

CHAPTER 477—S.F.No. 2012

An act relating to agriculture; providing that checkoff fees from certain potato producers are not refundable; amending Minnesota Statutes 1988, section 17.63.

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

Section 1. Minnesota Statutes 1988, section 17.63, is amended to read:

17.63 REFUND OF FEES.

Any producer, except a producer of potatoes in area number one, as listed in section 17.54, subdivision 9, may, by the use of forms to be provided by the commissioner and upon presentation of such proof as the commissioner requires, have the checkoff fee paid pursuant to sections 17.51 to 17.69 refunded, provided the checkoff fee was remitted on a timely basis. The request for refund must be received in the office of the commissioner within the time specified in the promotion order following the payment of the checkoff fee. In no event shall these requests for refund be accepted more often than 12 times per year. Refund shall be made by the commissioner and council within 30 days of the request for refund provided that the checkoff fee sought to be refunded has been received. Rules governing the refund of checkoff fees for all commodities shall be formulated by the commissioner, shall be fully outlined in the promotion order, and shall be available for the information of all producers concerned with the referendum.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective July 1, 1990, and applies to all checkoff fees from potato producers received by the commissioner or a potato council on or after that date.

Presented to the governor April 19, 1990

Signed by the governor April 20, 1990, 11:17 a.m.

CHAPTER 478—H.F.No. 2131

An act relating to crimes; prohibiting wildfire arson; providing criminal penalties and liability for fire suppression costs; amending Minnesota Statutes 1988, section 609.564; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Section 1. Minnesota Statutes 1988, section 609.564, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.

609.564 EXCLUDED FIRES.

A person does not violate section 609.561, 609.562, or 609.563, or section 2 if the person sets a fire pursuant to a validly issued license or permit or with written permission from the fire department of the jurisdiction where the fire occurs.

Sec. 2. [609.564] WILDFIRE ARSON.

Subdivision 1. SETTING WILDFIRES. A person is guilty of a felony who intentionally sets a fire to burn out of control on land of another containing timber, underbrush, grass, or other vegetative combustible material.

Subd. 2. POSSESSION OF FLAMMABLES TO SET WILDFIRES. A person is guilty of a gross misdemeanor who possesses a flammable, explosive, or incendiary device, substance, or material with intent to use the device, substance, or material to violate subdivision 1.

Subd. 3. PENALTY; RESTITUTION. (a) A person who violates subdivision 1 may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

(b) A person who violates subdivision 2 may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

(c) In addition to the sentence otherwise authorized, the court may order a person who is convicted of violating this section to pay fire suppression costs and damages to the owner of the damaged land.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective August 1, 1990, and apply to crimes committed on or after that date.

Presented to the governor April 19, 1990

Signed by the governor April 20, 1990, 10:41 a.m.

CHAPTER 479—H.F.No. 2025

An act relating to agriculture; creating a restricted seed potato growing area and historic certified seed potato area; providing restrictions; requiring a study; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 21.

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

New language is indicated by underline, deletions by ~~strikeout~~.