

"5. **Sale of state lands to United States.**—The governor is hereby authorized, in behalf of the state, to sell, at its fair value, and to convey to the United States, any land owned by the state, and required by the government for any authorized purpose. The United States is hereby empowered to acquire by condemnation, under the laws of this state relating to the right of eminent domain, any lands which it may be necessary to take, overflow, or occupy in the prosecution of any public work authorized by Congress, *upon condition, however, that application for consent shall have been first made to the governor and that he shall find that such proceedings or acquisition are not inconsistent with the best interests of the state and that he shall thereupon approve the same.* All lands so ceded or conveyed to or acquired by the United States shall be exempt from assessments and taxes so long as it shall own the same, *provided, that such approval shall not be required in the case of lands lying within the original boundaries of the Chippewa national forest or the Superior national forest and acquired by the United States for any purpose incident to the development or maintenance of said forests.*"

Approved March 13, 1941.

CHAPTER 67—H. F. No. 604

An act relating to the killing of cattle affected with certain diseases; amending Mason's Supplement 1940, Section 5403.

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

Section 1. **Law amended.**—Mason's Supplement 1940, Section 5403, is hereby amended to read as follows:

"5403. **Diseased horses and cattle to be killed—inspection before killing—appraisal of and payment to owners for animals killed—eradication of foot and mouth disease.**—(a) Notwithstanding any provision of this chapter to the contrary, neither cattle affected with tuberculosis, paratuberculosis, Bang's disease, nor glandered horses shall be killed as such until they have been inspected by a veterinarian appointed by the board, and are pronounced by him to be so diseased.

For each animal slaughtered because of tuberculosis, paratuberculosis, glanders, or Bang's disease, the value of the net salvage of the carcass shall be deducted from the appraised value of the living animal; *two-thirds of the remainder shall*

be paid to the owner by the state, except that in all cases where the federal bureau of animal industry compensates the owner for such animal, in whole or in part, then the amount of such compensation so received from the federal government shall be deducted from the amount of indemnity payable by the state; provided that in no case shall any payment be more than \$15.00 for grade females or more than \$30.00 for any purebred animal, and that no payment shall be made unless the owner has complied with all lawful rules and regulations of the board; and provided further that two-thirds of the appraised value of any horse slaughtered as provided herein shall be paid to the owner thereof by the state after disposal of the carcass of said horse as directed by the board.

(b) The owner of any animal, as provided in this act, shall be entitled to indemnity therefor as herein provided, except in the following cases:

1. Indemnity shall not be paid for steers or grade bulls.
2. Animals which have not been kept for one year, or since their birth in good faith, in the state.
3. Animals brought into the state, or from one county into another within the state, contrary to any provision of law or rules and regulation of the board.
4. Animals diseased at time of arrival in this state.
5. Animals belonging to the United States.
6. Animals belonging to institutions maintained by state, county or municipality.
7. Animals which the owner or claimant knew to be diseased or had notice thereof at the time they came into his possession, or when the owner shall have been guilty of negligence by wilfully exposing his animal or animals to Bang's disease, or if the animals have been injected with Bang's disease vaccine, *Bacterin* or other preparations made from or through the agency of *Brucella* Micro-organisms unless done in compliance with the rules and regulations of the state live-stock sanitary board.
8. When the owner has received indemnity as a result of a former inspection or tests and has hereafter introduced into his herd any animals which theretofore had not passed the tuberculin or Bang's disease test.
9. Where the owner, agent, or person in possession of said animal has not complied with the rules and regulations of the board with respect to animals condemned.

10. When the condemned animals are not destroyed within 15 days after date of appraisal, except that in extraordinary circumstances and in meritorious cases and at the discretion of the secretary and executive officer of the board, said time limit of 15 days may be extended an additional 15 days, provided, however, that the owner receives permission to do so from the said secretary and executive officer within 15 days of date of appraisal.

11. No indemnity or compensation shall be paid for the destruction of any livestock affected with tuberculosis, paratuberculosis, glanders, or Bang's disease, unless the entire herd of which such affected livestock is a part, or from which such affected livestock has originated, shall be examined and tested under the supervision of the board, in order to determine if they are free from such disease.

12. No indemnity or compensation shall be paid for the destruction of any livestock affected with tuberculosis, paratuberculosis, glanders, or Bang's disease, unless the owner has carried out the instructions and regulations of the board relating to the cleaning, disinfection and rendering the stables and premises in a sanitary condition, within 15 days from the time of removal of such animals from the premises, except when because of inclement weather or other extenuating circumstances, the time may be extended by the executive officer of the board.

13. No indemnity or compensation shall be paid for the destruction of any livestock affected with tuberculosis, paratuberculosis, or Bang's disease, if the owner has fed milk or milk products derived from creameries and which have not been pasteurized as required by state laws and regulations.

14. If, at any time, the annual appropriation for payment of indemnities becomes exhausted as a result of condemnation and slaughter of animals, the state livestock sanitary board shall discontinue making further official tests or to authorize such tests, with the exception that if an owner signs a waiver, on blanks to be furnished by said board, for payment of indemnity for any animals that may be condemned as the result of a test and inspection, and releasing the state from any obligation to pay indemnity from any future appropriation.

15. When the owner is a non-resident and neither he nor his duly authorized agent or agents are engaged in breeding livestock in this state.

(c) Whenever it is determined by the board that it is necessary to eradicate the dangerous, infectious, communicable

foot and mouth disease among domestic animals in the state in co-operation with the United States Bureau of Animal Industry and to appraise and destroy animals affected with or which have been exposed to this disease, or to destroy property in order to remove the infection and complete the cleaning and disinfection of the premises or to do any act or incur any other expense reasonably necessary in suppressing this disease, the board may accept, on behalf of the state, the rules and regulations adopted by the United States Bureau of Animal Industry under authority of an act of Congress, or such portion thereof deemed necessary, suitable or applicable, and co-operate with the United States Bureau of Animal Industry in the enforcement of such rules and regulations so accepted; or it may follow such procedure only as to quarantine or inspection or condemnation or appraisal or destruction or burial of animals, disinfection and other acts deemed by it reasonably necessary in the suppression of this disease as may be agreed upon and adopted by the board and representatives or authorized agents of the United States Bureau of Animal Industry, the total expense to be shared equally between the state and federal government.

The appraisals of animals affected with or exposed to foot and mouth disease, or contact animals shall be made by an appraisal board consisting of a representative of the board, a representative of the United States Bureau of Animal Industry and the owner of the animals or his representative, such appraisals, in writing, and signed by the appraisers, to be made at the true market value of all animals.

Upon destruction and burial of such animals and the completion of the cleaning and disinfection of the premises, the state livestock sanitary board shall certify the appraisal to the auditor of the state, who shall draw a warrant on the state treasurer for one-half the amount thereof payable to the owner, and the remaining one-half of such appraisal to be paid by the federal government under such co-operative arrangement.

Approved March 15, 1941.

CHAPTER 68—S. F. No. 36

An act to authorize the Industrial Commission of Minnesota to cooperate with the United States Department of Labor in the enforcement of the Fair Labor Standards Act of 1938.

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