

17B.19; and 25.45, are repealed.

**Sec. 11. EFFECTIVE DATE.** Sections 1 to 9 of this act take effect July 1, 1975. Section 10 takes effect the day following its final enactment.

Approved June 2, 1975.

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**CHAPTER 228—H.F.No.483**

*An act relating to livestock; registration and publication of livestock brands or marks; amending Minnesota Statutes 1974, Sections 35.824; 35.826; 35.827; 35.828; 35.829; and 35.830; repealing Minnesota Statutes 1974, Section 35.823.*

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

Section 1. Minnesota Statutes 1974, Section 35.824, is amended to read:

**35.824 LIVESTOCK; BRANDS AND MARKS; APPLICATION FOR REGISTRATION; PENALTIES, DUPLICATE BRANDS.** ~~Immediately upon receipt of the information required by section 35.823, the board shall notify each holder of a mark or brand that marks or brands are registered pursuant to sections 35.821 to 35.831 and that the board will, on or before January 1, 1966, and every ten years thereafter, cause to be published a state brand book showing all marks or brands recorded with the board prior to September 1, 1965, and every ten years thereafter. The board shall prepare a standard form which shall be mailed to all holders of registered county marks or brands. The board also ~~forms~~ and shall supply these forms to county auditors for distribution to those who desire to apply for a brand. The application shall show a left and right side view of the animals upon which a mark or brand will be eligible for registry. The mark or brand location shall be designated to the following body regions: Head, bregma, and right and left jaw, neck, shoulder, rib, hip, and breech. The applicant shall select not less than three distinct marks or brands and list them in preferred order and he shall likewise select three locations on the animal and list them in preferred order. The application shall be properly signed and notarized and accompanied by a fee of \$10. The mark or brand, if approved and accepted by the board, shall be of good standing during the ten year period in which it is recorded. Any person who knowingly places upon any animal a mark or brand which has not been registered with the board and which is in duplication of a mark or brand that is registered with the board is guilty of a felony. "Duplication" constitutes the use of a similar mark or brand, used in any position on the animal designated for the use of a registered mark or brand, such as the head, bregma, jaw, neck, shoulder, rib, hip, or breech. Any person who alters or defaces a brand or mark on any ani-~~

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mal to prevent its identification by its owner, is guilty of a felony.

Sec. 2. Minnesota Statutes 1974, Section 35.826, is amended to read:

**35.826 STATE BRAND BOOKS; REREGISTRATION OF MARKS, BRANDS.** All mark or brand applications ~~passed upon and~~ approved shall be sorted in a systematic manner and published in the ~~first edition of~~ the state brand book ; ~~which shall be published on or before January 1, 1966 .~~ ~~Thereafter,~~ Supplements and revised brand books shall be published every year, and every ten years a revised brand book shall be published at the discretion of the board . At least six months before ~~publication of any revised state brand book expiration~~ , all registered mark or brand owners and assignees in the ~~previous book or supplements thereto~~ shall be notified in writing that their mark or brand will terminate in six months and that the mark or brand must be renewed. A reregistration fee of ~~\$5-\$10~~ shall be charged for the ensuing ten year period or fraction thereof. Failure to renew a mark or brand on or before the time specified, in accordance with the provisions of sections 35.821 to 35.831, is considered an absolute abandonment to the state of the mark or brand. The board may not reissue a mark or brand so abandoned except to the original owner or, after a period of two years, to another applicant upon proper application.

Sec. 3. Minnesota Statutes 1974, Section 35.827, is amended to read:

**35.827 SALE OF BRAND BOOKS.** The state brand book, and all supplements thereto for the ten year period, shall be sold to the public for ~~\$5. The state brand book alone shall sell for \$3, and any supplement to any brand book shall be sold at \$50 each~~ at a price which shall include the costs of printing, handling and mailing . The board shall distribute to ~~each county auditor and the sheriff of each county~~ all brand books and supplements thereto without cost ~~to their respective county~~ .

Sec. 4. Minnesota Statutes 1974, Section 35.828, is amended to read:

**35.828 EVIDENCE.** Marks or brands appearing in the current edition of the state brand book, ~~or~~ supplements thereto, or registered with the board, shall be prima facie evidence of ownership and take precedence over marks or brands of like kind, should the question of ownership arise. The owner whose mark or brand does not appear in the state brand book, ~~or~~ supplement thereto, or is not registered with the board, shall produce evidence to establish his title to the property in the event of controversy.

Sec. 5. Minnesota Statutes 1974, Section 35.829, is amended to read:

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**35.829 TRANSFER OF BRANDS.** ~~From and after July 1, 1966,~~ Only brands registered with the board or appearing in the current edition of the state brand book or a supplement thereto shall be subject to sale, assignment, transfer, devise, or bequest, the same as other personal property. The board shall prescribe forms for the sale or assignment of a brand. ~~The board shall supply such forms to county auditors for distribution to persons desiring to transfer brands.~~ A transferred brand shall be recorded with the board and the fee for recording the same shall be ~~\$1-~~\$10.

Sec. 6. Minnesota Statutes 1974, Section 35.830, is amended to read:

**35.830 SALE OF BRANDED LIVESTOCK; WRITTEN BILL OF SALE.** All persons selling animals marked or branded with their mark or brand recorded in a current state brand book ~~or~~, supplement thereto, or registered with the board, shall execute to the purchaser a written bill of sale bearing the signature and residence of the seller, the name and address of the purchaser, the total number of animals sold, a description of each animal sold as to sex and kind, and all registered brands. The bill of sale shall be kept by the purchaser for two years and for as long thereafter as he owns any of the animals described in the bill of sale. A copy of the bill of sale shall be given to each hauler of such animals, other than railroads, and shall accompany the shipment of animals while in transit. The bill of sale or a copy shall be shown by the possessor on demand to any peace officer or inspector of the state livestock sanitary board. The bill of sale is prima facie evidence of the sale of the animals described by the bill of sale. A person who violates this section is guilty of a misdemeanor.

Sec. 7. Minnesota Statutes 1974, Section 35.823, is repealed.

Approved June 2, 1975.

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**CHAPTER 229—H.F.No.519**

[Not Coded]

*An act relating to the city of Edina; firemen's retirement, disability, and survivors benefits; amending Laws 1965, Chapter 592, Sections 1, Subdivision 1, as amended; and 3 and 4, as added.*

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

Section 1. Laws 1965, Chapter 592, Section 1, Subdivision 1, as amended by Laws 1969, Chapter 644, Section 1, is amended to read:

**Section 1. EDINA, CITY OF; FIREMEN'S RELIEF ASSOCIATION; SERVICE PENSIONS.** Subdivision 1. The fire department relief associ-

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