

CHAPTER 343

PREVENTION OF CRUELTY

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343.01 PURPOSES; POWERS; COUNTY ORGANIZATION. Subdivision 1. The Minnesota society for the prevention of cruelty which may also be known or designate itself as the Minnesota humane society is hereby confirmed and continued, with all existing powers, for the purpose of inculcating humane principles, the enforcement of law, and the prevention of cruelty, especially to children and animals. It may appoint representatives in any county where no active county society exists, for the purpose of receiving and accounting for funds from any source, and may also appoint agents at large to prosecute the work of the society throughout the state. This society and all county societies may appoint agents for the purpose of prosecuting persons guilty of cruelty to children or animals. Every such agent whose appointment has been approved and made a matter of record by the probate judge of the county from which he was appointed may arrest any person in his county found violating any law for the protection of children or animals, take him before any court or magistrate having jurisdiction, and make complaint against him. Branches of the society, consisting of not less than ten members, may be organized in any part of the state to prosecute the work of the society in their several localities under rules established by it. It may elect officers and make such rules and bylaws as are necessary.

Subd. 2. It shall be unlawful for any organization, association, firm or corporation not authorized by this chapter to refer to itself as or in any way to use the names Minnesota society for the prevention of cruelty, the Minnesota humane society, or any combination of words or phrases using the above names which would imply that it represents, acts in behalf or is a branch of said society.

[R L s 3125; 1971 c 85 s 1] (7927)

343.02 TRANSFER OF POWERS TO BOARD OF CONTROL. The state board of control shall have and exercise the rights and powers and perform the duties conferred by law upon the Minnesota society for the prevention of cruelty.

[1925 c. 426 art. 8 s. 1] (53-39)

343.03 RETURN OF POWERS. All the rights, powers, and duties of the Minnesota society for the prevention of cruelty conferred by section 343.02 upon the state board of control are hereby transferred to, vested in, and imposed upon the society, which shall be constituted in the same manner and for the same purposes and with the same rights, privileges, and duties as prior to the enactment of section 343.02. All unexpended funds appropriated to the state board of control for the prevention of cruelty are hereby transferred and appropriated to the society. The state board of control is hereby authorized and directed to transfer and deliver to the society any and all personal property of the state in its charge and being used for the purposes specified in this section.

[1939 c. 431 art. 7 s. 7] (3199-107)

343.04 SOCIETY CONSTITUTED STATE BUREAU. The Minnesota society for the prevention of cruelty is constituted a state bureau of child and animal protection for the purposes hereinafter set forth; provided, that the society for the prevention of cruelty shall accept and carry out the provisions of this chapter.

[1905 c. 274 s. 1] (7928)

343.05 EX OFFICIO MEMBERS. The governor, the commissioner of education, and the attorney general shall be ex officio members of the board of directors of the state bureau of child and animal protection.

[1905 c. 274 s. 2] (7929)

343.06 DUTIES. It shall be the duty of the state bureau of child and animal protection to secure the enforcement of the laws for the prevention of wrongs to children and dumb animals; to assist in the organization of district and county societies and the appointment of local and state agents, and give them representation in the state bureau; to aid such societies and agents in the enforcement of the laws for the prevention of wrongs to children and dumb animals which may now or hereafter exist, and to promote the growth of education and sentiment favorable to the protection of children and dumb animals.

[1905 c. 274 s. 3] (7930)

343.07 ANNUAL MEETING. The state bureau of child and animal protection shall hold its annual meetings on the second Monday in November, in each year, at the state capitol, or at any other place in the state which may be selected by its board of directors, for the transaction of its business and the election of its officers, at which meeting all questions relating to child and animal protection in the state may be considered.

[1905 c. 274 s. 4; 1953 c. 237 s. 1] (7931)

343.08 BIENNIAL REPORT. The state bureau of child and animal protection shall make a biennial report before October 1, in each even numbered year, to the secretary of state, embracing its proceedings for the preceding year, and statistics showing its work.

[1905 c. 274 s. 5; 1955 c. 847 s. 26]

343.09 ACCEPTANCE. If the humane society shall accept the provisions of sections 343.04 to 343.08, it shall certify its acceptance of the same to the secretary of state and the state auditor.

[1905 c. 274 s. 6] (7933)

343.10 COUNTY SOCIETIES. County societies for the prevention of cruelty to children and animals may be formed in any county by not less than seven incorporators, and the members, at a meeting called for that purpose, may elect not less than three of their number directors, who shall continue in office until their successors have qualified.

[R. L. s. 3126] (7934)

343.11 ACQUISITION OF PROPERTY, APPROPRIATIONS. Every county society for the prevention of cruelty to children and animals may acquire, by purchase, gift, grant, or devise, and hold, use, or convey, real estate and personal property, and lease, mortgage, sell, or use the same in any manner conducive to its interest, to the same extent as natural persons. The county board of any county, or the council of any city or village, in which such societies exist, may, in its discretion, appropriate for the maintenance and support of such societies in the transaction of the work for which they are organized, any sums of money not otherwise appropriated, not exceeding \$2,400 in any one year; provided, that no part of the appropriation shall be expended for the payment of the salary of any officer of the society. In every county of this state having an area of over 5,000 square miles and a population of more than 150,000, such sum of money that may be appropriated in any one year, shall not exceed \$4,000.

[R. L. s. 3127; 1913 c. 31 s. 1; 1955 c. 366 s. 1]

343.12 DUTIES OF PEACE OFFICERS; FEES. Any member of a county society for the prevention of cruelty to children and animals may require, and it shall be the duty of, any sheriff or his deputy, any constable, police officer, or the agent of any such society, state or county, whose appointment has been approved by a judge of probate, to arrest any person found violating the law relative to cruelty to persons or animals and to take possession of any animals in their respective municipalities which have been cruelly treated, and deliver the same to the proper officers of the society. For such services the officers or agents shall be allowed and paid such fees as are allowed for like services in other cases, which fees shall constitute a part of the costs taxed on conviction.

[R. L. s. 3128] (7936)