

contract price paid therefor, shall be first approved by the commissioner of highways, by order made and filed in his office, a certified copy of which order shall be filed with the auditor of any such county. Thereafter the county board of any such county shall authorize the county auditor to issue his warrant on the road and bridge fund of such county, in the amount so approved by the commissioner of highways, to such town, borough, village, or city. Any such warrants paid, or warrants so issued and not paid for lack of funds, may be funded or refunded by such county in the manner provided *herein for the funding and refunding of moneys expended by such county derived from taxes or other funds.*

(9) When the words "permanently improving" are used in sections 167.01 and 167.02 they shall be construed to mean permanently improving any road described in the Constitution of the State of Minnesota, Article 16, in accordance with plans and specifications therefor approved by the commissioner of highways.

Approved April 10, 1954.

CHAPTER 361—S. F. No. 812

An act relating to the powers of the state board of health, authorizing the board to make regulations relating to atmospheric pollution control, ionizing radiation control and the handling and use of radioactive isotopes and fissionable materials; amending Minnesota Statutes 1953, Section 144.12.

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

Section 1. Minnesota Statutes 1953, Section 144.12, is amended to read:

144.12. **Regulations, Enforcement.** The board may adopt, alter, and enforce reasonable regulations of permanent application throughout the whole or any portion of the state, or for specified periods in parts thereof, for the preservation of the public health. Upon the approval of the attorney general and the due publication thereof, such regulations shall have the force of law, except insofar as they may conflict with a statute or with the charter or ordinance of a city of the first class upon the same subject. In and by the same the board may control, by requiring the taking out of licenses or permits, or by other appropriate means, any of the following matters:

(1) The manufacture into articles of commerce, other than food, of diseased, tainted, or decayed animal or vegetable matter;

(2) The business of scavenging and the disposal of sewage;

(3) The location of mortuaries and cemeteries and the removal and burial of the dead;

(4) The management of lying-in houses and boarding places for infants and the treatment of infants therein;

(5) The pollution of streams and other waters and the distribution of water by private persons for drinking or domestic use;

(6) The construction and equipment, in respect to sanitary conditions, of schools, hospitals, almshouses, prisons, and other public institutions, and of lodging houses and other public sleeping places kept for gain;

(7) The treatment, in hospitals and elsewhere, of persons suffering from communicable diseases, including all manner of venereal diseases and infection, the disinfection and quarantine of persons and places in case of such disease, and the reporting of sicknesses and deaths therefrom;

Provided, that neither the board nor any local board of health nor director of public health shall have authority to make or adopt any rule or regulation for the treatment in any penal or correctional institution of any person suffering from any such communicable disease or venereal disease or infection, which rule or regulation requires the involuntary detention therein of any person after the expiration of his period of sentence to such penal or correctional institution, or after the expiration of the period to which the sentence may be reduced by good time allowance or by the lawful order of any judge or magistrate, or of any parole board;

(8) The prevention of infant blindness and infection of the eyes of the newly born by the designation, from time to time, of one or more prophylactics to be used in such cases and in such manner as the board may direct, unless specifically objected to by the parents or a parent of such infant;

(9) The furnishing of vaccine matter; the assembling, during epidemics of smallpox, with other persons not vaccinated, but no rule of the board or of any public board or officer shall at any time compel the vaccination of a child, or exclude, except during epidemics of smallpox and when approved by the local board of education, a child from the public schools for the reason that such child has not been vaccinated; any person thus required to be vaccinated may select for that purpose any licensed physician and no rule shall require the vaccination of any child whose physician shall certify that

by reason of his physical condition vaccination would be dangerous;

(10) The accumulation of filthy and unwholesome matter to the injury of the public health and the removal thereof;

(11) The collection, recording, and reporting of vital statistics by public officers and the furnishing of information to such officers by physicians, undertakers, and others of births, deaths, causes of death, and other pertinent facts;

(12) The construction, equipment, and maintenance in respect to sanitary conditions of lumber camps, migratory or migrant labor camps, and other industrial camps;

(13) The general sanitation of tourist camps, summer hotels, and resorts in respect to water supplies, disposal of sewage, garbage, and other wastes and the prevention and control of communicable diseases; and, to that end, may prescribe the respective duties of county and local health officers; and all county and local boards of health shall make such investigations and reports and obey such directions as the board may require or give and, under the supervision of the board, enforce such regulations;

(14) *Atmospheric pollution which may be injurious or detrimental to public health; and*

(15) *Sources of ionizing radiation, and the handling, storage, transportation, use and disposal of radioactive isotopes and fissionable materials.*

Approved April 10, 1957.

CHAPTER 362—S. F. No. 923

An act relating to the definition of taconite and amending Minnesota Statutes 1953, Section 298.23.

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

Section 1. Minnesota Statutes 1953, Section 298.23, is amended to read:

298.23 Taconite and Iron Sulphides Defined. For the purpose of sections 298.23 to 298.28, "taconite" is defined as ferruginous chert or ferruginous slate in the form of compact, siliceous rock, in which the iron oxide is so finely disseminated that substantially all of the iron-bearing particles of merchantable grade are smaller than 20 mesh and which is