

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1282

A bill to amend 1988 PA 466, entitled
"Animal industry act of 1987,"
by amending sections 3, 8, 9, 14, 30a, and 30b (MCL 287.703,
287.708, 287.709, 287.714, 287.730a, and 287.730b), sections 3,
9, 14, 30a, and 30b as amended by 1996 PA 369 and section 8 as
amended by 1994 PA 41, and by adding section 30c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) "Accredited veterinarian" means a veterinarian
2 approved by the United States department of agriculture to per-
3 form specific functions required by cooperative state-federal
4 disease control and eradication programs.

5 (2) "Animal" means mollusks, crustaceans, and vertebrates
6 other than human beings.

7 (3) "Aquaculture" means the commercial husbandry of
8 aquaculture species on the approved list of aquaculture species

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1 under the Michigan aquaculture development act including, but not
2 limited to, the culturing, producing, growing, using, propagat-
3 ing, harvesting, transporting, importing, exporting, or marketing
4 of any products, coproducts, or by-products of fish, crustaceans,
5 mollusks, reptiles, and amphibians, reared or cultured under con-
6 trolled conditions in an aquaculture facility.

7 (4) "Aquaculture facility" means a farm or farm operation
8 engaged in any aspect of aquaculture in privately controlled
9 waters capable of holding all life stages of aquacultural species
10 with a barrier or enclosure designed to prevent their escape into
11 waters of the state. An aquaculture facility does not include
12 any facility not regulated under the Michigan aquaculture devel-
13 opment act.

14 (5) "Approved vaccine" means a veterinary biological admin-
15 istered to livestock or other animals to induce immunity in the
16 recipient. The use of the approved vaccine in this state shall
17 be approved by the state veterinarian.

18 (6) "Captive cervidae" means members of the cervidae family
19 including, but not limited to, deer, elk, moose, and caribou
20 living under the husbandry of humans.

21 (7) "CAPTIVE CERVIDAE RANCH" MEANS ANY PREMISES THAT CON-
22 TAINS 1 OR MORE CAPTIVE WHITE-TAILED DEER OR CAPTIVE ELK AND HAS
23 CAPTIVE WHITE-TAILED DEER OR CAPTIVE ELK REMOVED BY THE HUNTING
24 METHOD.

25 (8) "CAPTIVE ELK FARM" MEANS ANY PREMISES THAT CONTAINS 1 OR
26 MORE CAPTIVE ELK AND DOES NOT HAVE ANY CAPTIVE ELK REMOVED BY THE
27 HUNTING METHOD.

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1 (9) "CAPTIVE WHITE-TAILED DEER FARM" MEANS ANY PREMISES THAT
2 CONTAINS 1 OR MORE CAPTIVE WHITE-TAILED DEER AND DOES NOT HAVE
3 ANY CAPTIVE WHITE-TAILED DEER REMOVED BY THE HUNTING METHOD.

4 (10) ~~-(7)-~~ "Carcasses" means the dead bodies of animals,
5 poultry, or fish. Carcasses do not include rendered products.

6 (11) ~~-(8)-~~ "Cattle" means all bovine (genus bos) animals,
7 bovinelike animals (genus bison) also commonly referred to as
8 American buffalo or bison and any cross of these species unless
9 otherwise specifically provided.

10 (12) ~~-(9)-~~ "Cattle importation lot" means a premises regis-
11 tered with the department and used only to feed cattle in prepa-
12 ration for slaughter.

13 (13) ~~-(10)-~~ "Commingling" means concurrently or subsequently
14 sharing or subsequent use by native livestock of the same pen or
15 same section in a facility or same section in a transportation
16 unit where there is physical contact or contact with bodily
17 excrements or fluids from other livestock.

18 (14) ~~-(11)-~~ "Consignee" means the person within the state of
19 Michigan receiving the animals at the point of destination named
20 on the official interstate health certificate, official inter-
21 state certificate of veterinary inspection, owner-shipper state-
22 ment, or sales invoice.

23 (15) ~~-(12)-~~ "Contagious disease" means an illness due to a
24 specific infectious agent or suspected infectious agent or its
25 toxic products which arises through transmission of that agent or
26 its products from an infected animal, or inanimate reservoir to a
27 susceptible host, either directly or indirectly through an

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1 intermediate plant or animal host, vector, or the inanimate
2 environment, or via an airborne mechanism.

3 (16) ~~(13)~~ "Department" means the department of
4 agriculture.

5 (17) ~~(14)~~ "Direct movement" means transfer of animals to a
6 destination without unloading the animals en route and without
7 exposure to any other animals or bodily excrements or fluids from
8 other animals.

9 (18) ~~(15)~~ "Director" means the director of the department
10 of agriculture or his or her authorized representative.

11 (19) ~~(16)~~ "Disease" means any animal health issue with
12 economic impacts in terms of restricted movement or markets,
13 whether due to residues, metabolic problems, public health con-
14 cerns, multiple causes, or food safety issues.

15 (20) ~~(17)~~ "Distribute" means to deliver other than by
16 administering or dispensing a veterinary biological.

17 (21) ~~(18)~~ "Domestic animal" means those species of animals
18 indigenous to North America which have lived under the husbandry
19 of humans.

20 (22) ~~(19)~~ "Emergency fish diseases" means certain infec-
21 tious diseases of fish that are transmissible directly or indi-
22 rectly from 1 fish to another and are not known to exist within
23 the waters of the state. Emergency fish diseases include, but
24 are not limited to, viral hemorrhagic septicemia, infectious
25 hematopoietic necrosis, ceratomyxosis, and proliferative kidney
26 disease.

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1 (23) ~~(20)~~ "Equine" means all animals of the equine family
2 which includes horses, asses, jacks, jennies, hinnies, mules,
3 donkeys, burros, ponies, and zebras.

4 (24) ~~(21)~~ "Exhibition or exposition" means a congregation,
5 gathering, or collection of livestock that are presented or
6 exposed to public view for show, display, swap, exchange, enter-
7 tainment, educational event, instruction, advertising, or
8 competition. Exhibition or exposition does not include livestock
9 for sale at public stockyards, auctions, saleyards, and livestock
10 yards licensed under the provisions of ~~Act No. 284 of the Public~~
11 ~~Acts of 1937, being sections 287.121 to 287.131 of the Michigan~~
12 ~~Compiled Laws~~ 1937 PA 284, MCL 287.121 TO 287.131.

13 (25) ~~(22)~~ "Exhibition facility" means any facility used or
14 intended to be used for public view, show, display, swap,
15 exchange, entertainment, advertisement, educational event, or
16 competition involving livestock. Exhibition facility does not
17 include a public stockyard, an auction saleyard, and a livestock
18 yard where livestock are accepted on consignment and the auction
19 method is used in the marketing of the livestock.

20 (26) ~~(23)~~ "Exhibitor" means any person who presents live-
21 stock for public display, exhibition, or competition or enters
22 livestock in a fair, show, exhibition, or exposition.

23 (27) ~~(24)~~ "Exotic animal" means those animals that are not
24 domestic or any cross of those animals not domestic to North
25 America.

26 (28) ~~(25)~~ "Fair" means a competition and educational
27 exhibition of agricultural commodities and manufactured products

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1 for which premiums may be paid and which is conducted by an
2 association or governmental entity.

3 (29) ~~-(26)-~~ "Feral swine" means swine which have lived their
4 life or any part of their life as free roaming or not under the
5 husbandry of humans.

6 Sec. 8. (1) Under the direction of the director, the state
7 veterinarian shall do all of the following:

8 (a) Develop and enforce policy and supervise activities to
9 carry out this act and other state and federal laws, rules, and
10 regulations that pertain to the health and welfare of animals in
11 this state.

12 (b) Promulgate rules under the administrative procedures act
13 of 1969, ~~Act No. 306 of the Public Acts of 1969, being sections~~
14 ~~24.201 to 24.328 of the Michigan Compiled Laws~~ 1969 PA 306, MCL
15 24.201 TO 24.328, for the use of veterinary biologicals including
16 diagnostic biological agents. The state veterinarian may require
17 that the importation and use of veterinary biologicals or biolog-
18 ical agents be reported to the department.

19 (c) Maintain a list of reportable animal diseases. The
20 state veterinarian shall review and update the list annually and
21 more often if necessary.

22 (d) Maintain a list of veterinary biologicals whose sale,
23 distribution, use, or administration by any person is reported to
24 the director when requested by the director within 10 working
25 days of the sale, distribution, use, or administration. The
26 state veterinarian shall review and update the list annually and
27 more often if necessary.

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Sub. S.B. 1282 (H-2) as amended December 11, 1998

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1 (E) DEVELOP AND IMPLEMENT SCIENTIFICALLY BASED SURVEILLANCE
2 PROGRAMS FOR REPORTABLE DISEASES WHEN THE DIRECTOR DETERMINES,
3 WITH ADVICE AND CONSULTATION FROM THE LIVESTOCK INDUSTRY AND VET-
4 ERINARY PROFESSION, THAT SURVEILLANCE WOULD AID IN THE CONTROL OR
5 ERADICATION OF A REPORTABLE DISEASE OR ASSIST IN THE ECONOMIC
6 VIABILITY OF THE INDUSTRY.

7 (F) [THE DEPARTMENT SHALL CONSIDER AND REGULARLY REVIEW THE
8 NEED TO] REQUIRE A NEGATIVE OFFICIAL TEST FOR BOVINE TUBERCULOSIS
9 FOR ALL CATTLE AND GOATS WITHIN 60 DAYS PRIOR TO MOVEMENT FROM 1
10 PREMISES TO ANOTHER WITHIN THIS STATE OR REQUIRE THAT CATTLE AND
11 GOATS ORIGINATE DIRECTLY FROM A HERD THAT IS ACCREDITED
12 TUBERCULOSIS-FREE AS DEFINED IN TITLE 9 OF THE CODE OF FEDERAL
13 REGULATIONS AND THE BOVINE TUBERCULOSIS ERADICATION UNIFORM
14 METHODS AND RULES EFFECTIVE FEBRUARY 3, 1989, APPROVED BY VETERI-
15 NARY SERVICES OF THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE
16 OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND ALL AMEND-
17 MENTS TO THOSE PUBLICATIONS THEREAFTER ADOPTED PURSUANT TO RULES
18 THAT THE DIRECTOR MAY PROMULGATE. THE DIRECTOR MAY REQUIRE THAT
19 OTHER SPECIES HAVE A NEGATIVE OFFICIAL TEST FOR BOVINE TUBERCULO-
20 SIS PRIOR TO MOVEMENT FROM 1 PREMISES TO ANOTHER WITHIN THIS
21 STATE. THIS SUBSECTION SHALL BE IN EFFECT UNTIL JANUARY 1, 2001.

[(G) THE DEPARTMENT SHALL COORDINATE AND CONDUCT, AND THE
DEPARTMENT OF NATURAL RESOURCES SHALL ACTIVELY SUPPORT AND ASSIST AS
DIRECTED BY THE DEPARTMENT, A SCIENTIFICALLY BASED SURVEILLANCE
PROGRAM FOR BOVINE TUBERCULOSIS OF FREE-RANGING DEER, BASED UPON
RISK AND CONDUCTED AT A MINIMUM 95% CONFIDENCE OF A 2% INFECTION
RATE BASED UPON AN OFFICIAL DETERMINATION BY THE UNITED STATES
DEPARTMENT OF AGRICULTURE, IN AT LEAST EACH OF THE FOLLOWING
COUNTIES: CHEBOYGAN, PRESQUE ISLE, OTSEGO, MONTMORENCY, ALPENA,
CRAWFORD, OSCODA, ALCONA, ROSCOMMON, OGEMAW, IOSCO, AND ANY OTHER
COUNTY AND COUNTIES ADJACENT TO THAT COUNTY WHERE 1 OR MORE FREE-
RANGING DEER ARE FOUND TO BE POSITIVE FOR BOVINE TUBERCULOSIS, BASED
UPON AN OFFICIAL DETERMINATION BY UNITED STATES DEPARTMENT OF
AGRICULTURE. FOR PURPOSES OF ENFORCING THIS SECTION, THE DEPARTMENT
MAY ENTER UPON PRIVATE OR PUBLIC PREMISES TO ACQUIRE SAMPLES. THE
MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND THE MICHIGAN DEPARTMENT
OF COMMUNITY HEALTH SHALL COOPERATE WITH THE STATE VETERINARIAN TO
FULFILL THE REQUIREMENTS OF THIS SECTION. THE DEPARTMENT SHALL
REPORT THE RESULTS OF THE STUDY TO THE LEGISLATURE AND THE GOVERNOR
BY SEPTEMBER 1, 1999.]

22 (2) Unless otherwise prohibited by law, the state veterinar-
23 ian may enter upon any premises to enforce this act.

24 Sec. 9. (1) A person who discovers, suspects, or has reason
25 to believe that an animal is either affected by a reportable dis-
26 ease or contaminated with a toxic substance shall immediately
27 report that fact, suspicion, or belief to the director. The
director shall take appropriate action to investigate the

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1 report. A person possessing an animal affected by, or suspected
2 of being affected by, a reportable disease or contaminated with a
3 toxic substance shall allow the director to examine the animal or
4 collect diagnostic specimens. The director may enter premises
5 where animals, animal products, or animal feeds are suspected of
6 being contaminated with an infectious or contagious disease, or a
7 disease caused by a toxic substance and seize or impound the
8 animal products or feed located on the premises. The director
9 may withhold a certain amount of animal products or feed for the
10 purpose of controlled research and testing. A person who know-
11 ingly possesses or harbors affected or suspected animals shall
12 not expose other animals to the affected or suspected animals or
13 otherwise move the affected or suspected animals or animals under
14 quarantine except with permission from the director.

15 (2) A person owning animals shall provide reasonable assist-
16 ance to the director during the examination and necessary testing
17 procedures.

18 (3) The director may call upon a law enforcement agency to
19 assist in carrying out the director's orders.

20 (4) A person shall not remove or alter the identification of
21 an animal for the purpose of misrepresentation of the animal's
22 identity or the ownership of the animal. A person shall not make
23 misrepresentations concerning the animal's health status to a
24 potential buyer.

25 (5) THE DIRECTOR MAY DEVISE AND IMPLEMENT A PROGRAM TO COM-
26 PENSATE LIVESTOCK OWNERS FOR LIVESTOCK THAT DIE OR NEED TO BE

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1 DESTROYED FOR HUMANE PURPOSES WHILE THE LIVESTOCK ARE BEING
2 TESTED OR UNDER A SURVEILLANCE PROGRAM FOR A REPORTABLE DISEASE.

3 Sec. 14. (1) If it is determined by the director that the
4 control or eradication of a disease or condition of livestock
5 warrants the slaughter, destruction, or other disposition of the
6 livestock, the director shall order the slaughter, destruction,
7 or other disposition of the livestock. If the director has
8 signed an order for the slaughter, destruction, or other disposi-
9 tion of livestock, the director shall notify the attorney general
10 and the house and senate appropriations committees and the
11 department of management and budget on the issue of indemnity
12 under this section. The director may approve facilities for the
13 orderly disposal of animals, animal products, and animal feeds
14 for the purpose of controlling or preventing the spread of an
15 infectious, contagious, or toxicological disease. The director
16 may select a site or method for the disposal with the advice of
17 the director of the department of environmental quality.

18 (2) The director may, under rules promulgated by the depart-
19 ment, allow indemnification for the slaughter, destruction, or
20 other disposition of animals due to livestock diseases or toxico-
21 logical contamination. If the director has signed an order for
22 the slaughter, destruction, or other disposition of livestock,
23 the owner may apply for indemnification. ~~All animals shall be~~
24 ~~treated as grade status animals for purposes of indemnification.~~
25 The director shall appraise and inventory the condemned
26 livestock. The appraisals and inventories shall be on forms
27 approved by the director. The director shall use state

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1 agricultural statistical service pricing information to determine
2 the value of condemned livestock. If state agricultural statis-
3 tical service pricing information is not available, the director
4 shall use agricultural pricing information from commercial live-
5 stock auction markets and other livestock market information as
6 determined by the director to determine the value of condemned
7 livestock. ~~Indemnification~~ EXCEPT AS OTHERWISE PROVIDED IN
8 SUBSECTION (3) AND UNTIL JANUARY 1, 2005, REGARDING ANY QUARAN-
9 TINE ON ANIMALS OR PREMISES ISSUED AFTER JANUARY 1, 1998,
10 INDEMNIFICATION shall be based upon ~~75%~~ 90% of the fair market
11 value of that type of livestock on the date of the appraisal ~~as~~
12 ~~if the livestock was grade status~~ and marketable for the purpose
13 for which the livestock was intended, not to exceed ~~-\$1,250.00-~~
14 \$3,000.00 for each animal ~~, less~~ EXCEPT THAT AFTER JANUARY 1,
15 2005, INDEMNIFICATION SHALL BE BASED UPON 75% OF THE FAIR MARKET
16 VALUE OF THAT TYPE OF LIVESTOCK ON THE DATE OF THE APPRAISAL AS
17 IF THE LIVESTOCK WAS GRADE STATUS AND MARKETABLE FOR THE PURPOSE
18 FOR WHICH THE LIVESTOCK WAS INTENDED, NOT TO EXCEED \$1,250.00 FOR
19 EACH ANIMAL. THE INDEMNIFICATION AMOUNT UNDER THIS SECTION SHALL
20 INCLUDE A DEDUCTION FOR any compensation received, or to be
21 received, from any other source including, but not limited to,
22 indemnification by the United States department of agriculture,
23 insurance, salvage value, or any monetary value obtained to
24 encourage disposal of infected or exposed livestock in accordance
25 with a disease control or eradication program. The owner shall
26 furnish to the department all records indicating other sources of
27 indemnity. An affidavit signed by the owner attesting to the

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1 amount of compensation for the livestock received or to be
2 received from any other source shall accompany the appraisal cer-
3 tificate prior to indemnification under this section.

4 (3) The department may provide for indemnity pursuant to
5 this section not to exceed \$10,000.00 per order, from any line
6 item in the annual budget for the department in the applicable
7 fiscal year. Any agreement greater than \$10,000.00 entered into
8 between the department and an owner of livestock shall contain a
9 provision indicating that, notwithstanding the terms of the
10 agreement, indemnification shall be subject to specific appropri-
11 ations by the legislature and not be paid from department funds.

12 (4) Acceptance of indemnification under this section does
13 not enlarge or diminish the owner's civil remedy against a person
14 responsible for the owner's loss except that acceptance of the
15 indemnity constitutes a release of the claim of the owner against
16 the state.

17 (5) The right to indemnity from the state for animals con-
18 demned and ordered slaughtered, destroyed, or otherwise disposed
19 of by the director applies only to native livestock.
20 Indemnification shall not apply to livestock determined by the
21 department to be imported without meeting import requirements
22 such as official interstate health certificate or official inter-
23 state certificate of veterinary inspection, required testing,
24 required vaccination, or for livestock determined by the depart-
25 ment to have been illegally moved within this state. An owner is
26 not entitled to indemnity from the state for an animal that comes
27 into the possession of the owner with the owner's knowledge that

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1 the animal is diseased or is suspected of having been exposed to
2 an infectious, contagious, or toxicological disease. In addi-
3 tion, the director shall not indemnify an owner for animals that
4 have been exposed to an animal that comes in to the possession of
5 the owner with the owner's knowledge that the animal is diseased
6 or is suspected of having been exposed to an infectious, conta-
7 gious, or toxicological disease.

8 (6) A premises that has been depopulated shall be cleaned
9 and disinfected as prescribed by the director.

10 (7) Repopulation of the premises, except as approved by the
11 director, shall not confer eligibility for future indemnity under
12 this section.

13 (8) The department may cooperate and coordinate with the
14 secretary of the United States department of agriculture or the
15 secretary's authorized representative or other governmental
16 departments or agencies regarding indemnification under this
17 section.

18 Sec. 30a. (1) Captive cervidae, except those consigned
19 directly to a state or federally inspected slaughter facility
20 premises, shall not be imported into this state ~~without a prior~~
21 ~~entry permit from the director and shall be~~ UNLESS accompanied
22 by an official interstate health certificate or official inter-
23 state certificate of veterinary inspection.

24 (2) Captive cervidae imported into this state shall be indi-
25 vidually identified by an official identification. The official
26 identification shall be listed on the official interstate health

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1 certificate or official interstate certificate of veterinary
2 inspection.

3 (3) Captive cervidae 6 months of age or older, except those
4 consigned directly to a state or federally inspected slaughter
5 facility premises, imported into this state shall test negative
6 to an official test for brucellosis within 30 days before
7 importation.

8 (4) Captive cervidae 6 months of age or older, except those
9 consigned directly to a state or federally inspected slaughter
10 facility premises, imported into this state shall meet interstate
11 tuberculosis testing requirements as defined in title 9 of the
12 code of federal regulations and the uniform methods and rules for
13 tuberculosis eradication in cervidae: uniform methods and rules
14 effective May 15, 1994, approved by veterinary services of the
15 animal and plant health inspection service of the United States
16 department of agriculture, and all amendments to those publica-
17 tions thereafter adopted pursuant to rules that the director may
18 promulgate.

19 (5) ALL CAPTIVE CERVIDAE LESS THAN 6 MONTHS OF AGE IMPORTED
20 INTO THIS STATE, EXCEPT THOSE CONSIGNED DIRECTLY TO A STATE OR
21 FEDERALLY INSPECTED SLAUGHTER FACILITY PREMISES, MUST ORIGINATE
22 DIRECTLY FROM AN OFFICIAL TUBERCULOSIS ACCREDITED OR QUALIFIED
23 HERD AS OUTLINED IN THE UNIFORM METHODS AND RULES FOR TUBERCULO-
24 SIS ERADICATION IN CERVIDAE EFFECTIVE MAY 15, 1994, APPROVED BY
25 VETERINARY SERVICES OF THE ANIMAL AND PLANT HEALTH INSPECTION
26 SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND ALL
27 AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER ADOPTED PURSUANT TO

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1 RULES THAT THE DIRECTOR MAY PROMULGATE, OR SHALL REMAIN AT THE
2 DESTINATION IDENTIFIED ON THE OFFICIAL INTERSTATE HEALTH CERTIFI-
3 CATE OR OFFICIAL CERTIFICATE OF VETERINARY INSPECTION UNTIL IT
4 RECEIVES AN OFFICIAL NEGATIVE TEST FOR TUBERCULOSIS WHEN IT IS AT
5 LEAST 6 MONTHS OF AGE, BUT NOT MORE THAN 8 MONTHS OF AGE. FOR
6 THE PURPOSES OF THIS SECTION, THE AGE OF THE CAPTIVE WHITE-TAILED
7 DEER OR CAPTIVE ELK SHALL BE DETERMINED BY THE AGE PLACED ON THE
8 OFFICIAL INTERSTATE HEALTH CERTIFICATE OR OFFICIAL CERTIFICATE OF
9 VETERINARY INSPECTION. A COPY OF THE OFFICIAL TEST FOR TUBERCU-
10 LOSIS AND A COPY OF THE OFFICIAL INTERSTATE HEALTH CERTIFICATE OR
11 OFFICIAL CERTIFICATE OF VETERINARY INSPECTION SHALL BE FORWARDED
12 TO THE DEPARTMENT WITHIN 10 DAYS FOLLOWING COMPLETION OF THE
13 TESTING.

14 (6) ~~-(5)-~~ Captive cervidae with a response other than nega-
15 tive to any tuberculosis test or brucellosis test are not eligi-
16 ble for interstate movement into this state without permission
17 from the director.

18 (7) ~~-(6)-~~ Captive cervidae known to be affected with or
19 exposed to tuberculosis or brucellosis are not eligible for
20 interstate movement into this state without permission from the
21 director.

22 Sec. 30b. (1) All live captive cervidae 6 months of age or
23 older EXCEPT CAPTIVE WHITE-TAILED DEER AND CAPTIVE ELK moving
24 from 1 premises to another premises within this state, except
25 those consigned directly to a state or federally inspected
26 slaughter facility premises, shall be accompanied by a copy of
27 the current official test for tuberculosis or written permission

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1 from the director and shall originate directly from accredited,
2 qualified, or monitored herds as defined in title 9 of the code
3 of federal regulations and the uniform methods and rules for the
4 control and eradication of bovine tuberculosis in cervidae
5 approved by veterinary services of the animal and plant health
6 inspection service of the U.S. department of agriculture and all
7 amendments thereafter to those publications adopted pursuant to
8 rules that the director may promulgate or originate from herds
9 not known to be affected with or exposed to tuberculosis and
10 accompanied by a certificate signed by an accredited veterinarian
11 stating that the captive cervidae have been classified negative
12 to an official tuberculosis test that was conducted within 90
13 days before their movement.

14 (2) ALL LIVE CAPTIVE WHITE-TAILED DEER AND CAPTIVE ELK 6
15 MONTHS OF AGE OR OLDER MOVING FROM 1 PREMISES TO ANOTHER PREMISES
16 WITHIN THIS STATE, EXCEPT THOSE CONSIGNED DIRECTLY TO A STATE OR
17 FEDERALLY INSPECTED SLAUGHTER FACILITY PREMISES, SHALL COMPLY
18 WITH 1 OF THE FOLLOWING:

19 (A) ORIGINATE DIRECTLY FROM AN OFFICIAL TUBERCULOSIS ACCRED-
20 ITED OR QUALIFIED HERD AS OUTLINED IN THE UNIFORM METHODS AND
21 RULES FOR TUBERCULOSIS ERADICATION IN CERVIDAE EFFECTIVE MAY 15,
22 1994, APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND PLANT
23 HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT OF
24 AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER
25 ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY PROMULGATE, AND
26 BE ACCOMPANIED BY A COPY OF THE CURRENT OFFICIAL LETTER FROM THE
27 MICHIGAN DEPARTMENT OF AGRICULTURE VERIFYING HERD STATUS.

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1 (B) ORIGINATE DIRECTLY FROM A HERD THAT HAS RECEIVED AN
2 OFFICIAL NEGATIVE TUBERCULOSIS TEST OF ALL CAPTIVE CERVIDAE 12
3 MONTHS OF AGE OR OLDER AND ALL CATTLE AND GOATS 6 MONTHS OF AGE
4 OR OLDER IN CONTACT WITH THE HERD, RECEIVE AN INDIVIDUAL NEGATIVE
5 OFFICIAL TEST FOR TUBERCULOSIS WITHIN 90 DAYS PRIOR TO MOVEMENT,
6 AND BE ACCOMPANIED BY A COPY OF THE OFFICIAL TESTS FOR TUBERCULO-
7 SIS VERIFYING THAT TESTING.

8 (C) BE ISOLATED FROM ALL OTHER MEMBERS OF THE HERD AND
9 RECEIVE 2 OFFICIAL NEGATIVE TESTS FOR TUBERCULOSIS AT 90- TO
10 120-DAY INTERVALS BEFORE MOVEMENT AND BE ACCOMPANIED BY COPIES OF
11 THE OFFICIAL TESTS FOR TUBERCULOSIS VERIFYING THAT TESTING.

12 (3) ALL LIVE CAPTIVE WHITE-TAILED DEER AND CAPTIVE ELK LESS
13 THAN 6 MONTHS OF AGE MOVING FROM 1 PREMISES TO ANOTHER PREMISES
14 WITHIN THIS STATE, EXCEPT THOSE CONSIGNED DIRECTLY TO A STATE OR
15 FEDERALLY INSPECTED SLAUGHTER FACILITY PREMISES, SHALL COMPLY
16 WITH 1 OF THE FOLLOWING:

17 (A) ORIGINATE DIRECTLY FROM AN OFFICIAL TUBERCULOSIS ACCRED-
18 ITED OR QUALIFIED HERD AS OUTLINED IN THE UNIFORM METHODS AND
19 RULES FOR TUBERCULOSIS ERADICATION IN CERVIDAE EFFECTIVE MAY 15,
20 1994, APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND PLANT
21 HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT OF
22 AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER
23 ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY PROMULGATE, BE
24 IDENTIFIED BY AN OFFICIAL IDENTIFICATION, AND BE ACCOMPANIED BY A
25 COPY OF THE CURRENT OFFICIAL LETTER FROM THE MICHIGAN DEPARTMENT
26 OF AGRICULTURE VERIFYING THE HERD STATUS.

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1 (B) ORIGINATE DIRECTLY FROM A HERD THAT HAS RECEIVED AN
2 OFFICIAL NEGATIVE TUBERCULOSIS TEST OF ALL CAPTIVE CERVIDAE 12
3 MONTHS OF AGE OR OLDER AND ALL CATTLE AND GOATS 6 MONTHS OF AGE
4 OR OLDER IN CONTACT WITH THE HERD, BE INDIVIDUALLY IDENTIFIED BY
5 AN OFFICIAL IDENTIFICATION, BE ACCOMPANIED BY AN OFFICIAL PERMIT
6 FOR MOVEMENT OF CAPTIVE WHITE-TAILED DEER AND CAPTIVE ELK LESS
7 THAN 6 MONTHS OF AGE WITHIN MICHIGAN ISSUED BY AN ACCREDITED VET-
8 ERINARIAN, AND REMAIN AT THE DESTINATION STATED ON THE PERMIT
9 UNTIL IT RECEIVES AN OFFICIAL NEGATIVE TUBERCULOSIS TEST WHEN IT
10 REACHES 6 MONTHS OF AGE, BUT NOT MORE THAN 8 MONTHS OF AGE. FOR
11 PURPOSES OF THIS SECTION, THE AGE OF THE CAPTIVE WHITE-TAILED
12 DEER OR CAPTIVE ELK SHALL BE DETERMINED BY THE AGE PLACED ON THE
13 OFFICIAL PERMIT FOR MOVEMENT OF CAPTIVE WHITE-TAILED DEER AND
14 CAPTIVE ELK LESS THAN 6 MONTHS OF AGE IN MICHIGAN BY THE ACCREDI-
15 TED VETERINARIAN. A COPY OF THE OFFICIAL TEST FOR TUBERCULOSIS
16 AND A COPY OF THE OFFICIAL PERMIT FOR MOVEMENT OF CAPTIVE
17 WHITE-TAILED DEER AND CAPTIVE ELK LESS THAN 6 MONTHS OF AGE
18 WITHIN MICHIGAN SHALL BE FORWARDED TO THE DEPARTMENT WITHIN 10
19 DAYS FOLLOWING COMPLETION OF THE TESTING.

20 (4) ~~(2)~~ Captive cervidae with a response other than nega-
21 tive to any tuberculosis test are not eligible for intrastate
22 movement without permission from the director.

23 (5) ~~(3)~~ Captive cervidae known to be affected with or
24 exposed to tuberculosis shall not be moved intrastate without
25 permission from the director.

26 (6) ~~(4)~~ The department shall keep a current database on
27 captive cervidae premises in this state. The database shall

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1 include the owner's name, the owner's current address, location
2 of captive cervidae, species of captive cervidae at the premises,
3 and the approximate number of captive cervidae at the premises.

4 SEC. 30C. (1) BEGINNING ON THE EFFECTIVE DATE OF THIS SEC-
5 TION, EACH OWNER OF ANY CAPTIVE WHITE-TAILED DEER FARM OR CAPTIVE
6 ELK FARM THAT DOES NOT POSSESS OFFICIAL TUBERCULOSIS ACCREDITED
7 OR QUALIFIED HERD STATUS AS DEFINED IN THE UNIFORM METHODS AND
8 RULES FOR TUBERCULOSIS ERADICATION IN CERVIDAE EFFECTIVE MAY 15,
9 1994, APPROVED BY THE VETERINARY SERVICES OF THE ANIMAL AND PLANT
10 HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT OF
11 AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER
12 ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY PROMULGATE, SHALL
13 CAUSE AN OFFICIAL TEST FOR TUBERCULOSIS TO BE CONDUCTED ON ALL
14 CAPTIVE CERVIDAE 12 MONTHS OF AGE OR OLDER, AND ALL CATTLE AND
15 GOATS 6 MONTHS OF AGE AND OLDER IN CONTACT WITH THE CAPTIVE
16 CERVIDAE. THIS TESTING SHALL BE COMPLETED WITHIN 18 MONTHS FOL-
17 LOWING THE EFFECTIVE DATE OF THIS SECTION. THE OWNER OF ANY CAP-
18 TIVE WHITE-TAILED DEER FARM OR CAPTIVE ELK FARM THAT BEGINS OPER-
19 ATION AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL COMPLETE THE
20 TESTING REQUIREMENT WITHIN 18 MONTHS FOLLOWING ASSEMBLY OF THE
21 HERD.

22 (2) BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, EACH
23 OWNER OF ANY CAPTIVE CERVIDAE RANCH SHALL CAUSE CAPTIVE CERVIDAE
24 REMOVED FROM THE HERD TO UNDERGO VISUAL INSPECTION BY A SPECIALLY
25 TRAINED ACCREDITED VETERINARIAN, APPROVED BY THE DIRECTOR, FOR
26 EVIDENCE OF TUBERCULOSIS. THE NUMBER OF ANIMALS TO BE INSPECTED
27 SHALL BE EQUAL TO THE NUMBER REQUIRED FOR ESTABLISHING AN

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1 OFFICIAL TUBERCULOSIS MONITORED HERD AS OUTLINED IN THE UNIFORM
2 METHODS AND RULES FOR TUBERCULOSIS ERADICATION IN CERVIDAE EFFEC-
3 TIVE MAY 15, 1994, APPROVED BY VETERINARY SERVICES OF THE ANIMAL
4 AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPART-
5 MENT OF AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS
6 THEREAFTER ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY
7 PROMULGATE. THE TESTING SHALL BE CONDUCTED OVER A
8 3-CONSECUTIVE-YEAR PERIOD AND BE COMPLETED WITHIN 5 YEARS FOLLOW-
9 ING THE EFFECTIVE DATE OF THIS SECTION. THE OWNER OF ANY CAPTIVE
10 CERVIDAE RANCH WHICH BEGINS OPERATION AFTER THE EFFECTIVE DATE OF
11 THIS SECTION SHALL COMPLETE THE REQUIRED TESTING WITHIN 5 YEARS
12 FOLLOWING ASSEMBLY OF THE HERD.