

or service, or both, as may be required, of an undertaking, signed by a surety or sureties, as the law may require, containing a condition substantially the same as required for bonds, with like sureties, qualifications, and justifications, and without acknowledgement or signature of the principal, shall be deemed a sufficient compliance with the law to sustain any such action, appeal, or proceeding. Every such undertaking shall save and secure all rights and liabilities to the same extent as a bond, and the damages presumed to accrue to the party against whom such proceeding is taken shall be deemed a sufficient consideration for such undertaking, though no consideration be mentioned therein; but no undertaking or bond need be given upon any appeal or other proceeding instituted in favor of the state, or any county, city, *village*, town, or school district therein, or of any executor or administrator as such.

Approved May 24, 1967.

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CHAPTER 855—H. F. No 1016

[Coded]

*An act relating to veterinarians; establishing a lien for veterinary service and authorizing summary sale for unclaimed animals.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **[514.92] Veterinarians; lien for services; statement of claim; foreclosure.** Subdivision 1. Every duly licensed and registered veterinarian shall have a lien for all veterinary services over \$25 rendered upon any animal or animals at the request of the owner or lawful possessor of same, including but not limited to surgical procedures, vaccines, antisera, virus, antibiotics, or other veterinary treatment, from the date of filing such lien. Within sixty days from the day on which said treatment was completed, the claimant of such lien shall file in the appropriate filing office under the Uniform Commercial Code, Minnesota Statutes, Section 336.9-401, a verified lien statement setting forth the kind and number of animals treated, the price agreed upon for such treatment, which shall not exceed the reasonable value of such treatment, the name of the person for whom such treatment was done, the description of the animals treated, and if branded, the brand thereon, dates when the treatment was commenced and was completed, the name

**Changes or additions indicated by *italics*, deletions by ~~strikeout~~.**

of the owner, or reputed owner, of such animals, the name and address of the veterinarian claiming the lien. Within one year after the date the last service was rendered, but not thereafter, the lien claimant may foreclose his lien in the manner prescribed for security interests under Article 9, of the Uniform Commercial Code.

Subd. 2. Minnesota Statutes 1965, Section 514.74 shall apply to all liens created under subdivision 1.

Sec. 2. **[514.93] Summary sale of unclaimed animals; time of sale; notice; disposition of proceeds; record of sale.** Any unclaimed animal held by a veterinarian for more than ten days after the completion of veterinary care and treatment requested by the owner or lawful possessor of said animal may be summarily sold by the veterinarian for the reasonable value of said animal upon compliance with the procedures set forth in this section. Written notice of the completion of care and treatment and written notice of the proposed sale of said animal shall be given to the owner or lawful possessor of said animal by certified mail. If the whereabouts of the owner or lawful possessor of the animal cannot be ascertained with reasonable diligence, a notice of the proposed sale shall be published in a legal newspaper circulated in the county where the animal is located at least ten days preceding the sale. The notice shall state the amount due and the date, place and time of sale. The proceeds of such sale shall first be used to reimburse the veterinarian for an amount equal to the reasonable value of the veterinary care and treatment plus any other care and board given said animal; the excess amount, if any, from such sale shall be paid to the owner or lawful possessor of said animal or to other persons legally entitled thereto. Any veterinarian making a sale hereunder shall make a record in writing verified by his oath, setting forth the kind and number of animals sold, the amount realized from any such sale, the amount claimed due by the veterinarian, the name of the former owner or lawful possessor requesting the care and treatment performed by the veterinarian on the animal or animals sold, the dates when the treatment was commenced and was completed, the date or dates when notice of the proposed sale was given the owner or lawful possessor of the animal or animals sold, the description of the animal or animals sold, and if branded, the brand thereon, the name and address of the veterinarian making the sale and the name and address of purchaser or purchasers of the animal or animals sold. The record so made shall be filed within five (5) days of the sale in the office of the register of deeds of the county in which such sale is made.

Sec. 3. **[514.94] Rights of detainer, lien and sale of animals.** Nothing in this Act shall in any way alter or revoke a vet-

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erinarian's rights of detainer, lien and sale of animals under sections 514.18 to 514.22.

Approved May 24, 1967.

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CHAPTER 856—H. F. No. 1099

*An act relating to employment security; amending Minnesota Statutes 1965, Section 268.06, Subdivision 24.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1965, Section 268.06, Subdivision 24, is amended to read:

Subd. 24. **Employment security; employer contributions; re-assignment.** Notwithstanding any inconsistent provisions of law any employer who has been assigned a contribution rate pursuant to subdivisions 4, 6, and 8 may, for the calendar year 1949, or any calendar year thereafter, upon the voluntary payment of an amount equivalent to any portion or all of the benefits charged to his account during the period ending June 30 of the preceding year used for the purpose of computing an employer's experience ratio as authorized by said subdivisions 4, 6 and 8, obtain a cancellation of benefits charged to his account during such period equal to such payment so voluntarily made. Upon the payment of such voluntary contribution, plus a surcharge of 25 percent of such benefit charged, within 30 days from the date of the mailing to the employer of the notice of his contribution rate as prescribed in this section, the commissioner shall cancel the benefits equal to such payment, excluding the 25 percent surcharge, so voluntarily made and compute a new experience ratio for such employer. The employer then shall be assigned the contribution rate applicable to the category within which his recomputed experience ratio is included. In the event that the employer fails to make the voluntary contribution with the 30-day period above specified and it is shown by proper evidence that such failure was, in the opinion of the commissioner, for good cause, the commissioner may extend the time for payment but in no event shall the commissioner extend such time for payment beyond the expiration of a period of 120 days from the beginning of the year for which such rates are effective. Any adjustments under this subdivision shall be used only in the form of credits against accrued or future contributions.

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