

in the performance of their official duties; (5) any employees of the foregoing while acting in the scope of employment.

[24.31] **Sec. 8. Enforcement; rules and regulations.** The commissioner is charged with the enforcement of all the provisions of this act, and shall have authority to promulgate rules and regulations as provided in section 15.042.

[24.32] **Sec. 9. Not to apply to retailers.** This act is not intended and shall not apply to retailers.

Sec. 10. Effective date. This act shall take effect and be in force from July 1, 1949.

Approved March 26, 1949.

CHAPTER 195—S. F. No. 834

[Coded as Section 35.71]

An act to promote scientific research and instruction in animal and public health by making available to educational and scientific institutions, unclaimed and unredeemed animals impounded by public authority in animal pounds; to provide licenses therefor and penalties for violations thereof.

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

[35.71] **Section 1. Unclaimed and unredeemed animals impounded; scientific use.** Subdivision 1. **Institution defined.** As used in this act, "institution" means any school or college of agriculture, veterinary medicine, medicine, pharmacy, dentistry, or other educational or scientific establishment properly concerned with the investigation of, or instruction concerning the structure or functions of living organisms, the cause, prevention, control or cure of diseases or abnormal conditions of human beings or animals.

Sec. 2. Subd. 2. Application by institution for license. Such institutions may apply to the State Live Stock Sanitary Board for a license to obtain animals from establishments maintained by or for municipalities for the impounding, care and disposal of animals seized by lawful authority. If, after investigation, the State Live Stock Sanitary Board finds that

the institution making request for licensure is a fit and proper agency within the meaning of this act, to receive a license, and that the public interest will be served thereby, it may issue a license to such institution authorizing it to obtain animals hereunder, subject to the restrictions and limitations herein provided.

Sec. 3. Subd. 3. Supervisor of licensed Institution. It shall be the duty of the supervisor of any establishment referred to in Sec. 2 of this act to make available to an institution licensed hereunder, from the available impounded animals seized by lawful authority, such number of animals as the institution may request, provided however, that such animals shall have been impounded for not less than five days or for such other minimum period of time as may be specified by municipal ordinance and remain unclaimed and unredeemed by their owners or by any other person entitled to do so. If a request is made by a licensed institution to such supervisor for a larger number of animals than are available at the time of such request, the supervisor of such establishment shall withhold thereafter from destruction, all such unclaimed and unredeemed animals until such request has been filled, provided that the actual expense of holding such animals beyond the time of notice to such institution of their availability, shall be borne by the institution receiving them.

Sec. 4. Subd. 4. Transportation of animals. The licensed institution shall provide, at its own expense, for the transportation of such animals from the establishment to the institution and shall use them only in the conduct of its scientific and educational activities and for no other purpose.

Sec. 5. Subd. 5. Annual license fee. Each institution licensed under this act shall pay an annual license fee of fifty dollars for each calendar year, or part thereof, to the State Live Stock Sanitary Board. All such license fees shall be deposited in the general revenue fund of the State of Minnesota.

Sec. 6. Subd. 6. Revocation of license. The State Live Stock Sanitary Board upon fifteen days written notice and an opportunity to be heard, may revoke the license granted any institution (1) if the institution has violated any provisions of this act, or (2) has failed to comply with the conditions required by the State Live Stock Sanitary Board in respect to the issuance of such license.

Sec. 7. Subd. 7. Live stock sanitary board to make rules and regulations. The State Live Stock Sanitary Board shall have the power to adopt such rules and regulations, not inconsistent with this act, as may be necessary to carry out the provisions of this act, and shall have the right whenever it deems advisable, or in the public interest, to inspect or investigate any institution which has applied for a license or has been granted a license hereunder.

Sec. 8. Subd. 8. Violations and penalties. It shall be a misdemeanor for any person or corporation to violate any of the provisions of this act.

Approved March 26, 1949.

CHAPTER 196—S. F. No. 849

An act amending Minnesota Statutes 1945, Section 32.01; amending Laws 1947, Chapter 396, relating to the authority of the commissioner of agriculture, dairy and food to adopt standards, definitions and grades for dairy products; and repealing Minnesota Statutes 1945, Sections 32.02, 32.03, 32.04, 32.05, 32.06, 32.07, 32.50 Subdivision 4, and 32.51 Subdivision 3.

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

Section 1. Minnesota Statutes 1945, Section 32.01, is amended as follows:

32.01. Definitions. Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the *words defined in this section* shall, for the purposes of this chapter, be given the *meanings* subjoined to *them*.

Subd. 2. "Commissioner" means the commissioner of agriculture, dairy and food.

Subd. 3. "Department" means the department of agriculture, dairy and food.

Subd. 4. "Person" means an individual, firm, partnership, association, or corporation.