

this state, and the cost thereof shall be paid out of the home support fund.

Sec. 2. Minnesota Statutes 1961, Section 198.061, is amended to read:

198.061. **Board of trustees, vacancies.** Vacancies created by Laws 1957, Chapter 150 and vacancies occurring after the passage of Laws 1957, Chapter 150 shall be filled by the governor according to Minnesota Statutes, ~~Section Sections 198.01 and 198.06; in such a manner that no two members of the board of trustees shall reside; at the time of their appointment; in the same congressional district.~~

Approved May 6, 1963.

CHAPTER 496—S. F. No. 921

[Coded in Part]

An act relating to municipal courts; fixing the salary of the judge of municipal court of Brainerd.

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

Section 1. **Brainerd municipal court; judge's salary.** The annual salary of the judge of the municipal court of Brainerd is \$4,000, notwithstanding the provisions of Minnesota Statutes 1961, Section 488.21, Subdivision 2.

Sec. 2. The revisor of statutes in compiling the next edition of the Minnesota Statutes shall substitute the salary fixed in section 1 hereof for the salary specified for such judge in Minnesota Statutes 1961, Section 488.21, Subdivision 2.

Approved May 6, 1963.

CHAPTER 497—S. F. No. 1030

An act relating to occupational disease under the workmen's compensation act; amending Minnesota Statutes 1961, Section 176.011, Subdivision 15, and Section 176.66, Subdivision 3.

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

Section 1. Minnesota Statutes 1961, Section 176.011, Subdivision 15, is amended to read:

Changes or additions indicated by italics, deletions by strikeout.

Subd. 15. **Workmen's compensation; occupational disease.** "Occupational disease" means a disease arising out of and in the course of employment peculiar to the occupation in which the employee is engaged and due to causes in excess of the hazards ordinary of employment and shall include undulant fever. Ordinary diseases of life to which the general public is equally exposed outside of employment are not compensable, except where such diseases follow as an incident of an occupational disease, or where the exposure peculiar to the occupation makes such disease an occupational disease hazard. A disease arises out of the employment only if there be a direct causal connection between the conditions under which the work is performed and if the occupational disease follows as a natural incident of the work as a result of the exposure occasioned by the nature of the employment. An employer is not liable for compensation for any occupational disease which cannot be traced to the employment as a direct and proximate cause and is not recognized as a hazard characteristic of and peculiar to the trade, occupation, process, or employment or which results from a hazard to which the workman would have been equally exposed outside of the employment. If immediately preceding the date of his disablement or death, an employee was employed on active duty with an organized fire or police department of any municipality, ~~or~~ as a member of the Minnesota highway patrol, *game warden service, or state crime bureau*, and his disease is that of myocarditis, coronary sclerosis, pneumonia or its sequel, and at the time of his employment such employee was given a thorough physical examination by a licensed doctor of medicine, and a written report thereof has been made and filed with such organized fire or police department, ~~or~~ with the Minnesota highway patrol, *game warden service, or state crime bureau* which examination and report negated any evidence of myocarditis, coronary sclerosis, pneumonia or its sequel, the disease is presumptively an occupational disease and shall be presumed to have been due to the nature of his employment.

Sec. 2. Minnesota Statutes 1961, Section 176.66, Subdivision 3, is amended to read:

Subd. 3. **Disease contracted within year, exceptions.** Neither the employee nor his dependents are entitled to compensation for disability or death resulting from occupational disease, unless such disease is due to the nature of his employment as defined in section 176.011, subdivision 15, and was contracted therein within 12 months previous to the date of disablement; except in the case of silicosis or asbestosis, in which cases disablement of the employee must occur within three years from the date of such employee's last exposure with an employer in an employment to the nature of

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which the disease may have been a hazard, and except if immediately preceding the date of his disablement or death, an employee was employed on active duty with an organized fire or police department of any municipality, or as a member of the Minnesota highway patrol, *game warden service, or state crime bureau*, and his disease is that of myocarditis, coronary sclerosis, pneumonia or its sequel, the disease shall be presumed to have been contracted therein within 12 months previous to the date of disablement.

Approved May 6, 1963.

CHAPTER 498—S. F. No. 1174

[Not Coded]

An act relating to St. Louis county and to the office of county surveyor thereof; and repealing Laws 1923, Chapter 441, Sections 1, 2, 3, and 4.

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

Section 1. St. Louis county; surveyor. Laws 1923, Chapter 441, Sections 1, 2, 3, and 4 are repealed, and the office of county surveyor of St. Louis county is subject to the provisions of Minnesota Statutes 1961, Chapter 389, and other provisions of law applicable to county surveyors.

Sec. 2. Section 1 shall be effective upon the expiration of the term of the present county surveyor of St. Louis county or when a vacancy occurs in the office of county surveyor, whichever is first, and upon approval of section 1 by a majority of the members of the county board of St. Louis county and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 6, 1963.

CHAPTER 499—S. F. No. 1230

[Coded in Part]

An act relating to municipal courts; fixing the salary of the judge and special judge of the municipal court of Minnetonka.

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

Changes or additions indicated by italics, deletions by ~~strikeout~~.