

disease out of the zone. The order must be served on the persons covered by it. An order may be executed on any day at any time.

Movement restrictions cannot last longer than 72 hours, exclusive of Saturdays, Sundays, and legal holidays, if the person affected agrees to abide by the board's disease control measures. Requires the person to sign an agreement to abide by these measures.

A person restricted by a quarantine order may seek a district court hearing on the order. Grounds for an appeal of a quarantine order could include abuse of the board's discretion or emergency conditions requiring an exception to the quarantine.

2 **Temporary emergency restrictions hearing.**

Subd. 1. Grounds. If the board determines that a person is not reasonably likely to follow disease control measures imposed by a quarantine order, it may seek a court hearing on whether emergency temporary restrictions should remain in effect. Emergency restrictions continue while the court hearing is pending.

Subd. 2. Time of notice. The board must serve notice on the person who would be affected by a court hearing at least 24 hours before the hearing.

Subd. 3. Contents of notice. The notice must include the following contents:

time, date, and place of hearing

grounds and underlying facts why continuing restrictions are sought

the person's right to appear by phone and the right to have a representative appear in person at the hearing

the person's right to be present and cross-examine witnesses; and

the person's right to counsel, including the right to court appointed counsel if indigent.

Subd. 4. Order for continued temporary restrictions. Authorizes the court to order continued restriction on the person's movement if it finds that travel outside the zone would pose an imminent threat of transporting a dangerous, communicable, or infectious disease. The maximum period is 30 days, unless the person refuses to sign and comply with specified disease control measures. Refusal to sign is a gross misdemeanor.

3 **Emergencies.** Amends a current statute that authorizes the board to take steps to eradicate dangerous communicable disease among domestic animals. Current law provides for the board or the USDA to make an emergency declaration. The bill adds the governor to this list.

Authorizes the board to cooperate with Indian tribes, state and local government agencies, and any other private or public entity in eradicating animal disease.

Expands the board's ability to destroy affected animals to cover also those "highly susceptible to exposure to the disease because of proximity to diseased animals." Specifies that the board may destroy "personal" property in this effort. Authorizes the board to condemn real property for the purpose of disposing of animals. Gives the board the option of using compensation as a tool for suppressing animal disease. Strikes reference to equally sharing total suppression expenses with the USDA if procedures are followed under an emergency declared by USDA.

Amends the law on appraising destroyed animals for compensation. Allows appraisals to be done after the animal is destroyed and based on documents or other relevant testimony if, in the board's judgment, direct physical appraisal of the animal to be killed or the personal property to be destroyed poses a disease threat.

Strikes current provisions on the amount of compensation to be provided and replaces them with a statement that compensation is limited to amounts appropriated.

4 **Effective date.** Immediate.

5 **Expiration.** June 30, 2003.