

Board, shall be furnished to the purchaser by the vendor at the time of sale, excepting when cattle are sold at public auction and a certificate of test or vaccination or both is posted in a place plainly visible to the purchasers at such sale, and the auctioneer or other person conducting the sale shall publicly announce prior to conducting the sale, that the certificate of such test, or vaccination or both, approved by the Board, has been posted and is available for inspection. No auctioneer or other person conducting such sale shall conduct any public sale in this state unless a certificate of such test or vaccination or both, approved by the board shall be posted by the vendor of such cattle at the time of such sale.

*Subd. 3. Female cattle, sale without test or vaccination. Female cattle under 18 months of age of beef type and breed may be sold in quarantine for feeding or grazing purposes without a test for, or vaccination against brucellosis, pursuant to rules and regulations prescribed by the State Live Stock Sanitary Board provided the purchaser of such cattle furnishes the seller an affidavit certifying such cattle are purchased for feeding or grazing purposes, and will be maintained separate and apart from all other cattle except other quarantined feeding cattle until resold for immediate slaughter or until delivered to a public stockyard under supervision of the United States Department of Agriculture. Any person who purchases cattle under the provisions of this section shall comply with the terms of the affidavit furnished the seller and shall also comply with such rules, regulations or quarantines prescribed by the State Live Stock Sanitary Board pursuant to this section.*

**Subd. 4. Violations, penalties.** Any person violating the provisions of this section or rules, regulations or quarantines of the State Live Stock Sanitary Board adopted pursuant hereto shall be guilty of a gross misdemeanor, and any auctioneer knowingly conducting a sale of cattle in violation of this section, shall upon conviction, forfeit his license as an auctioneer until such time as its renewal is approved by the authority which issued the license.

Approved April 25, 1955.

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#### CHAPTER 870—S. F. No. 1277

*An act relating to the duties and responsibilities of the public examiner; amending Minnesota Statutes 1953, Sections 215.21, 215.22, 215.23, and 215.24.*

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

Section 1. Minnesota Statutes 1953, Sections 215.21, 215.22, 215.23, and 215.24, are amended to read :

**215.21 Cost of examination, payment.** Upon the examination of the books, records, accounts, and affairs of any *county, city, borough, village, town, or school district*, as provided by law, such *county, city, borough, village, town, or school district* shall be liable to the state for the total cost and expenses of such examination, including the salaries paid to the examiners while actually engaged in making such examination. The public examiner if he deems it advisable may bill such *county, city, borough, village, town, or school district* monthly for service rendered and the officials responsible for approving and paying claims are authorized to pay said bill promptly. Said payments shall be without prejudice to any defense against said claims that may exist or be asserted. The revolving fund of the public examiner shall be credited with all collections made for any such examinations.

**215.22 Cost of examination, collection.** On July first, of each year, the state treasurer shall certify to the state auditor all uncollected drafts for the examination of any *county, city, borough, village, town, or school district* which have remained unpaid for a period of three months from the date of such draft. Upon receipt of such list the auditor shall forthwith notify the clerk, or recording officer, of each *county, city, borough, village, town, or school district* against which the state has a claim that, if the same is not paid, with interest from the date of the draft, within 90 days, the full amount thereof will be certified to the *county auditor of the county having such examination, or to the county auditor* for the county or counties in which such *city, borough, village, town, or school district* is situated, for collection by special tax levy, as herein provided. Such notice shall be served by registered mail and the deposit thereof in the United States mail shall constitute due and legal service thereof upon the *county, city, borough, village, town, or school district*.

**215.23 Claim of state for cost of examination, contest.** On or before September first following service of the notice, any such *county, city, borough, village, town, or school district* may serve notice, in writing, upon the attorney general that it desires to contest the legality of the state's claim, whereupon such claim shall be withdrawn from the state auditor, and the attorney general shall forthwith file with the clerk of the district court of the county *having such examination, or in which such city, borough, village, town, or school district, or major part thereof, is situated*, a verified statement of the

state's claim, duly itemized and serve upon the *auditor or clerk of such county, city, borough, village, town, or school district*, by registered mail, a copy of such statement. Such *county, city, borough, village, town, or school district* may file with the clerk of such district court, within ten days after the service of such statement upon it, verified objections to the state's claim, and such district court shall thereupon summarily, in or out of term, hear and determine the amount due the state, if any, for such examination, at a time and place fixed by the court therefor. The clerk of court shall certify to the *county auditor of the county having such examination, or to the county auditor of the county or counties in which such city, borough, village, town, or school district is situated*, the amount so determined by the court to be due to the state, if any.

**215.24 State auditor, certification of amounts due.** On October first, of each year, the state auditor shall certify the respective amounts due the state from the various *counties, cities, boroughs, villages, towns, and school districts*, as shown by the list so filed by the treasurer, and not withdrawn therefrom, including interest computed to July first, following, to the *county auditor of the county having such examination, or to the county auditor of the county in which any such city, borough, village, town, or school district is, in whole or in part, situated*. The county auditor, upon receiving a certificate from the state auditor, or a certificate from the clerk of court, as provided in section 215.23, shall include the amount of the state's claim, with 25 per cent added, in the tax levy for general revenue purposes of the *county or municipality liable therefor*, and such additional levy shall not be within any limitation imposed by law upon the amount of taxes which may be levied for revenue purposes. Upon completion of the June tax settlement following such levy the county treasurer shall deduct from the amount apportioned to the *county or municipality for general revenue purposes*, the amount due the state, including interest, and remit the same to the state treasurer.

Approved April 25, 1955.

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CHAPTER 871—S. F. No. 1303

[Not Coded]

*An act relating to appropriating money for the purpose of reimbursing the City of Saint Paul for street resurfacing abutting state owned property.*