>	<u>388,000</u>	<u>388,000</u>	
2.19	<u>\$388,000 the first year and \$388,000 the</u>			
2.20	<u>second year are from the remediation fund</u>			
2.21	<u>for administrative funding for the voluntary</u>			
2.22	<u>cleanup program.</u>			
2.23	<u>\$75,000 the first year and \$75,000 the second</u>			
2.24	<u>year are for compensation for destroyed or</u>			
2.25	<u>crippled animals under Minnesota Statutes,</u>			
2.26	<u>section 3.737. If the amount in the first year</u>			
2.27	<u>is insufficient, the amount in the second year</u>			
2.28	<u>is available in the first year.</u>			
2.29	<u>\$75,000 the first year and \$75,000 the second</u>			
2.30	<u>year are for compensation for crop damage</u>			
2.31	<u>under Minnesota Statutes, section 3.7371. If</u>			
2.32	<u>the amount in the first year is insufficient, the</u>			
2.33	<u>amount in the second year is available in the</u>			
2.34	<u>first year.</u>			

3.1 If the commissioner determines that claims
3.2 made under Minnesota Statutes, section
3.3 3.737 or 3.7371, are unusually high, amounts
3.4 appropriated for either program may be
3.5 transferred to the appropriation for the other
3.6 program.

3.7 Subd. 3. **Agricultural Marketing and**
3.8 **Development** 2,962,000 2,962,000

3.9 \$186,000 the first year and \$186,000 the
3.10 second year are for transfer to the Minnesota
3.11 grown account and may be used as grants
3.12 for Minnesota grown promotion under
3.13 Minnesota Statutes, section 17.102. Grants
3.14 may be made for one year. Notwithstanding
3.15 Minnesota Statutes, section 16A.28, the
3.16 appropriations encumbered under contract on
3.17 or before June 30, 2013, for Minnesota grown
3.18 grants in this paragraph are available until
3.19 June 30, 2015. \$50,000 of the appropriation
3.20 in each year is for efforts that identify
3.21 and promote Minnesota grown products in
3.22 retail food establishments including but not
3.23 limited to restaurants, grocery stores, and
3.24 convenience stores.

3.25 Up to \$100,000 each year may be used
3.26 for grants to farmers for demonstration
3.27 projects involving sustainable agriculture as
3.28 authorized in Minnesota Statutes, section
3.29 17.116. Of the amount for grants, up to
3.30 \$20,000 may be used for dissemination
3.31 of information about the demonstration
3.32 projects. Notwithstanding Minnesota
3.33 Statutes, section 16A.28, the appropriations
3.34 encumbered under contract on or before June
3.35 30, 2013, for sustainable agriculture grants

4.1 in this paragraph are available until June 30,
4.2 2015.

4.3 \$100,000 the first year and \$100,000 the
4.4 second year are to provide training and
4.5 technical assistance to county and town
4.6 officials relating to livestock siting issues
4.7 and local zoning and land use planning,
4.8 including maintenance of the checklist
4.9 template clarifying the federal, state,
4.10 and local government requirements for
4.11 consideration of an animal agriculture
4.12 modernization or expansion project. For the
4.13 training and technical assistance program,
4.14 the commissioner shall continue to seek
4.15 guidance, advice, and support of livestock
4.16 producer organizations, general agricultural
4.17 organizations, local government associations,
4.18 academic institutions, other government
4.19 agencies, and others with expertise in land
4.20 use and agriculture.

4.21 \$10,000 the first year and \$10,000 the
4.22 second year are for annual cost-share
4.23 payments to resident farmers or persons
4.24 who sell, process, or package agricultural
4.25 products in this state for the costs of organic
4.26 certification. Annual cost-share payments
4.27 per farmer must be two-thirds of the cost
4.28 of the certification or \$350, whichever is
4.29 less. In any year that a resident farmer or
4.30 person who sells, processes, or packages
4.31 agricultural products in this state receives
4.32 a federal organic certification cost-share
4.33 payment, that resident farmer or person is
4.34 not eligible for state cost-share payments. A
4.35 certified farmer is eligible to receive annual
4.36 certification cost-share payments for up to

5.1 five years. The commissioner may allocate
5.2 any excess appropriation in either fiscal year
5.3 for organic market and program development
5.4 including organic producer education efforts,
5.5 assistance for persons transitioning from
5.6 conventional to organic agriculture, or
5.7 sustainable agriculture demonstration grants
5.8 authorized under Minnesota Statutes, section
5.9 17.116, and pertaining to organic research or
5.10 demonstration. Any unencumbered balance
5.11 does not cancel at the end of the first year
5.12 and is available for the second year.

5.13 Subd. 4. **Bioenergy and Value-Added**
5.14 **Agriculture** 15,014,000 5,480,000

5.15 \$15,014,000 the first year is for final
5.16 ethanol producer deficiency payments under
5.17 Minnesota Statutes, section 41A.09. If the
5.18 appropriation exceeds the total amount
5.19 for which all producers are eligible, the
5.20 balance in the appropriation is available to
5.21 the commissioner for the agricultural growth,
5.22 research, and innovation program under
5.23 Minnesota Statutes, section 41A.12.

5.24 \$5,480,000 the second year is for the
5.25 agricultural growth, research, and innovation
5.26 program under Minnesota Statutes, section
5.27 41A.12. This appropriation remains available
5.28 until spent.

5.29 Subd. 5. **Administration and Financial**
5.30 **Assistance** 7,243,000 7,243,000

5.31	<u>Appropriations by Fund</u>		
5.32		<u>2012</u>	<u>2013</u>
5.33	<u>General</u>	<u>6,443,000</u>	<u>6,443,000</u>
5.34	<u>Agricultural</u>	<u>800,000</u>	<u>800,000</u>

5.35 \$634,000 the first year and \$634,000 the
5.36 second year are for continuation of the dairy

6.1 development and profitability enhancement
6.2 and dairy business planning grant programs
6.3 established under Laws 1997, chapter
6.4 216, section 7, subdivision 2, and Laws
6.5 2001, First Special Session chapter 2,
6.6 section 9, subdivision 2. The commissioner
6.7 may allocate the available sums among
6.8 permissible activities, including efforts to
6.9 improve the quality of milk produced in the
6.10 state in the proportions that the commissioner
6.11 deems most beneficial to Minnesota's
6.12 dairy farmers. The commissioner must
6.13 submit a work plan detailing plans for
6.14 expenditures under this program to the chairs
6.15 of the legislative committees dealing with
6.16 agricultural policy and budget on or before
6.17 the start of each fiscal year. If significant
6.18 changes are made to the plans in the course
6.19 of the year, the commissioner must notify the
6.20 chairs.

6.21 \$47,000 the first year and \$47,000 the
6.22 second year are for the Northern Crops
6.23 Institute. These appropriations may be spent
6.24 to purchase equipment.

6.25 \$18,000 the first year and \$18,000 the
6.26 second year are for a grant to the Minnesota
6.27 Livestock Breeders Association.

6.28 \$235,000 the first year and \$235,000 the
6.29 second year are for grants to the Minnesota
6.30 Agricultural Education and Leadership
6.31 Council for programs of the council under
6.32 Minnesota Statutes, chapter 41D.

6.33 \$474,000 the first year and \$474,000 the
6.34 second year are for payments to county and
6.35 district agricultural societies and associations

7.1 under Minnesota Statutes, section 38.02,
7.2 subdivision 1. Aid payments to county and
7.3 district agricultural societies and associations
7.4 shall be disbursed no later than July 15 of
7.5 each year. These payments are the amount of
7.6 aid from the state for an annual fair held in
7.7 the previous calendar year.
7.8 \$1,000 the first year and \$1,000 the second
7.9 year are for grants to the Minnesota State
7.10 Poultry Association.
7.11 \$61,000 the first year and \$61,000 the second
7.12 year are for annual grants to the Minnesota
7.13 Turf Seed Council for basic and applied
7.14 research on the improved production of
7.15 forage and turf seed related to new and
7.16 improved varieties. The grant recipient may
7.17 subcontract with a qualified third party for
7.18 some or all of the basic and applied research.
7.19 \$47,000 the first year and \$47,000 the
7.20 second year are for annual grants to the
7.21 Minnesota Turf Seed Council for basic
7.22 and applied agronomic research on native
7.23 plants, including plant breeding, nutrient
7.24 management, pest management, disease
7.25 management, yield, and viability. The grant
7.26 recipient may subcontract with a qualified
7.27 third party for some or all of the basic
7.28 or applied research. The grant recipient
7.29 must actively participate in the Agricultural
7.30 Utilization Research Institute's Renewable
7.31 Energy Roundtable and no later than
7.32 February 1, 2013, must report to the house of
7.33 representatives and senate committees with
7.34 jurisdiction over agriculture finance.

8.1 \$500,000 the first year and \$500,000 the
8.2 second year are for grants to Second Harvest
8.3 Heartland on behalf of Minnesota's six
8.4 Second Harvest food banks for the purchase
8.5 of milk for distribution to Minnesota's food
8.6 shelves and other charitable organizations
8.7 that are eligible to receive food from the food
8.8 banks. Milk purchased under the grants must
8.9 be acquired from Minnesota milk processors
8.10 and based on low-cost bids. The milk must be
8.11 allocated to each Second Harvest food bank
8.12 serving Minnesota according to the formula
8.13 used in the distribution of United States
8.14 Department of Agriculture commodities
8.15 under The Emergency Food Assistance
8.16 Program (TEFAP). Second Harvest
8.17 Heartland must submit quarterly reports
8.18 to the commissioner on forms prescribed
8.19 by the commissioner. The reports must
8.20 include, but are not limited to, information
8.21 on the expenditure of funds, the amount
8.22 of milk purchased, and the organizations
8.23 to which the milk was distributed. Second
8.24 Harvest Heartland may enter into contracts
8.25 or agreements with food banks for shared
8.26 funding or reimbursement of the direct
8.27 purchase of milk. Each food bank receiving
8.28 money from this appropriation may use up to
8.29 two percent of the grant for administrative
8.30 expenses.

8.31 \$94,000 the first year and \$94,000 the
8.32 second year are for transfer to the Board of
8.33 Trustees of the Minnesota State Colleges and
8.34 Universities for mental health counseling
8.35 support to farm families and business
8.36 operators through farm business management

9.1 programs at Central Lakes College and
9.2 Ridgewater College.
9.3 \$17,000 the first year and \$17,000 the
9.4 second year are for grants to the Minnesota
9.5 Horticultural Society.
9.6 Notwithstanding Minnesota Statutes,
9.7 section 18C.131, \$800,000 the first year
9.8 and \$800,000 the second year are from the
9.9 fertilizer account in the agricultural fund
9.10 for grants for fertilizer research as awarded
9.11 by the Minnesota Agricultural Fertilizer
9.12 Research and Education Council under
9.13 Minnesota Statutes, section 18C.71. The
9.14 amount appropriated in either fiscal year
9.15 must not exceed 57 percent of the inspection
9.16 fee revenue collected under Minnesota
9.17 Statutes, section 18C.425, subdivision 6,
9.18 during the previous fiscal year. No later
9.19 than February 1, 2013, the commissioner
9.20 shall report to the legislative committees
9.21 with jurisdiction over agriculture finance.
9.22 The report must include the progress and
9.23 outcome of funded projects as well as the
9.24 sentiment of the council concerning the need
9.25 for additional research funds.

9.26 Sec. 4. **BOARD OF ANIMAL HEALTH** **\$** **4,841,000** **\$** **4,841,000**

9.27 \$2,276,000 the first year and \$2,276,000
9.28 the second year are for bovine tuberculosis
9.29 eradication efforts in cattle herds.
9.30 \$100,000 the first year and \$100,000 the
9.31 second year are for a program to control
9.32 paratuberculosis (Johne's disease) in
9.33 domestic bovine herds.

10.1 \$389,000 the first year and \$389,000 the
10.2 second year are for the purposes of cervidae
10.3 inspection as authorized in Minnesota
10.4 Statutes, section 35.155.

10.5	<u>Sec. 5. AGRICULTURAL UTILIZATION</u>		
10.6	<u>RESEARCH INSTITUTE</u>	<u>\$ 2,783,000</u>	<u>\$ 2,783,000</u>
10.7	<u>Money in this appropriation is available for</u>		
10.8	<u>technical assistance and technology transfer</u>		
10.9	<u>to bioenergy crop producers and users.</u>		

10.10 Sec. 6. Minnesota Statutes 2010, section 18C.005, is amended by adding a subdivision

10.11 to read:

Subd. 1b. **Ammonia and anhydrous ammonia.** "Ammonia" and "anhydrous ammonia" are used interchangeably and mean a compound formed by the chemical combinations of the elements nitrogen and hydrogen in the molar proportion of one part nitrogen to three parts hydrogen. This relationship is shown by the chemical formula, NH_3 . On a weight basis, the ratio is 14 parts nitrogen to three parts hydrogen or approximately 82 percent nitrogen to 18 percent hydrogen. Ammonia may exist in either a gaseous or a liquid state. Ammonia or anhydrous ammonia does not include aqua ammonia or ammonium hydroxide, which are solutions of ammonia in water and are sometimes called "ammonia."

10.21 Sec. 7. Minnesota Statutes 2010, section 18C.111, is amended by adding a subdivision

10.22 to read:

10.23 Subd. 4. **Certification of regulatory compliance.** (a) The commissioner may,
10.24 under rules adopted under section 18C.121, subdivision 1, certify a person to offer or
10.25 perform a regulatory compliance inspection of any person or site that stores, handles, or
10.26 distributes ammonia or anhydrous ammonia fertilizer.

10.27 (b) Pursuant to that rule, a person certified under paragraph (a) may issue a
10.28 certification of compliance to an inspected person or site if the certified person documents
10.29 in writing full compliance with the provisions of chapter 18C and rules adopted under
10.30 that chapter.

10.31 (c) A person or site issued a certification of compliance must provide a copy of the
10.32 certification to the commissioner immediately upon request or within 90 days following
10.33 certification.

11.1 (d) Certifications of compliance are valid for a period of three years. The
11.2 commissioner may determine a different time period in the interest of public safety or for
11.3 other reasonable cause.

11.4 Sec. 8. Minnesota Statutes 2010, section 18C.131, is amended to read:

11.5 **18C.131 FERTILIZER INSPECTION ACCOUNT.**

11.6 A fertilizer inspection account is established in the state treasury. The fees and
11.7 surcharges collected under this chapter and interest attributable to money in the account
11.8 must be deposited in the state treasury and credited to the fertilizer inspection account in
11.9 the agricultural fund. Money in the account, including interest earned, is appropriated to
11.10 the commissioner for the administration and enforcement of this chapter.

11.11 Sec. 9. Minnesota Statutes 2010, section 18C.425, is amended by adding a subdivision
11.12 to read:

11.13 Subd. 7. **Payment of anhydrous ammonia public safety surcharge.** The person
11.14 responsible for payment of the inspection fees under subdivision 6 must also pay an
11.15 anhydrous ammonia public safety surcharge of 75 cents per ton, with a minimum of \$10 on
11.16 all tonnage reports. Ammonia or anhydrous ammonia sold or distributed to manufacturers
11.17 or exchanges between them are exempt from the surcharge imposed by this subdivision if
11.18 the ammonia or anhydrous ammonia is used exclusively for manufacturing purposes.

11.19 Sec. 10. Minnesota Statutes 2010, section 18D.201, subdivision 5, is amended to read:

11.20 Subd. 5. **Violator liable for inspection costs.** (a) The cost of reinspection and
11.21 reinvestigation may be assessed by the commissioner if the person subject to the corrective
11.22 action order or remedial action order does not comply with the order in a reasonable time
11.23 as provided in the order.

11.24 (b) A \$400 reinspection fee may be assessed by the commissioner for a person or
11.25 site that stores, handles, or distributes ammonia or anhydrous ammonia fertilizer if the
11.26 commissioner determines that the person or site had serious violations of chapter 18C or
11.27 rules adopted thereunder upon initial inspection.

11.28 ~~(b)~~ (c) The commissioner may enter an order for recovery of the inspection and
11.29 investigation costs.

11.30 Sec. 11. Minnesota Statutes 2010, section 18D.201, is amended by adding a
11.31 subdivision to read:

Subd. 7. **Compliance and inspection frequency.** (a) The commissioner may implement policies and procedures that provide for a decrease in the frequency of regulatory inspection for a person or site issued a certification of compliance pursuant to section 18C.111, subdivision 4.

(b) The commissioner must consider the compliance history, enforcement record, and other public safety or environmental risk factors in determining the eligibility of a person or site for the reduced frequency of inspection described in paragraph (a). If the commissioner determines that a person or site is ineligible, the commissioner must notify the person or site of that ineligibility and the reasons for that determination.

(c) The compliance findings of the commissioner's inspection of a person or site that stores, handles, or distributes ammonia and anhydrous ammonia fertilizer may be used as a basis for decreased frequency of regulatory inspection, as described in paragraphs (a) and (b).

Sec. 12. Minnesota Statutes 2010, section 18E.03, subdivision 4, is amended to read:

Subd. 4. **Fee.** (a) The response and reimbursement fee consists of the surcharges and any adjustments made by the commissioner in this subdivision and shall be collected by the commissioner. The amount of the response and reimbursement fee shall be determined and imposed annually by the commissioner as required to satisfy the requirements in subdivision 3. The commissioner shall adjust the amount of the surcharges imposed in proportion to the amount of the surcharges listed in this subdivision. License application categories under paragraph (d) must be charged in proportion to the amount of surcharges imposed up to a maximum of 50 percent of the license fees set under chapters 18B and 18C.

(b) The commissioner shall impose a surcharge on pesticides registered under chapter 18B to be collected as a surcharge on the gross sales under section 18B.26, subdivision 3, that is equal to 0.1 percent of sales of the pesticide in the state and sales of pesticides for use in the state during the previous calendar year, except the surcharge may not be imposed on pesticides that are sanitizers or disinfectants as determined by the commissioner. No surcharge is required if the surcharge amount based on percent of annual gross sales of a nonagricultural pesticide is less than \$10. Sales of pesticides in the state for use outside of the state are exempt from the surcharge in this paragraph if the registrant, agricultural pesticide dealer, or pesticide dealer properly documents the sale location and the distributors.

(c) The commissioner shall impose a ten cents per ton surcharge on the inspection fee under section 18C.425, subdivision 6, for fertilizers, soil amendments, and plant amendments.

(d) The commissioner shall impose a surcharge on the license application of persons licensed under chapters 18B and 18C consisting of:

(1) a \$75 surcharge for each site where pesticides are stored or distributed, to be imposed as a surcharge on pesticide dealer application fees under section 18B.31, subdivision 5, and the agricultural pesticide dealer application fee under section 18B.316, subdivision 10;

(2) a \$75 surcharge for each site where a fertilizer, plant amendment, or soil amendment is distributed, to be imposed on persons licensed under sections 18C.415 and 18C.425;

(3) a \$50 surcharge to be imposed on a structural pest control applicator license application under section 18B.32, subdivision 6, for business license applications only;

(4) a \$20 surcharge to be imposed on commercial applicator license application fees under section 18B.33, subdivision 7; and

(5) a \$20 surcharge to be imposed on noncommercial applicator license application fees under section 18B.34, subdivision 5, except a surcharge may not be imposed on a noncommercial applicator that is a state agency, political subdivision of the state, the federal government, or an agency of the federal government.

(e) A \$1,000 fee shall be imposed on each site where pesticides are stored and sold for use outside of the state unless:

(1) the distributor properly documents that it has less than \$2,000,000 per year in wholesale value of pesticides stored and transferred through the site; or

(2) the registrant pays the surcharge under paragraph (b) and the registration fee under section 18B.26, subdivision 3, for all of the pesticides stored at the site and sold for use outside of the state.

(f) Paragraphs (c) to (e) apply to sales, licenses issued, applications received for licenses, and inspection fees imposed on or after July 1, 1990.

Sec. 13. Minnesota Statutes 2010, section 27.041, is amended by adding a subdivision to read:

Subd. 3. Account; appropriation. A wholesale produce dealers account is created in the agricultural fund. All fees, charges, and penalties collected under sections 27.01 to 27.069 and 27.11 to 27.19, including interest attributable to that money, must be deposited

in the wholesale produce dealers account. Money in the account is appropriated to the commissioner for the purposes of sections 27.01 to 27.069 and 27.11 to 27.19.

Sec. 14. Minnesota Statutes 2010, section 28A.08, subdivision 3, is amended to read:

Subd. 3. Fees effective July 1, 2003 2011.

		Penalties		
Type of food handler	License Fee Effective July 1, 2003 <u>2011</u>	Late Renewal	No License	
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 <u>\$ 57</u>	\$17 <u>\$ 19</u>	\$33 <u>\$ 37</u>	
(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 <u>\$ 88</u>	\$25 <u>\$ 28</u>	\$51 <u>\$ 58</u>	
(c) Having \$50,001 to \$250,000 gross sales or service for the immediately previous license or fiscal year	\$155 <u>\$178</u>	\$51 <u>\$ 58</u>	\$102 <u>\$117</u>	
(d) Having \$250,001 to \$1,000,000 gross sales or service for the immediately previous license or fiscal year	\$276 <u>\$317</u>	\$91 <u>\$104</u>	\$182 <u>\$209</u>	
(e) Having \$1,000,001 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	\$799 <u>\$918</u>	\$264 <u>\$303</u>	\$527 <u>\$606</u>	
(f) Having \$5,000,001 to \$10,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,162 <u>\$1,336</u>	\$383 <u>\$440</u>	\$767 <u>\$882</u>	
(g) Having \$10,000,001 to \$15,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,376 <u>\$1,582</u>	\$454 <u>\$522</u>	\$908 <u>\$1,044</u>	
(h) Having \$15,000,001 to \$20,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,607 <u>\$1,848</u>	\$530 <u>\$609</u>	\$1,061 <u>\$1,220</u>	
(i) Having \$20,000,001 to \$25,000,000 gross sales or service for the immediately previous license or fiscal year	\$1,847 <u>\$2,124</u>	\$610 <u>\$702</u>	\$1,219 <u>\$1,401</u>	
(j) Having over \$25,000,001 gross sales or service for the immediately previous license or fiscal year	\$2,001 <u>\$2,301</u>	\$660 <u>\$759</u>	\$1,321 <u>\$1,519</u>	
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	

15.1	(b) Having \$25,001 to \$250,000 gross sales			
15.2	or service for the immediately previous			
15.3	license or fiscal year	\$284	\$ 94	\$187
15.4	(c) Having \$250,001 to \$1,000,000 gross			
15.5	sales or service from a mobile unit without			
15.6	a separate food facility for the immediately			
15.7	previous license or fiscal year	\$444	\$147	\$293
15.8	(d) Having \$250,001 to \$1,000,000			
15.9	gross sales or service not covered under			
15.10	paragraph (c) for the immediately previous			
15.11	license or fiscal year	\$590	\$195	\$389
15.12	(e) Having \$1,000,001 to \$5,000,000			
15.13	gross sales or service for the immediately			
15.14	previous license or fiscal year	\$769	\$254	\$508
15.15	(f) Having \$5,000,001 to \$10,000,000			
15.16	gross sales or service for the immediately			
15.17	previous license or fiscal year	\$920	\$304	\$607
15.18	(g) Having \$10,000,001 to \$15,000,000			
15.19	gross sales or service for the immediately			
15.20	previous license or fiscal year	\$990	\$327	\$653
15.21	(h) Having \$15,000,001 to \$20,000,000			
15.22	gross sales or service for the immediately			
15.23	previous license or fiscal year	\$1,156	\$381	\$763
15.24	(i) Having \$20,000,001 to \$25,000,000			
15.25	gross sales or service for the immediately			
15.26	previous license or fiscal year	\$1,329	\$439	\$877
15.27	(j) Having over \$25,000,001 or more			
15.28	gross sales or service for the immediately			
15.29	previous license or fiscal year	\$1,502	\$496	\$991
15.30	3. Food broker	\$150	\$ 50	\$ 99
15.31	4. Wholesale food processor or manufacturer			
15.32	(a) Having gross sales or service of			
15.33	less than \$125,000 for the immediately			
15.34	previous license or fiscal year	\$169	\$ 56	\$112
15.35	(b) Having \$125,001 to \$250,000 gross			
15.36	sales or service for the immediately			
15.37	previous license or fiscal year	\$392	\$129	\$259
15.38	(c) Having \$250,001 to \$1,000,000 gross			
15.39	sales or service for the immediately			
15.40	previous license or fiscal year	\$590	\$195	\$389
15.41	(d) Having \$1,000,001 to \$5,000,000			
15.42	gross sales or service for the immediately			
15.43	previous license or fiscal year	\$769	\$254	\$508
15.44	(e) Having \$5,000,001 to \$10,000,000			
15.45	gross sales or service for the immediately			
15.46	previous license or fiscal year	\$920	\$304	\$607
15.47	(f) Having \$10,000,001 to \$15,000,000			
15.48	gross sales or service for the immediately			
15.49	previous license or fiscal year	\$1,377	\$454	\$909
15.50	(g) Having \$15,000,001 to \$20,000,000			
15.51	gross sales or service for the immediately			
15.52	previous license or fiscal year	\$1,608	\$531	\$1,061

16.1	(h) Having \$20,000,001 to \$25,000,000			
16.2	gross sales or service for the immediately			
16.3	previous license or fiscal year	\$1,849	\$610	\$1,220
16.4	(i) Having \$25,000,001 to \$50,000,000			
16.5	gross sales or service for the immediately			
16.6	previous license or fiscal year	\$2,090	\$690	\$1,379
16.7	(j) Having \$50,000,001 to \$100,000,000			
16.8	gross sales or service for the immediately			
16.9	previous license or fiscal year	\$2,330	\$769	\$1,538
16.10	(k) Having \$100,000,000 or more gross			
16.11	sales or service for the immediately			
16.12	previous license or fiscal year	\$2,571	\$848	\$1,697
16.13	5. Wholesale food processor of meat or			
16.14	poultry products under supervision of the			
16.15	U.S. Department of Agriculture			
16.16	(a) Having gross sales or service of			
16.17	less than \$125,000 for the immediately			
16.18	previous license or fiscal year	\$112	\$ 37	\$ 74
16.19	(b) Having \$125,001 to \$250,000 gross			
16.20	sales or service for the immediately			
16.21	previous license or fiscal year	\$214	\$ 71	\$141
16.22	(c) Having \$250,001 to \$1,000,000 gross			
16.23	sales or service for the immediately			
16.24	previous license or fiscal year	\$333	\$110	\$220
16.25	(d) Having \$1,000,001 to \$5,000,000			
16.26	gross sales or service for the immediately			
16.27	previous license or fiscal year	\$425	\$140	\$281
16.28	(e) Having \$5,000,001 to \$10,000,000			
16.29	gross sales or service for the immediately			
16.30	previous license or fiscal year	\$521	\$172	\$344
16.31	(f) Having over \$10,000,001 gross sales			
16.32	or service for the immediately previous			
16.33	license or fiscal year	\$765	\$252	\$505
16.34	(g) Having \$15,000,001 to \$20,000,000			
16.35	gross sales or service for the immediately			
16.36	previous license or fiscal year	\$893	\$295	\$589
16.37	(h) Having \$20,000,001 to \$25,000,000			
16.38	gross sales or service for the immediately			
16.39	previous license or fiscal year	\$1,027	\$339	\$678
16.40	(i) Having \$25,000,001 to \$50,000,000			
16.41	gross sales or service for the immediately			
16.42	previous license or fiscal year	\$1,161	\$383	\$766
16.43	(j) Having \$50,000,001 to \$100,000,000			
16.44	gross sales or service for the immediately			
16.45	previous license or fiscal year	\$1,295	\$427	\$855
16.46	(k) Having \$100,000,001 or more gross			
16.47	sales or service for the immediately			
16.48	previous license or fiscal year	\$1,428	\$471	\$942
16.49	6. Wholesale food processor or manufacturer			
16.50	operating only at the State Fair	\$125	\$ 40	\$ 50

17.1	7.	Wholesale food manufacturer having the			
17.2		permission of the commissioner to use the			
17.3		name Minnesota Farmstead cheese	\$ 30	\$ 10	\$ 15
17.4	8.	Nonresident frozen dairy manufacturer	\$200	\$ 50	\$ 75
17.5	9.	Wholesale food manufacturer processing			
17.6		less than 700,000 pounds per year of raw			
17.7		milk	\$ 30	\$ 10	\$ 15
17.8	10.	A milk marketing organization without			
17.9		facilities for processing or manufacturing			
17.10		that purchases milk from milk producers			
17.11		for delivery to a licensed wholesale food			
17.12		processor or manufacturer	\$ 50	\$ 15	\$ 25

17.13 Sec. 15. **CLEAN WATER FUND; EXTENSION OF APPROPRIATION**
17.14 **AVAILABILITY.**

17.15 The appropriations under Laws 2009, chapter 172, article 2, section 2, paragraph (d),
17.16 for research and pilot projects related to ways agricultural practices contribute to restoring
17.17 impaired waters and assist with the development of TMDL plans, are available until spent.

17.18 Sec. 16. **REPEALER.**
17.19 Minnesota Statutes 2010, section 41A.09, subdivisions 1a, 2a, 3a, 4, and 10, are
17.20 repealed.

17.21 Sec. 17. **EFFECTIVE DATE.**
17.22 Section 16 is effective June 30, 2012.