

the equivalent, to provide insulation and protection against cold and dampness and promote retention of body heat.

Subd. 3. **SHADE.** Shade from the direct rays of the sun, during the months of June to September, ~~inclusive~~, shall be provided.

Subd. 4. **FARM DOGS.** In lieu of the requirements of subdivisions 2 and 3, a dog kept on a farm may be provided with access to a barn with a sufficient quantity of loose hay or bedding ~~and protection to protect~~ against cold and dampness.

Subd. 5. **ZONING.** All shelters required by this ~~act~~ section shall be subject to all building or zoning regulations of any city, township, county, or state.

Subd. 6. **PENALTY.** Whoever violates the provisions of this section ~~may be subject to a fine not to exceed \$10~~ is guilty of a petty misdemeanor.

Approved April 23, 1981

#### CHAPTER 54 — H.F.No. 349

*An act relating to agriculture; regulating livestock marketing; providing a penalty; amending Minnesota Statutes 1980, Sections 17A.02; 17A.03, Subdivision 7; 17A.14; proposing new law coded in Minnesota Statutes, Chapter 17A.*

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

Section 1. Minnesota Statutes 1980, Section 17A.02, is amended to read:

##### 17A.02 PURPOSE.

~~The purpose of Laws 1974, Chapter 347 is to establish~~ This chapter establishes jurisdiction and authority with the Minnesota commissioner of agriculture over livestock marketing practices by requiring financial responsibility and fair trade practices for the benefit and protection of farmers, livestock producers, and the public, requiring financial responsibility and fair trade practices in livestock dealing and marketing marketing agencies, dealers, any business entity engaged in the marketing process, and the public.

Sec. 2. Minnesota Statutes 1980, Section 17A.03, Subdivision 7, is amended to read:

Subd. 7. **LIVESTOCK DEALER.** "Livestock dealer" means any person, including a packing company, ~~who buys or sells~~ engaged in the business of buying or selling livestock for his or her own account or for the account of

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

others; except persons buying or selling livestock related to a normal farming operation, and persons licensed under section 28A.04 who are primarily engaged in the sale of meats at retail and persons operating as frozen food processing plants as defined in section 31.185.

"Livestock dealer" does not include:

(a) Persons licensed under section 28A.04 who are primarily engaged in the sale of meats at retail and persons operating as frozen food processing plants as defined in section 31.185; and

(b) Persons engaged in the business of farming, when purchasing livestock for breeding or herd replacement purposes or feeding programs, and when selling the livestock they have owned and raised, fed out or fattened for slaughter in their specific farming program.

Sec. 3. Minnesota Statutes 1980, Section 17A.14, is amended to read:

#### **17A.14 PENALTIES.**

Any person, duly licensed or otherwise, who violates the provisions of sections 17A.01 to 17A.15, for which violation a penalty has not been specifically set out, is guilty of a misdemeanor. ~~A second~~ Any subsequent violation within a licensing period is a gross misdemeanor.

#### **Sec. 4. [17A.16] INJUNCTIVE REMEDY.**

The operation of a livestock market agency or the buying or selling of livestock as a dealer by a person not licensed and bonded as required by this chapter may be enjoined by the district court on petition from the commissioner upon a showing that a person is engaged in the business of a livestock market agency or livestock dealer as defined in section 17A.03 without the license and bond required by this chapter. The court shall enjoin the person from further activities as a livestock market agency or livestock dealer until the license and bond have been properly obtained. It is not necessary to show that any individual has been injured by the actions complained of in order to obtain the issuance of the injunction. The injunctive relief provided by this section is an additional remedy to the criminal penalties provided in this chapter.

#### **Sec. 5. EFFECTIVE DATE.**

Sections 1 to 4 are effective July 1, 1981.

Approved April 28, 1981

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### **CHAPTER 55 — H.F.No. 521**

*An act relating to transportation; including motels within the specific information signing program; amending Minnesota Statutes 1980, Sections 160.292; 160.293, Subdivisions 1, 2, and 3; and 160.295, Subdivision 3.*

**Changes or additions are indicated by underline, deletions by strikeout.**