

Approved March 27, 1974.

CHAPTER 299—S.F.No.3276

An act relating to animals; estrays; allowing the disposal of certain animals; amending Minnesota Statutes 1971, Sections 346.215; and 346.27.

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

Section 1. Minnesota Statutes 1971, Section 346.215, is amended to read:

346.215 ANIMALS; ESTRAYS; DISPOSAL; INVESTIGATION OF CRUELTY COMPLAINTS. Subdivision 1. Any person who has reason to believe that a violation of section 346.21 has taken place or is taking place may apply to any court having jurisdiction over actions alleging violation of such section for a warrant and for investigation. The court shall examine under oath the person so applying and any witnesses he may produce and must take his affidavit or their affidavits in writing, and cause same to be subscribed by the party or parties making same. The affidavit or affidavits must set forth the facts tending to establish the grounds for believing a violation of section 346.21 has occurred or is occurring, or probable cause to believe that they exist. If the court is thereupon satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, it shall issue a search warrant and order for investigation, signed by the judge of such court with his name of office, to a peace officer in such county, commanding him to forthwith proceed to the location of the alleged violation taking with him a doctor of veterinary medicine and commanding such peace officer to search the place designated in such warrant and together with such veterinary doctor conduct an investigation of the facts surrounding the alleged violation, retaining in his custody subject to the order of the court such property or things which are specified in such warrant, including any animal if such warrant so specifies. The warrant shall contain the names of the persons presenting affidavits in support of the application, and the grounds for its issuance. Service shall be made in accordance with the provisions of sections 626.13, 626.14, and 626.16. The warrant must be executed and returned to the court which issued such warrant within ten days after its date; after the expiration of such time the warrant, unless executed, is void. The officer executing such warrant must forthwith return the warrant to the court, and deliver to it a written inventory of the property or things taken, verified by the certificate of the officer at the foot of the inventory. The warrant and order for investigation issued pursuant to this section and section 346.216 shall have the same force and effect as a warrant issued pursuant to chapter 626.

Subd. 2. Upon a proper determination by a licensed doctor of vet-
Changes or additions indicated by underline deletions by ~~strickout~~

erinary medicine, any animal taken into custody pursuant to subdivision 1 may be immediately disposed of when such animal is suffering and is beyond cure through reasonable care and treatment.

Sec. 2. Minnesota Statutes 1971, Section 346.27, is amended to read:

346.27 EXPOSURE OF ANIMALS; DUTY OF OFFICERS. Subdivision 1. Any sheriff, constable, village marshal, police officer, or any agent of the Minnesota society or other societies for the prevention of cruelty, may remove, shelter, and care for any horse or other animal found exposed to the weather and not properly blanketed, or remaining more than one hour without attention in cold or inclement weather, or not properly fed and watered, or provided with suitable food and drink, and, when necessary, may deliver such animal to another person to be so sheltered and cared for, and furnished with suitable food and drink; but in all cases the owner, if known, shall be immediately notified, and such officer, or the person having possession of the animal, shall have a lien thereon for its care and keeping and the reasonable value of the food and drink furnished and the expenses of such notice. If the owner or custodian be unknown, and cannot by reasonable effort be ascertained, or shall not, within five days after notice, redeem such animal by paying the expenses incurred as aforesaid, it may be treated as an estray, and be dealt with as such.

Subd. 2. Upon a proper determination by a licensed doctor of veterinary medicine, any animal taken into custody pursuant to subdivision 1 may be immediately disposed of when such animal is suffering and is beyond cure through reasonable care and treatment. The expenses of such disposal shall be subject to the provisions of Minnesota Statutes, Section 346.216.

Approved March 27, 1974.

CHAPTER 300—S.F.No.3325
[Coded]

An act relating to public health; requiring reporting of certain information by ambulance service operators; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

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

Section 1. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.807] PUBLIC HEALTH; AMBULANCE OPERATORS; REPORTS. Subdivision 1. REPORTING OF INFORMATION. Operators of

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