

in carrying out its purposes relating to the Minnesota zoological garden or any name, mark, logo, emblem, insignia or badge, designation, or distinguishing descriptive word or phrase confusingly similar thereto, calculated to deceive or mislead the public with respect to the Minnesota zoological garden, shall be guilty of a misdemeanor.

Sec. 3. Minnesota Statutes 1978, Chapter 333, is amended by adding a section to read:

[333.54] THREATENED USE MAY BE RESTRAINED. When there is an actual or threatened violation of section 2, an application may be made to a court having jurisdiction to enjoin and restrain the actual or threatened violation; and if it appears to the satisfaction of the court that the defendant is in fact using or threatening to use the name "Minnesota zoological garden" or the trademark thereof or any other name or mark confusingly similar, or any other name, mark, logo, emblem, insignia or badge, designation, or distinguishing descriptive word or phrase used by the Minnesota zoological board in carrying out its purposes relating to Minnesota zoological garden or confusingly similar to any other name, mark, logo, emblem, insignia or badge, designation, or distinguishing descriptive word or phrase used by the Minnesota zoological board in carrying out its purposes relating to the Minnesota zoological garden, the court may enjoin and restrain the actual or threatened violation without requiring proof that any person has in fact been misled or deceived thereby.

Sec. 4. This act is effective the day following its final enactment.

Approved April 1, 1980

CHAPTER 434—S.F.No. 2168

An act relating to historic sites; designating additional historic sites; requiring notice to the Minnesota Historical Society when the state or a political subdivision acquires certain property; amending Minnesota Statutes 1978, Sections 138.56, by adding a subdivision; and 138.59.

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

Section 1. Minnesota Statutes 1978, Section 138.56, is amended by adding a subdivision to read:

Subd. 13. Sandstone school, owned by the school district of Sandstone, is in Pine County and is located in the city of Sandstone.

Sec. 2. [138.581] STATE HISTORIC SITES; REGISTRY; LANDS OWNED BY GOVERNMENTAL UNITS OUTSIDE THE STATE. Subdivision 1. The land and water areas enumerated in this section are designated "state historic sites," and this section is a registry of state historic sites situated on property owned by governmental units outside the state or by instrumentalities of those government units.

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

Subd. 2. The Canadian National Depot, owned by the Canadian National Railroad, is in Roseau county and is located on Main Street in the city of Warroad.

Sec. 3. Minnesota Statutes 1978, Section 138.59, is amended to read:

138.59 NOTICE TO MINNESOTA HISTORICAL SOCIETY OF LAND ACQUISITION. Whenever the state or any governmental subdivision thereof acquires any of the property enumerated in section 138.58 or in section 2 as a state historic site, it is the duty of the officer in charge of such the acquisition to notify in writing, as promptly as may be expedient, the Minnesota historical society of such the acquisition.

Approved April 1, 1980

CHAPTER 435—S.F.No. 1736

An act relating to highways; providing a penalty for certain unlawful uses of or actions on public highways; prohibiting the erection of a fence on the right of way of a town road; providing for payment of damages by petitioners for cartways; amending Minnesota Statutes 1978, Section 160.27, Subdivision 5; and Minnesota Statutes, 1979 Supplement, Section 164.08, Subdivision 2.

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

Section 1. Minnesota Statutes 1978, Section 160.27, Subdivision 5, is amended to read:

Subd. 5. **MISDEMEANORS.** Except for the actions of the road authorities, *their agents, employees, contractors, and utilities in carrying out their duties* imposed by law or contract, and except as herein provided, it shall be unlawful to:

- (1) Obstruct any highway;
- (2) Plow or perform any other detrimental operation within the road right of way except in the preparation of the land for planting a perennial hay crop, and the harvesting of said crop;
- (3) Erect a fence on the right of way of a trunk highway, county state-aid highway ~~or~~, county highway or town road, except to erect a lane fence to the ends of a livestock pass;
- (4) Dig any holes in any highway; except to locate markers placed to identify sectional corner positions and private boundary corners.
- (5) Remove any earth, gravel or rock from any highway;

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