

~~other agency of the United States Department of Agriculture on a note secured by a mortgage on the real or personal property purchased with the borrowed funds. The city, county, or town may assign revenues from the town halls, fire or rescue department, or fire hall or any other available funds to the Farmers Home Administration or other agency of the United States Department of Agriculture or its guaranteed lender to repay the loan. The amount of the obligation shall not be included when computing the net debt of the city or county but not the, or town. Unless expressly provided otherwise in the mortgage instrument, when a city, county or town borrows on a mortgage and fails to repay all or a part of the mortgage, the agency is confined to the remedy of recovery of the property purchased with the borrowed funds. An election shall not be required to authorize the note and mortgage unless the agency is confined to the remedy of recovery of the property or assignment of revenues.~~

Sec. 2. **EFFECTIVE DATE.**

This act takes effect the day after final enactment.

Presented to the governor May 16, 1991

Signed by the governor May 19, 1991, 7:28 p.m.

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**CHAPTER 121—S.F.No. 1032**

*An act relating to crimes; increasing the penalty for assaulting a correctional officer; amending Minnesota Statutes 1990, section 609.2231, subdivision 3.*

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

Section 1. Minnesota Statutes 1990, section 609.2231, subdivision 3, is amended to read:

Subd. 3. **CORRECTIONAL EMPLOYEES.** Whoever assaults an employee of a correctional facility as defined in section 241.021, subdivision 1, clause (5), while the employee is engaged in the performance of a duty imposed by law, policy or rule, and inflicts demonstrable bodily harm, is guilty of a ~~gross misdemeanor~~ felony and may be sentenced to imprisonment for not more than ~~one year~~ two years or to payment of a fine of not more than ~~\$3,000~~ \$4,000, or both.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective August 1, 1991, and applies to crimes committed on or after that date.

Presented to the governor May 16, 1991

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

Signed by the governor May 19, 1991, 5:41 p.m.

CHAPTER 122—S.F.No. 355

*An act relating to animals; providing for disposition of certain animals taken into custody by public authorities; requiring bond or other security for expenses of care in certain cases; amending Minnesota Statutes 1990, sections 343.22, subdivisions 1 and 3; and 343.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 343.*

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

Section 1. Minnesota Statutes 1990, section 343.22, subdivision 1, is amended to read:

**343.22 INVESTIGATION OF CRUELTY COMPLAINTS.**

Subdivision 1. **REPORTING.** Any person who has reason to believe that a violation of this chapter has taken place or is taking place may apply to any court having jurisdiction over actions alleging violation of that section for a warrant and for investigation. The court shall examine under oath the person so applying and any witnesses the applicant produces and the court shall take their affidavits in writing. The affidavits must set forth facts tending to establish the grounds for believing a violation of this chapter has occurred or is occurring, or probable cause to believe that a violation exists. If the court is satisfied of the existence of the grounds of the application, or that there is probable cause to believe a violation exists, it shall issue a signed search warrant and order for investigation to a peace officer in the county. The order shall command the officer to proceed promptly to the location of the alleged violation; ~~along with.~~ The order may command that a doctor of veterinary medicine accompany the officer.

Sec. 2. Minnesota Statutes 1990, section 343.22, subdivision 3, is amended to read:

Subd. 3. **DISPOSAL OF ~~CERTAIN~~ ANIMALS.** Upon a proper determination by a licensed doctor of veterinary medicine, any animal taken into custody pursuant to this section may be immediately disposed of when the animal is suffering and is beyond cure through reasonable care and treatment. All other animals shall be disposed of as provided in section 343.235. The authority taking custody of the animals may recover all costs incurred under this section.

Sec. 3. Minnesota Statutes 1990, section 343.29, subdivision 1, is amended to read:

Subdivision 1. **DELIVERY TO SHELTER.** Any peace officer, animal control officer, or agent of the federation or county or district societies for the prevention of cruelty, may remove, shelter, and care for any animal which is not

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