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To

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(Supplementing Mason's 1940 Supplement)

Containing the text of the acts of the 1941 Session of the Legislature, both new and amendatory, and notes showing repeals, together with annotations from the various courts, state and federal, and the opinions of the Attorney General, construing the constitution, statutes, charters and court rules of Minnesota together with Law Review Articles and digest of all common law decisions.

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(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 to 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. (As amended Act Mar. 15, 1941, c. 67, §1.)

5487. Bonds.

One bond in sum of \$5,000 qualifies a company for any number of distributing agencies, but consent of surety on bond originally given should be obtained before issuing permit for additional distributing agencies. Op. Atty. Gen., (293B-12), March 5, 1940.

There is no statutory authority for execution by any state official of cancellation certificates as means of terminating liability of surety, but board may write a letter to surety stating that permit of principal expired on a certain day. Op. Atty. Gen. (293a-3), Aug. 24, 1940.

CATTLE WITH BANG'S DISEASE

5460-26. Cattle owners to assist in making test.—

Whenever in accordance with this act the board by its order has fixed the time for commencement of testing in any area, all cattle owners and persons in possession of cattle in the area shall upon demand submit the same for Bang's disease testing and physical examination by the board or its authorized agent or agents, and all such persons shall assist the board and its agents in applying said tests and in making such physical examinations whenever the board or its agents enter upon the premises where such cattle are located and makes demand therefor, or in making any retest of cattle within such area, as provided in this act. Such owner or person in possession shall account for all animals tagged in making such tests and retests, and shall submit all such cattle to the board or its agents at any time when the board or its agents visit said premises to make further tests or examinations. Such owner or person in possession shall also remove from the premises or segregate reacting cattle or cause the same to be slaughtered as required by said board, and shall not use milk or milk products, or sell or dispose of the same, from reacting cattle unless the milk or the milk from which said products have been made has been properly pasteurized. (As amended Mar. 28, 1941, c. 95, §1.)

CHAPTER 31

Inspection of Steam Vessels and Boilers

5474. District boiler inspector—Appointment, etc.

Boilers belonging to a state department must be inspected and department must pay fee. Op. Atty. Gen., (33c), Dec. 18, 1939.

Commission has power to adopt and enforce rules and regulations relating to licensing of engineers and boiler inspection, and approval of governor is unnecessary. Op. Atty. Gen., (34f), January 22, 1940.

5486. Allowance of and aiding inspection—License, etc.

It is not necessary for employee of a city lighting and heating plant working under supervision of a chief engineer to take out a steamfitter's license in order to make minor repairs, and they need not secure an engineer's license unless they are entrusted with operation

of a steam boiler or steam machinery. Op. Atty. Gen., (34f), Oct. 18, 1939.

It is not necessary for a civil service employee of federal government operating a boiler upon federal property to have a state boiler license. Op. Atty. Gen., (34f), March 29, 1940.

5490. District boiler inspector to deliver certificates—Fees for inspection.

Boilers belonging to a state department must be inspected and department must pay fee. Op. Atty. Gen., (33c), Dec. 18, 1939.

Commission has power to adopt and enforce rules and regulations relating to licensing of engineers and boiler inspection, and approval of governor is unnecessary. Op. Atty. Gen., (34f), January 22, 1940.

CHAPTER 31A

Inspection and Regulation of Aircraft

UNIFORM STATE LAW FOR AERONAUTICS

5494-16. Certain acts a misdemeanor.—Any aeronaut or passenger who, while in flight over a thickly inhabited area or over a public gathering within this state, shall engage in trick or acrobatic flying, or in any acrobatic feat, or shall, except while in landing or taking off, fly at such a low level as to endanger the persons on the surface beneath, or drop any object except loose water or loose sand ballast, or shall engage in advertising through the playing of music, or transcribed or oral announcements, or

make noise with any siren, horn, whistle, or other audible device which is not necessary for the normal operation of said aeroplane, shall be guilty of a misdemeanor. (As amended Act Apr. 23, 1941, c. 386, §1.)

MUNICIPAL FLYING FIELDS

5494-37. Cities and villages may equip air fields.

City may purchase land contiguous thereto for a municipal golf course or airport without approval of voters, but cannot issue bonds without approval. Op. Atty. Gen., (59B-11), May 24, 1940.