

would compromise the objectivity, fairness, or integrity of the testing process for the individual or others. If the provider makes this determination, the provider shall, at the discretion of the individual who has completed the test, release the information either to another provider who is qualified to administer, score, and interpret the test or instead furnish a summary of the test results to the individual or to a third party designated by the individual.

Presented to the governor April 12, 1999

Signed by the governor April 15, 1999, 10:50 a.m.

CHAPTER 59—S.F.No. 836

An act relating to agriculture; changing food handlers license provisions for food processors or manufacturers operating only at the state fair; amending Minnesota Statutes 1998, sections 28A.04, subdivision 1; and 28A.08, subdivision 3.

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

Section 1. Minnesota Statutes 1998, section 28A.04, subdivision 1, is amended to read:

Subdivision 1. **APPLICATION; DATE OF ISSUANCE.** (a) No person shall engage in the business of manufacturing, processing, selling, handling, or storing food without having first obtained from the commissioner a license for doing such business. Applications for such license shall be made to the commissioner in such manner and time as required and upon such forms as provided by the commissioner and shall contain the name and address of the applicant, address or description of each place of business, and the nature of the business to be conducted at each place, and such other pertinent information as the commissioner may require.

(b) A retail or wholesale food handler license shall be issued for the period July 1 to June 30 following and shall be renewed thereafter by the licensee on or before July 1 each year, except that licenses for all mobile food concession units and retail mobile units shall be issued for the period April 1 to March 31, and shall be renewed thereafter by the licensee on or before April 1 each year. A license for a food broker or for a food processor or manufacturer shall be issued for the period January 1 to December 31 following and shall be renewed thereafter by the licensee on or before January 1 of each year, except that a license for a wholesale food processor or manufacturer operating only at the state fair shall be issued for the period July 1 to June 30 following and shall be renewed thereafter by the licensee on or before July 1 of each year. A penalty for a late renewal shall be assessed in accordance with section 28A.08.

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

Sec. 2. Minnesota Statutes 1998, section 28A.08, subdivision 3, is amended to read:

Subd. 3. **FEES ~~EFFECTIVE JULY 1, 1996.~~**

Type of food handler	License Fee Effective July 1, 1996	Penalties	
		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	\$ 45	\$ 15	\$ 25
(b) Having under \$15,000 gross sales including food preparation or having \$15,000 to \$50,000 gross sales for the immediately previous license or fiscal year	\$ 61	\$ 15	\$ 25
(c) Having \$50,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$118	\$ 35	\$ 75
(d) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$202	\$ 50	\$100
(e) Having \$1,000,000 to \$5,000,000 gross sales for the immediately previous license or fiscal year	\$562	\$100	\$175
(f) Having \$5,000,000 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$787	\$150	\$300
(g) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$899	\$200	\$350
2. Wholesale food handler			
(a) Having gross sales or service of less than \$25,000 for the immediately previous license or fiscal year	\$ 50	\$ 15	\$ 15
(b) Having \$25,000 to \$250,000 gross sales or			

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	service for the immediately previous license or fiscal year	\$225	\$ 50	\$100
	(c) Having \$250,000 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	\$337	\$ 75	\$150
	(d) Having \$250,000 to \$1,000,000 gross sales or service not covered under paragraph (c) for the immediately previous license or fiscal year	\$449	\$100	\$200
	(e) Having \$1,000,000 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	\$562	\$125	\$250
	(f) Having over \$5,000,000 gross sales for the immediately previous license or fiscal year	\$647	\$150	\$300
3.	Food broker	\$112	\$ 30	\$ 50
4.	Wholesale food processor or manufacturer			
	(a) Having gross sales of less than \$125,000 for the immediately previous license or fiscal year	\$150	\$ 50	\$100
	(b) Having \$125,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$310	\$ 75	\$150
	(c) Having \$250,001 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$449	\$100	\$200
	(d) Having \$1,000,001 to 5,000,000 gross sales for the immediately previous license or fiscal year	\$562	\$125	\$250
	(e) Having \$5,000,001 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$647	\$150	\$300
	(f) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$900	\$200	\$350
5.	Wholesale food processor of meat or poultry products			

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	under supervision of the U. S. Department of Agriculture			
	(a) Having gross sales of less than \$125,000 for the immediately previous license or fiscal year	\$100	\$ 25	\$ 50
	(b) Having \$125,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$169	\$ 50	\$ 75
	(c) Having \$250,001 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$253	\$ 75	\$125
	(d) Having \$1,000,001 to \$5,000,000 gross sales for the immediately previous license or fiscal year	\$310	\$ 75	\$150
	(e) Having \$5,000,001 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$366	\$100	\$175
	(f) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$500	\$150	\$250
6.	<u>Wholesale food processor or manufacturer operating only at the state fair</u>	<u>\$125</u>	<u>\$ 40</u>	<u>\$ 50</u>
7.	Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota Farmstead cheese	\$ 30	\$ 10	\$ 15
7 8.	Nonresident frozen dairy manufacturer	\$200	\$ 50	\$ 75
8 9.	Wholesale food manufacturer processing less than 700,000 pounds per year of raw milk	\$ 30	\$ 10	\$ 15
9 10.	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

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Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor April 12, 1999

Signed by the governor April 15, 1999, 10:53 a.m.

CHAPTER 60—H.F.No. 1132

An act relating to courts; eliminating filing of duplicate documents; updating the law governing court administrators; amending Minnesota Statutes 1998, sections 279.13; 485.018, subdivision 2; repealing Minnesota Statutes 1998, sections 357.07; and 485.018, subdivisions 1 and 4.

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

Section 1. Minnesota Statutes 1998, section 279.13, is amended to read:

279.13 AFFIDAVIT OF PUBLICATION.

The owner, publisher, manager, or lead supervisor in the printing office of the newspaper in which such notice and list have been published shall forthwith make and file with the court administrator of the district court an affidavit of such publication, stating the days on which such publication was made and shall also file with the court administrator three copies of each number of the paper and supplement, if any, in which the notice and list have appeared. The publication may be made in such newspaper, or partly therein and partly in a supplement issued therewith. The affidavit shall be substantially in the following form:

State of Minnesota)
) ss.
County of)

....., being first duly sworn, deposes and says that .he is the
(here state whether affiant is owner, publisher, manager, or lead supervisor) of
..... (here state name of newspaper), in which was printed the notice and
list of real estate remaining delinquent in county on the first Monday of Janu-
ary,; that the notice and list were duly printed and published in the newspaper on
each of the following days: On (day of week), the day of
....., and (day of week), the day of
.....,; and that each of the days on which the notice and list were so pub-
lished was the usual and regular day of the issuance and publication of the newspaper.

.....
Subscribed and sworn to before me this day of,

Sec. 2. Minnesota Statutes 1998, section 485.018, subdivision 2, is amended to read:

Subd. 2. **SET BY BOARD.** The county board of each of the counties specified in subdivision 1 annually shall set by resolution the salary of the court administrator of dis-

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