

CHAPTER 314—S.F.No.747

[Coded]

An act relating to crimes; specifying the acts constituting the offense of possession of shoplifting devices or gear; prescribing penalties; providing penalties for certain acts relating to livestock; providing for the collection of damages; amending Minnesota Statutes 1974, Chapter 609, by adding sections.

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

Section 1. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.521] CRIMES AND CRIMINALS; SHOPLIFTING AND LIVESTOCK THEFT; POSSESSION OF SHOPLIFTING GEAR. Whoever has in his possession any device, gear, or instrument specially designed to assist in shoplifting with intent to use the same to shoplift and thereby commit theft may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$3,000, or both.

Sec. 2. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.551] RUSTLING AND LIVESTOCK THEFT; PENALTIES. Subdivision 1. Whoever intentionally and without claim of right shoots, kills, takes, uses, transfers, conceals or retains possession of live cattle, swine or sheep or the carcasses thereof belonging to another without his consent and with the intent to permanently deprive the owner thereof may be sentenced as follows:

(a) If the value of the animals which are shot, killed, taken, used, transferred, concealed or retained exceeds \$2,500, the defendant may be sentenced to imprisonment for not more than ten years, and may be fined up to \$10,000;

(b) If the value of the animals which are shot, killed, taken, used, transferred, concealed or retained exceeds \$100 but is less than \$2,500, the defendant may be sentenced to imprisonment for not more than five years, and may be fined up to \$5,000;

(c) If the value of the animals which are shot, killed, taken, used, transferred, concealed, or retained is \$100 or less, the defendant may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$300 or both.

Subd. 2. Whoever knowingly buys, sells, transports or otherwise handles cattle, swine or sheep illegally acquired under subdivision 1 of this section or knowingly aids or abets another in the violation of sub-

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division 1 of this section shall be sentenced as in (a), (b) and (c) of subdivision 1.

Subd. 3. In any prosecution under this section the value of the animals which are shot, killed, taken, used, transferred, concealed, or retained within any six month period may be aggregated and the defendant charged accordingly in applying the provisions of this section.

Subd. 4. Any person who has been injured by violation of this section may bring an action for three times the amount of actual damages sustained by the plaintiff, costs of suit and reasonable attorneys' fees.

Approved June 4, 1975.

CHAPTER 315—S.F.No.753

[Coded in Part]

An act relating to state government; regulating advisory councils, boards and commissions; amending Minnesota Statutes 1974, Chapter 15, by adding a section; Sections 16.853; 16.91; 16.911, Subdivision 1; 31.60, Subdivisions 2 and 3; 52.061; 82.30, Subdivision 1; 116C.05; 121.87, Subdivisions 1 and 3; 145.865, Subdivision 1; 156A.06, Subdivision 1; 175.007, Subdivision 1; 182.656, Subdivision 3; 184.23, Subdivisions 1 and 3; 254A.04; 256.482, Subdivision 1; 268.12, Subdivision 6; 299C.47; 299F.55; 362.09, Subdivision 3; and 483.02; repealing Minnesota Statutes 1974, Sections 82.30, Subdivisions 2 and 3; 145.865, Subdivision 2; 175.007, Subdivision 3; 182.656, Subdivision 2; 184.23, Subdivision 2; 254A.05, Subdivision 2; 256.482, Subdivision 6; 483.03; and 483.04.

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

Section 1. Minnesota Statutes 1974, Chapter 15, is amended by adding a section to read:

[15.059] STATE GOVERNMENT; ADVISORY COUNCILS AND COMMITTEES. Subdivision 1. APPLICATION. The terms, compensation and removal of members, and the expiration date of an advisory council or committee shall be governed by this section whenever specifically provided by law. As used in this section "council or committee" shall mean all advisory boards, councils, committees and commissions whose provisions are governed by this section.

Subd. 2. MEMBERSHIP TERMS. The terms of the members of the advisory councils and committees shall be four years. The terms of one half of the members shall be coterminous with the governor and the terms of the remaining one half of the members shall end on the first Monday in January one year after the terms of the other members. If

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