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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 1955

March 12, 2007

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The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs

1.1 A bill for an act
1.2 relating to agriculture; providing indemnity for certain destroyed cattle;
1.3 authorizing rules for control of bovine tuberculosis; repealing certain animal
1.4 health statutes and rules; proposing coding for new law in Minnesota Statutes,
1.5 chapter 35; repealing Minnesota Statutes 2006, sections 35.08; 35.09; 35.10;
1.6 35.11; 35.12; Minnesota Rules, parts 1705.0840; 1705.0850; 1705.0860;
1.7 1705.0870; 1705.0880; 1705.0890; 1705.0900; 1705.0910; 1705.0920;
1.8 1705.0930; 1705.0940; 1705.0950; 1705.0960; 1705.0970; 1705.0980;
1.9 1705.0990; 1705.1000; 1705.1010; 1705.1020; 1705.1030; 1705.1040;
1.10 1705.1050; 1705.1060; 1705.1070; 1705.1080; 1705.1086; 1705.1087;
1.11 1705.1088.

1.12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.13 Section 1. **[35.085] INDEMNITY FOR DESTROYED CATTLE.**

1.14 (a) The board may pay indemnity to cattle owners who choose to euthanize cattle
1.15 that test suspect on the comparative cervical skin test for bovine tuberculosis, if funds are
1.16 available from appropriations for the purpose and if the United States Department of
1.17 Agriculture refuses to pay indemnity for the animal. The board shall pay fair market value
1.18 less salvage value as appraised by a disinterested appraiser appointed by the board. The
1.19 board's decision as to the amount of indemnity is final. If the owner refuses the board's
1.20 offer, the owner need not dispose of the animal unless and until it later shows positive to
1.21 any recognized test for bovine tuberculosis.

1.22 (b) If the owner of the animal informs the board that there is a lien or mortgage
1.23 against the animal, the board shall include the name of the mortgagee or lender on the
1.24 indemnity check. The board is not liable if a mortgagee or lender is not named on the
1.25 check.

1.26 Sec. 2. **[35.244] RULES FOR CONTROL OF BOVINE TUBERCULOSIS.**

2.1 The board may adopt rules to provide for the control of tuberculosis in cattle. The
2.2 rules may include provisions for quarantine, tests, and such other measures as the board
2.3 deems appropriate. Federal regulations, as provided by Code of Federal Regulations, title
2.4 9, part 77, and the Bovine Tuberculosis Eradication Uniform Methods and Rules, are
2.5 incorporated as part of the rules in this state.

2.6 Sec. 3. **REPEALER.**

2.7 (a) Minnesota Statutes 2006, sections 35.08; 35.09; 35.10; 35.11; and 35.12, are
2.8 repealed.

2.9 Minnesota Rules, parts 1705.0840; 1705.0850; 1705.0860; 1705.0870; 1705.0880;
2.10 1705.0890; 1705.0900; 1705.0910; 1705.0920; 1705.0930; 1705.0940; 1705.0950;
2.11 1705.0960; 1705.0970; 1705.0980; 1705.0990; 1705.1000; 1705.1010; 1705.1020;
2.12 1705.1030; 1705.1040; 1705.1050; 1705.1060; 1705.1070; 1705.1080; 1705.1086;
2.13 1705.1087; and 1705.1088, are repealed.