

vehicles. And the registrar may make such reasonable regulations governing the use of such special license plates as will assure the full compliance by the owner and holder of such special plates, with all existing laws governing the registration of motor vehicles, the transfer and the use thereof. When the ownership of a motor vehicle for which such special license plates have been furnished by the registrar, changes from one person to another, the special license plates herein authorized shall be promptly removed from the motor vehicle by the seller and returned to the registrar, at which time the seller or the buyer of such motor vehicle shall be entitled to receive license plates for such motor vehicle as provided in section 168.15.

Approved June 3, 1971.

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#### CHAPTER 717—H.F.No.2256

*An act relating to crimes and criminals; redefining value as it relates to the crime of theft; amending Minnesota Statutes 1969, Section 609.52, Subdivision 1.*

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

Section 1. Minnesota Statutes 1969, Section 609.52, Subdivision 1, is amended to read:

**609.52 CRIMES AND CRIMINALS; THEFT; VALUE DEFINED.** Subdivision 1. **DEFINITIONS.** In this section:

(1) "Property" means all forms of tangible property, whether real or personal, without limitation including documents of value, electricity, gas, water, corpses, domestic animals, dogs, pets, fowl, and heat supplied by pipe or conduit by municipalities or public utility companies and articles, as defined in clause (4), representing trade secrets, which articles shall be deemed for the purposes of Extra Session Laws 1967, Chapter 15 to include any trade secret represented by such article.

(2) "Movable property" is property whose physical location can be changed, including without limitation things growing on, affixed to or found in land.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

(3) "Value" means the retail market value at the time of the theft, or if the retail market value cannot be ascertained, the cost of replacement of the property within a reasonable time after the theft, or in the case of a theft or the making of a copy of an article representing a trade secret, where the retail market value or replacement cost cannot be ascertained, any reasonable value representing the damage to the owner which he has suffered by reason of losing an advantage over those who do not know of or use the trade secret. For a theft committed within the meaning of subdivision 2, clause (5), (a) and (b), if the property has been restored to the owner, "value" means the value of the use of the property or the damage which it sustained, whichever is greater, while the owner was deprived of its possession, but not exceeding the value otherwise provided herein.

(4) "Article" means any object, material, device or substance, including any writing, record, recording, drawing, sample specimen, prototype, model, photograph, micro-organism, blueprint or map, or any copy of any of the foregoing.

(5) "Representing" means describing, depicting, containing, constituting, reflecting or recording.

(6) "Trade secret" means the whole or any portion of any formula, pattern, device or compilation of any scientific or technical information which is secret, is of value and has not been published or otherwise become a matter of general public knowledge; and an article representing a trade secret shall be presumed to be secret and not to have been published or otherwise become a matter of general public knowledge when the owner marks it as a trade secret and takes measures to preserve its secrecy and to prevent it from becoming available to persons other than those selected by the owner to have controlled access thereto for purposes of the owner's business.

(7) "Copy" means any facsimile, replica, photograph or other reproduction of an article, and any note, drawing or sketch made of or from an article while in the presence of such article.

(8) "Property of another" includes property in which the actor is co-owner or has a lien, pledge, bailment, or lease or other subordinate interest, and property of a partnership of which the actor is a member, unless the actor and the victim are husband and wife. It does not include property in which the actor asserts in good faith a claim as a collection fee or commission out of property or funds recovered, or by virtue of a lien, set-off, or counterclaim.

Approved June 3, 1971.

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