

(2) the term "constituent organization" as used in section 322B.72 does not include a domestic cooperative;

(3) the term "ownership interests" as used in section 322B.71, subdivision 1, clause (3), item (i), includes membership interests in a domestic cooperative;

(4) notwithstanding sections 322B.71, subdivision 1, clause (1), item (i); 322B.71, subdivision 1, clause (4); 322B.75, subdivision 2, clause (1); 322B.75, subdivision 2, clause (4), item (i); and 322B.75, subdivision 2, clause (5), the surviving organization must be the limited liability company;

(5) section 322B.75, subdivision 2, clause (3), does not apply;

(6) the term "ownership interests" includes membership interests in a domestic cooperative and the term "owners" includes members of a domestic cooperative; and

(7) "dissenters rights" includes dissenters rights under the law governing the domestic cooperative.

Subd. 3. ABANDONMENT. Section 308B.835 governs the abandonment by a domestic cooperative of a merger authorized by this section. Section 322B.74 governs the abandonment by a limited liability company of a merger authorized by this section, except that for the purposes of a merger authorized by this section:

(1) the term "constituent organization" as used in section 322B.74, subdivision 1, clause (1), does not include a domestic cooperative;

(2) the requirement stated in section 322B.74, subdivision 1, clause (1), as to a domestic corporation does not apply and instead the abandonment must have been approved by the domestic cooperative in the manner provided in chapter 308B;

(3) the reference in section 322B.74, subdivision 2, to a domestic corporation does not apply and instead the abandonment by the domestic cooperative may be accomplished as provided in chapter 308B; and

(4) the term "constituent organization" as used in section 322B.74, subdivision 3, includes a domestic cooperative.

Presented to the governor May 23, 2003

Signed by the governor May 25, 2003, 9:54 p.m.

CHAPTER 106—S.F.No. 980

An act relating to crime; providing reporting procedures and venue for identity theft; providing for aggregation of identity theft offenses; defining the crime of mail theft; providing criminal penalties; amending Minnesota Statutes 2002, section 609.527, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 609.

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

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

Section 1. Minnesota Statutes 2002, section 609.527, is amended by adding a subdivision to read:

Subd. 5. REPORTING. (a) A person who has learned or reasonably suspects that a person is a direct victim of a crime under subdivision 2 may initiate a law enforcement investigation by contacting the local law enforcement agency that has jurisdiction where the person resides, regardless of where the crime may have occurred. The agency must prepare a police report of the matter, provide the complainant with a copy of that report, and may begin an investigation of the facts, or, if the suspected crime was committed in a different jurisdiction, refer the matter to the law enforcement agency where the suspected crime was committed for an investigation of the facts.

(b) If a law enforcement agency refers a report to the law enforcement agency where the crime was committed, it need not include the report as a crime committed in its jurisdiction for purposes of information that the agency is required to provide to the commissioner of public safety pursuant to section 299C.06.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2002, section 609.527, is amended by adding a subdivision to read:

Subd. 6. VENUE. Notwithstanding anything to the contrary in section 627.01, an offense committed under subdivision 2 may be prosecuted in:

(1) the county where the offense occurred; or

(2) the county of residence or place of business of the direct victim or indirect victim.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. Minnesota Statutes 2002, section 609.527, is amended by adding a subdivision to read:

Subd. 7. AGGREGATION. In any prosecution under subdivision 2, the value of the money or property or services the defendant receives or the number of direct or indirect victims within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of subdivision 3; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this subdivision.

EFFECTIVE DATE. This section is effective August 1, 2003, and applies to crimes committed on or after that date.

Sec. 4. [609.529] MAIL THEFT.

Subdivision 1. DEFINITIONS. (a) As used in this section, the following terms have the meanings given them in this subdivision.

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(b) "Mail" means a letter, postal card, package, bag, or other sealed article addressed to another.

(c) "Mail depository" means a mail box, letter box, or mail receptacle; a post office or station of a post office; a mail route; or a postal service vehicle.

Subd. 2. CRIME. Whoever does any of the following is guilty of mail theft and may be sentenced as provided in subdivision 3:

(1) intentionally and without claim of right removes mail from a mail depository;

(2) intentionally and without claim of right takes mail from a mail carrier;

(3) obtains custody of mail by intentionally deceiving a mail carrier, or other person who rightfully possesses or controls the mail, with a false representation which is known to be false, made with intent to deceive and which does deceive a mail carrier or other person who possesses or controls the mail;

(4) intentionally and without claim of right removes the contents of mail addressed to another;

(5) intentionally and without claim of right takes mail, or the contents of mail, that has been left for collection on or near a mail depository; or

(6) receives, possesses, transfers, buys, or conceals mail obtained by acts described in clauses (1) to (5), knowing or having reason to know the mail was obtained illegally.

Subd. 3. PENALTIES. A person convicted under subdivision 2 may be sentenced to imprisonment for not more than three years or to a payment of a fine of not more than \$5,000, or both.

Subd. 4. VENUE. Notwithstanding anything to the contrary in section 627.01, an offense committed under subdivision 2 may be prosecuted in:

(1) the county where the offense occurred; or

(2) the county of residence or place of business of the direct victim or indirect victim.

EFFECTIVE DATE. This section is effective August 1, 2003, and applies to crimes committed on or after that date.

Presented to the governor May 23, 2003

Signed by the governor May 27, 2003, 2:01 p.m.

CHAPTER 107—S.F.No. 990

An act relating to agriculture; changing certain wild rice provisions; changing certain procedures and requirements for organic food; clarifying certain food provisions; clarifying an

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