

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~~.

Section 1. [21.1196] RESTRICTED SEED POTATO GROWING AREA.

Subdivision 1. DEFINITION. (a) "Restricted seed potato growing area" means Kittson county.

(b) "Historic certified seed potato area" means the portion of Marshall county included in the towns of Augsburg and Nelson Park that are north of Marshall county highway No. 5.

Subd. 2. RESTRICTION. (a) The seed potato certification requirements under sections 21.111 to 21.122 apply to potatoes grown in plots of ten acres or more in the restricted seed potato growing area. Qualifying potatoes grown in the restricted seed potato growing area must be certified as seed potatoes.

(b) The commissioner may enter and inspect plots subject to paragraph (a) during the growing season.

Subd. 3. PENALTY. A potato grower who violates subdivision 2, paragraph (a), is subject to a penalty of \$100 per acre of potatoes grown and not certified.

Sec. 2. HISTORIC CERTIFIED SEED POTATO AREA STUDY.

In the historic certified seed potato area of Marshall county, the certified seed division of the department of agriculture must study the effect of diseases on seed potatoes in the area, including the effect of diseases from commercial potatoes. The commissioner must prepare a report and submit it to the legislature by December 15, 1991.

Sec. 3. EFFECTIVE DATE.

This act is effective the day following final enactment.

Presented to the governor April 19, 1990

Signed by the governor April 20, 1990, 10:44 a.m.

CHAPTER 480—H.F.No. 2480

An act relating to taxation; recodifying and providing for the administration of certain taxes; making corrections and changes in the administration, collection, and enforcement of taxes, aids, credits, and refunds; transferring certain powers and duties; granting certain powers to counties; imposing penalties; amending Minnesota Statutes 1988, sections 60A.198, by adding a subdivision; 69.771, subdivision 3; 69.772, subdivision 2a; 69.774, subdivision 1; 116K.04, subdivision 4; 270.65; 270.67, subdivisions 1 and 2; 270.68, subdivisions 1 and 3; 270.69, subdivisions 2, 3, 7, 8, and by adding a subdivision; 270.70, subdivision 1; 270A.03,

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