

SENATE BILL NO. 1282

September 16, 1998, Introduced by Senators MC MANUS, NORTH,
GOUGEON, EMMONS and SCHUETTE and referred to the Committee
on Farming, Agribusiness and Food Systems.

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

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 DOES
23 NOT HAVE ANY CAPTIVE WHITE-TAILED DEER OR CAPTIVE ELK REMOVED BY
24 THE HUNTING 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.

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

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.

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

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.

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

9 Sec. 9. (1) A person who discovers, suspects, or has reason
10 to believe that an animal is either affected by a reportable dis-
11 ease or contaminated with a toxic substance shall immediately
12 report that fact, suspicion, or belief to the director. The
13 director shall take appropriate action to investigate the
14 report. A person possessing an animal affected by, or suspected
15 of being affected by, a reportable disease or contaminated with a
16 toxic substance shall allow the director to examine the animal or
17 collect diagnostic specimens. The director may enter premises
18 where animals, animal products, or animal feeds are suspected of
19 being contaminated with an infectious or contagious disease, or a
20 disease caused by a toxic substance and seize or impound the
21 animal products or feed located on the premises. The director
22 may withhold a certain amount of animal products or feed for the
23 purpose of controlled research and testing. A person who know-
24 ingly possesses or harbors affected or suspected animals shall
25 not expose other animals to the affected or suspected animals or
26 otherwise move the affected or suspected animals or animals under
27 quarantine except with permission from the director.

1 (2) A person owning animals shall provide reasonable
2 assistance to the director during the examination and necessary
3 testing procedures.

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

6 (4) A person shall not remove or alter the identification of
7 an animal for the purpose of misrepresentation of the animal's
8 identity or the ownership of the animal. A person shall not make
9 misrepresentations concerning the animal's health status to a
10 potential buyer.

11 (5) THE DIRECTOR MAY DEVISE AND IMPLEMENT A PROGRAM TO COM-
12 PENSATE LIVESTOCK OWNERS FOR LIVESTOCK THAT DIE OR NEED TO BE
13 DESTROYED FOR HUMANE PURPOSES WHILE THE LIVESTOCK ARE BEING
14 TESTED OR UNDER A SURVEILLANCE PROGRAM FOR A REPORTABLE DISEASE.

15 Sec. 14. (1) If it is determined by the director that the
16 control or eradication of a disease or condition of livestock
17 warrants the slaughter, destruction, or other disposition of the
18 livestock, the director shall order the slaughter, destruction,
19 or other disposition of the livestock. If the director has
20 signed an order for the slaughter, destruction, or other disposi-
21 tion of livestock, the director shall notify the attorney general
22 and the house and senate appropriations committees and the
23 department of management and budget on the issue of indemnity
24 under this section. The director may approve facilities for the
25 orderly disposal of animals, animal products, and animal feeds
26 for the purpose of controlling or preventing the spread of an
27 infectious, contagious, or toxicological disease. The director

1 may select a site or method for the disposal with the advice of
2 the director of the department of environmental quality.

3 (2) The director may, under rules promulgated by the depart-
4 ment, allow indemnification for the slaughter, destruction, or
5 other disposition of animals due to livestock diseases or toxico-
6 logical contamination. If the director has signed an order for
7 the slaughter, destruction, or other disposition of livestock,
8 the owner may apply for indemnification. All animals shall be
9 treated as grade status animals for purposes of indemnification.
10 The director shall appraise and inventory the condemned
11 livestock. The appraisals and inventories shall be on forms
12 approved by the director. The director shall use state agricul-
13 tural statistical service pricing information to determine the
14 value of condemned livestock. If state agricultural statistical
15 service pricing information is not available, the director shall
16 use agricultural pricing information from commercial livestock
17 auction markets and other livestock market information as deter-
18 mined by the director to determine the value of condemned
19 livestock. Indemnification shall be based upon ~~75% of~~ the fair
20 market value of that type of livestock on the date of the
21 appraisal as if the livestock was grade status and marketable for
22 the purpose for which the livestock was intended ~~, not to exceed~~
23 ~~\$1,250.00 for each animal,~~ less any compensation received, or to
24 be received, from any other source including, but not limited to,
25 indemnification by the United States department of agriculture,
26 insurance, salvage value, or any monetary value obtained to
27 encourage disposal of infected or exposed livestock in accordance

1 with a disease control or eradication program. The owner shall
2 furnish to the department all records indicating other sources of
3 indemnity. An affidavit signed by the owner attesting to the
4 amount of compensation for the livestock received or to be
5 received from any other source shall accompany the appraisal cer-
6 tificate prior to indemnification under this section.

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

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

20 (5) The right to indemnity from the state for animals con-
21 demned and ordered slaughtered, destroyed, or otherwise disposed
22 of by the director applies only to native livestock.
23 Indemnification shall not apply to livestock determined by the
24 department to be imported without meeting import requirements
25 such as official interstate health certificate or official inter-
26 state certificate of veterinary inspection, required testing,
27 required vaccination, or for livestock determined by the

1 department to have been illegally moved within this state. An
2 owner is not entitled to indemnity from the state for an animal
3 that comes into the possession of the owner with the owner's
4 knowledge that the animal is diseased or is suspected of having
5 been exposed to an infectious, contagious, or toxicological
6 disease. In addition, the director shall not indemnify an owner
7 for animals that have been exposed to an animal that comes in to
8 the possession of the owner with the owner's knowledge that the
9 animal is diseased or is suspected of having been exposed to an
10 infectious, contagious, or toxicological disease.

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

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

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

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

1 (2) Captive cervidae imported into this state shall be
2 individually identified by an official identification. The
3 official identification shall be listed on the official inter-
4 state health certificate or official interstate certificate of
5 veterinary inspection.

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

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

22 (5) ALL CAPTIVE WHITE-TAILED DEER AND CAPTIVE ELK LESS THAN
23 6 MONTHS OF AGE IMPORTED INTO THIS STATE, EXCEPT THOSE CONSIGNED
24 DIRECTLY TO A STATE OR FEDERALLY INSPECTED SLAUGHTER FACILITY
25 PREMISES, MUST ORIGINATE DIRECTLY FROM AN OFFICIAL TUBERCULOSIS
26 ACCREDITED OR QUALIFIED HERD AS OUTLINED IN THE UNIFORM METHODS
27 AND RULES FOR TUBERCULOSIS ERADICATION IN CERVIDAE EFFECTIVE

1 MAY 15, 1994, APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND
2 PLANT HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT
3 OF AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAF-
4 TER ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY PROMULGATE,
5 OR SHALL REMAIN AT THE DESTINATION IDENTIFIED ON THE OFFICIAL
6 INTERSTATE HEALTH CERTIFICATE OR OFFICIAL CERTIFICATE OF VETERI-
7 NARY INSPECTION UNTIL IT RECEIVES AN OFFICIAL NEGATIVE TEST FOR
8 TUBERCULOSIS WHEN IT IS AT LEAST 6 MONTHS OF AGE, BUT NOT MORE
9 THAN 8 MONTHS OF AGE. FOR THE PURPOSES OF THIS SECTION, THE AGE
10 OF THE CAPTIVE WHITE-TAILED DEER OR CAPTIVE ELK SHALL BE DETER-
11 MINED BY THE AGE PLACED ON THE OFFICIAL INTERSTATE HEALTH CERTIF-
12 ICATE OR OFFICIAL INTERSTATE CERTIFICATE OF VETERINARY
13 INSPECTION. A COPY OF THE OFFICIAL TEST FOR TUBERCULOSIS AND A
14 COPY OF THE OFFICIAL INTERSTATE HEALTH CERTIFICATE OR OFFICIAL
15 INTERSTATE CERTIFICATE OF VETERINARY INSPECTION SHALL BE FOR-
16 WARDED TO THE DEPARTMENT WITHIN 10 DAYS FOLLOWING COMPLETION OF
17 THE TESTING.

18 (6) ~~-(5)-~~ Captive cervidae with a response other than nega-
19 tive to any tuberculosis test or brucellosis test are not eligi-
20 ble for interstate movement into this state without permission
21 from the director.

22 (7) ~~-(6)-~~ Captive cervidae known to be affected with or
23 exposed to tuberculosis or brucellosis are not eligible for
24 interstate movement into this state without permission from the
25 director.

26 Sec. 30b. (1) All live captive cervidae 6 months of age or
27 older EXCEPT CAPTIVE WHITE-TAILED DEER AND CAPTIVE ELK moving

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

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

23 (A) ORIGINATE DIRECTLY FROM AN OFFICIAL TUBERCULOSIS ACCRED-
24 ITED OR QUALIFIED HERD AS OUTLINED IN THE UNIFORM METHODS AND
25 RULES FOR TUBERCULOSIS ERADICATION IN CERVIDAE EFFECTIVE MAY 15,
26 1994, APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND PLANT
27 HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT OF

1 AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER
2 ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY PROMULGATE, AND
3 BE ACCOMPANIED BY A COPY OF THE CURRENT OFFICIAL LETTER FROM THE
4 MICHIGAN DEPARTMENT OF AGRICULTURE VERIFYING HERD STATUS.

5 (B) ORIGINATE DIRECTLY FROM A HEAD THAT HAS RECEIVED A COM-
6 PLETE NEGATIVE TEST OF ALL CAPTIVE CERVIDAE 12 MONTHS OF AGE OR
7 OLDER AND ALL CATTLE AND GOATS 6 MONTHS OF AGE OR OLDER IN CON-
8 TACT WITH THE HERD, RECEIVE AN INDIVIDUAL NEGATIVE OFFICIAL TEST
9 FOR TUBERCULOSIS WITHIN 90 DAYS PRIOR TO MOVEMENT, AND BE ACCOM-
10 PANIED BY A COPY OF THE OFFICIAL TESTS FOR TUBERCULOSIS VERIFYING
11 THAT TESTING.

12 (C) BE ISOLATED FROM ALL OTHER MEMBERS OF THE HERD AND
13 RECEIVE 2 OFFICIAL NEGATIVE TESTS FOR TUBERCULOSIS AT 90- TO
14 120-DAY INTERVALS BEFORE MOVEMENT AND BE ACCOMPANIED BY COPIES OF
15 THE OFFICIAL TESTS FOR TUBERCULOSIS VERIFYING THAT TESTING.

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

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

1 IDENTIFIED BY AN OFFICIAL IDENTIFICATION, AND BE ACCOMPANIED BY A
2 COPY OF THE CURRENT OFFICIAL LETTER FROM THE MICHIGAN DEPARTMENT
3 OF AGRICULTURE VERIFYING THE HERD STATUS.

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

23 (4) ~~-(2)-~~ Captive cervidae with a response other than nega-
24 tive to any tuberculosis test are not eligible for intrastate
25 movement without permission from the director.

1 (5) ~~(3)~~ Captive cervidae known to be affected with or
2 exposed to tuberculosis shall not be moved intrastate without
3 permission from the director.

4 (6) ~~(4)~~ The department shall keep a current database on
5 captive cervidae premises in this state. The database shall
6 include the owner's name, the owner's current address, location
7 of captive cervidae, species of captive cervidae at the premises,
8 and the approximate number of captive cervidae at the premises.

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

1 (2) BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, EACH
2 OWNER OF ANY CAPTIVE CERVIDAE RANCH SHALL CAUSE CAPTIVE CERVIDAE
3 REMOVED FROM THE HERD TO UNDERGO VISUAL INSPECTION BY A SPECIALLY
4 TRAINED ACCREDITED VETERINARIAN, APPROVED BY THE DIRECTOR, FOR
5 EVIDENCE OF TUBERCULOSIS. THE NUMBER OF ANIMALS TO BE INSPECTED
6 SHALL BE EQUAL TO THE NUMBER REQUIRED FOR ESTABLISHING AN OFFI-
7 CIAL TUBERCULOSIS MONITORED HERD AS OUTLINED IN THE UNIFORM
8 METHODS AND RULES FOR TUBERCULOSIS ERADICATION IN CERVIDAE EFFEC-
9 TIVE MAY 15, 1994, APPROVED BY VETERINARY SERVICES OF THE ANIMAL
10 AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPART-
11 MENT OF AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS
12 THEREAFTER ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY
13 PROMULGATE. THE TESTING SHALL BE CONDUCTED OVER A
14 3-CONSECUTIVE-YEAR PERIOD AND BE COMPLETED WITHIN 5 YEARS FOLLOW-
15 ING THE EFFECTIVE DATE OF THIS SECTION. THE OWNER OF ANY CAPTIVE
16 CERVIDAE RANCH WHICH BEGINS OPERATION AFTER THE EFFECTIVE DATE OF
17 THIS SECTION SHALL COMPLETE THE REQUIRED TESTING WITHIN 5 YEARS
18 FOLLOWING ASSEMBLY OF THE HERD.