

**SB 1339, As Passed Senate, September 26, 2000**

**SUBSTITUTE FOR  
SENATE BILL NO. 1339**

A bill to amend 1988 PA 466, entitled  
"Animal industry act of 1987,"  
by amending sections 1, 3, 4, 5, 6, 8, 9, 12, 14, 15, 16, 19, 20,  
23, 26, 28, 29, 29a, 30, 30a, 30b, 30c, 31, 33, 35, 39, 40, 41,  
42, 44, and 45 (MCL 287.701, 287.703, 287.704, 287.705, 287.706,  
287.708, 287.709, 287.712, 287.714, 287.715, 287.716, 287.719,  
287.720, 287.723, 287.726, 287.728, 287.729, 287.729a, 287.730,  
287.730a, 287.730b, 287.730c, 287.731, 287.733, 287.735, 287.739,  
287.740, 287.741, 287.742, 287.744, and 287.745), sections 3, 8,  
9, 14, 30a, and 30b as amended and section 30c added by 1998 PA  
552, sections 4, 5, 6, 12, 16, 19, 20, 23, 28, 29, 30, 33, 39,  
40, 41, 42, and 44 as amended and section 29a as added by 1996 PA  
369, section 15 as amended by 1990 PA 40, and sections 26, 31,  
and 35 as amended by 1994 PA 41, and by adding sections 11a, 11b,  
13a, 26a, and 30d; and to repeal acts and parts of acts.

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**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. (1) This act shall be known and may be cited as the  
2 "animal industry act". ~~of 1987".~~

3       (2) THIS ACT IS INTENDED TO PROTECT THE HEALTH, SAFETY, AND  
4 WELFARE OF HUMANS AND ANIMALS, TO BE CONSISTENT WITH APPLICABLE  
5 FEDERAL AND STATE LAWS, AND SHALL BE SO CONSTRUED.

6       Sec. 3. (1) "Accredited veterinarian" means a veterinarian  
7 approved by the ~~United States department of agriculture to per-~~  
8 ~~form specific functions required by cooperative state-federal~~  
9 ~~disease control and eradication programs~~ DEPUTY ADMINISTRATOR OF  
10 THE UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT  
11 HEALTH INSPECTION SERVICE, VETERINARY SERVICES IN ACCORDANCE WITH  
12 PROVISIONS OF 9 C.F.R. PART 161. AN ACCREDITED VETERINARIAN IS  
13 CONSIDERED PREAPPROVED TO PERFORM CERTAIN FUNCTIONS OF FEDERAL  
14 AND COOPERATIVE STATE/FEDERAL PROGRAMS.

15       (2) "Animal" means mollusks, crustaceans, and vertebrates  
16 other than human beings INCLUDING, BUT NOT LIMITED TO, LIVESTOCK,  
17 EXOTIC ANIMALS, AQUACULTURE, AND DOMESTIC ANIMALS.

18       (3) "ANIMAL MOVEMENT CERTIFICATE" MEANS A PRINTED FORM  
19 ADOPTED BY THE DEPARTMENT AND COMPLETED AND ISSUED BY THE DIREC-  
20 TOR THAT CONTAINS, AT A MINIMUM, THE FOLLOWING INFORMATION  
21 REGARDING ANIMALS OR AN ANIMAL:

22       (A) THE POINT OF ORIGIN AND POINT OF DESTINATION.

23       (B) OFFICIAL IDENTIFICATION.

24       (C) ANTICIPATED MOVEMENT DATE.

25       (D) ANY REQUIRED OFFICIAL TEST RESULTS FOR BOVINE  
26 TUBERCULOSIS.

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1       (4) ~~-(3)-~~ "Aquaculture" means the commercial husbandry of  
2 aquaculture species on the approved list of aquaculture species  
3 under the Michigan aquaculture development act, 1996 PA 199,  
4 MCL 286.871 TO 286.884, including, but not limited to, the cul-  
5 turing, producing, growing, using, propagating, harvesting,  
6 transporting, importing, exporting, or marketing of any products,  
7 coproducts, or by-products of fish, crustaceans, mollusks, rep-  
8 tiles, and amphibians, reared or cultured under controlled condi-  
9 tions in an aquaculture facility.

10       (5) ~~-(4)-~~ "Aquaculture facility" means ~~a farm or farm oper=~~  
11 ~~ation engaged in any aspect of aquaculture in privately con=~~  
12 ~~trolled waters capable of holding all life stages of aquacultural~~  
13 ~~species with a barrier or enclosure designed to prevent their~~  
14 ~~escape into waters of the state. An aquaculture facility does~~  
15 ~~not include any facility not regulated~~ THAT TERM AS DEFINED  
16 under the Michigan aquaculture development act, 1996 PA 1999,  
17 MCL 286.871 TO 286.884.

18       (6) ~~-(5)-~~ "Approved vaccine" means a veterinary biological  
19 administered to livestock or other animals to induce immunity in  
20 the recipient. The use of the approved vaccine in this state  
21 shall be approved by the state veterinarian.

22       ~~-(6)-~~ "Captive cervidae" means ~~members of the cervidae family~~  
23 ~~including, but not limited to, deer, elk, moose, and caribou~~  
24 ~~living under the husbandry of humans.~~

25       ~~-(7)-~~ "Captive cervidae ranch" means ~~any premises that con=~~  
26 ~~tains 1 or more captive white-tailed deer or captive elk and has~~

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1 ~~captive white-tailed deer or captive elk removed by the hunting~~  
2 ~~method.~~

3 ~~(8) "Captive elk farm" means any premises that contains 1 or~~  
4 ~~more captive elk and does not have any captive elk removed by the~~  
5 ~~hunting method.~~

6 ~~(9) "Captive white-tailed deer farm" means any premises that~~  
7 ~~contains 1 or more captive white-tailed deer and does not have~~  
8 ~~any captive white-tailed deer removed by the hunting method.~~

9 (7) ~~(10)~~ "Carcasses" means the dead bodies of animals,  
10 poultry, or ~~fish~~ AQUACULTURE. Carcasses do not include  
11 rendered products.

12 (8) ~~(11)~~ "Cattle" means all bovine (genus bos) animals,  
13 bovinelike animals (genus bison) also commonly referred to as  
14 American buffalo or bison and any cross of these species unless  
15 otherwise specifically provided.

16 (9) ~~(12)~~ "Cattle importation lot" means a premises regis-  
17 tered with the department and used only to feed cattle in prepa-  
18 ration for slaughter.

19 (10) ~~(13)~~ "Commingling" means concurrently or subsequently  
20 sharing or subsequent use by ~~native~~ livestock OR OTHER DOMESTIC  
21 ANIMALS of the same pen or same section in a facility or same  
22 section in a transportation unit where there is physical contact  
23 or contact with bodily excrements or fluids from other livestock  
24 OR DOMESTIC ANIMALS.

25 (11) ~~(14)~~ "Consignee" means the person ~~within the state~~  
26 ~~of Michigan~~ receiving the animals at the point of destination  
27 named on the official interstate OR INTRASTATE health

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1 certificate, official interstate certificate of veterinary  
2 inspection, ENTRY AUTHORIZATION FORM, owner-shipper statement, or  
3 sales invoice.

4       (12) ~~-(15)-~~ "Contagious disease" means an illness due to a  
5 specific infectious agent or suspected infectious agent or its  
6 toxic products which arises through transmission of that agent or  
7 its products from an infected animal, or inanimate reservoir to a  
8 susceptible host, either directly or indirectly through an inter-  
9 mediate plant or animal host, vector, or the inanimate environ-  
10 ment, or via an airborne mechanism.

11       (13) "DEALER" MEANS ANY PERSON ENGAGED IN THE BUSINESS OF  
12 BUYING, RECEIVING, SELLING, EXCHANGING, TRANSPORTING, NEGOTIAT-  
13 ING, OR SOLICITING THE SALE, RESALE, EXCHANGE, TRANSPORTATION, OR  
14 TRANSFER OF LIVESTOCK. THIS ACT DOES NOT EXEMPT A PERSON FROM  
15 LICENSURE IF OTHERWISE REQUIRED TO BE LICENSED UNDER 1937 PA 284,  
16 MCL 287.121 TO 287.131.

17       (14) ~~-(16)-~~ "Department" means the department of  
18 agriculture.

19       (15) ~~-(17)-~~ "Direct movement" means transfer of animals to a  
20 destination without unloading the animals en route and without  
21 exposure to any other animals or bodily excrements or fluids from  
22 other animals.

23       (16) ~~-(18)-~~ "Director" means the director of the department  
24 of agriculture or his or her authorized representative.

25       (17) ~~-(19)-~~ "Disease" means any animal health issue with  
26 economic impacts in terms of restricted movement or markets,

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1 whether due to residues, metabolic problems, public health  
2 concerns, multiple causes, or food safety issues.

3       (18) ~~-(20)-~~ "Distribute" means to deliver other than by  
4 administering or dispensing a veterinary biological.

5       (19) ~~-(21)-~~ "Domestic animal" means those species of animals  
6 ~~indigenous to North America which have lived~~ THAT LIVE under  
7 the husbandry of humans.

8       (20) ~~-(22)-~~ "Emergency fish diseases" means certain infec-  
9 tious diseases of fish that are transmissible directly or indi-  
10 rectly from 1 fish to another and are not known to exist within  
11 the waters of the state. Emergency fish diseases include, but  
12 are not limited to, viral hemorrhagic septicemia, infectious  
13 hematopoietic necrosis, ceratomyxosis, and proliferative kidney  
14 disease.

15       (21) ~~-(23)-~~ "Equine" means all animals of the equine family  
16 which includes horses, asses, jacks, jennies, hinnies, mules,  
17 donkeys, burros, ponies, and zebras.

18       (22) ~~-(24)-~~ "Exhibition or exposition" means a congregation,  
19 gathering, or collection of livestock that are presented or  
20 exposed to public view for show, display, swap, exchange, enter-  
21 tainment, educational event, instruction, advertising, or  
22 competition. Exhibition or exposition does not include livestock  
23 for sale at public stockyards, auctions, saleyards, and livestock  
24 yards licensed under the provisions of 1937 PA 284, MCL 287.121  
25 to 287.131.

26       (23) ~~-(25)-~~ "Exhibition facility" means any facility used or  
27 intended to be used for public view, show, display, swap,

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1 exchange, entertainment, advertisement, educational event, or  
2 competition involving livestock. Exhibition facility does not  
3 include a public stockyard, an auction saleyard, and a livestock  
4 yard where livestock are accepted on consignment and the auction  
5 method is used in the marketing of the livestock.

6 (24) ~~-(26)-~~ "Exhibitor" means any person who presents live-  
7 stock for public display, exhibition, or competition or enters  
8 livestock in a fair, show, exhibition, or exposition.

9 (25) ~~-(27)-~~ "Exotic animal" means those animals that are not  
10 domestic or any cross of those animals not domestic to North  
11 America.

12 (26) ~~-(28)-~~ "Fair" means a competition and educational exhi-  
13 bition of agricultural commodities and manufactured products for  
14 which premiums may be paid and which is conducted by an associa-  
15 tion or governmental entity.

16 (27) ~~-(29)-~~ "Feral swine" means swine which have lived their  
17 life or any part of their life as free roaming or not under the  
18 husbandry of humans.

19 Sec. 4. (1) "Fish disease inspection report" means a docu-  
20 ment available from the great lakes fishery commission completed  
21 by a fish health official giving evidence of inspections and  
22 diagnostic work performed.

23 (2) "Fish health official" means a fish health specialist  
24 identified by member agencies of the great lakes fish disease  
25 control committee to the chair of the great lakes fish disease  
26 control committee responsible for conducting fish-hatchery  
27 inspections and the issuance of inspection reports.

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1       (3) "Flock" means all of the poultry on 1 premises or, upon  
2 the discretion of the department, a group of poultry that is seg-  
3 regated from all other poultry for at least 21 days.

4       (4) "Garbage" means any animal origin products, including  
5 those of poultry and fish origin, or other animal material  
6 resulting from the handling, processing, preparation, cooking,  
7 and consumption of foods. Garbage includes, but is not limited  
8 to, any refuse of any type that has been associated with any such  
9 material at any time during the handling, preparation, cooking,  
10 or consumption of food. Garbage does not include rendered pro-  
11 ducts or manure.

12       (5) "Grade status" means an animal for which no proof of  
13 registration with an appropriate breed registry is provided.

14       (6) "Hatchery" means incubators, hatchers, and auxiliary  
15 equipment on 1 premises operated and controlled for the purpose  
16 of hatching poultry.

17       (7) "Hatching poultry eggs" means eggs for use in a hatchery  
18 to produce young poultry or to produce embryonated eggs.

19       (8) "Herd or flock of origin" means any herd or flock in  
20 which animals are born and remain until movement or any herd or  
21 flock which animals remain for at least 30 days immediately fol-  
22 lowing direct movement into the herd or flock from another herd  
23 or flock. HERD OR FLOCK OF ORIGIN INCLUDES THE PLACE OF ORIGIN,  
24 PREMISES OF ORIGIN, AND FARM OF ORIGIN.

25       (9) "Infectious disease" means an infection or disease due  
26 to the invasion of the body by pathogenic organisms.



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1       (10) "Isolated" means the physical separation of animals by  
2 a physical barrier in such a manner that other animals do not  
3 have access to the isolated animals' body, excrement, or dis-  
4 charges, not allowing the isolated animals to share a building  
5 with a common ventilation system with other animals, and not  
6 allowing the isolated animals to be within 10 feet of other ani-  
7 mals if not sharing a building with a common ventilation system.  
8 Isolated animals have a noncommon feed and water system separate  
9 from other animals.

10       Sec. 5. (1) "Law enforcement ~~agent~~ AGENCY" means ~~an~~  
11 ~~officer of~~ the department of state police, THE DEPARTMENT OF  
12 NATURAL RESOURCES, or ~~of~~ a law enforcement agency of a county,  
13 township, city, or village ~~who~~ THAT is responsible for the pre-  
14 vention and detection of crime and enforcement of the criminal  
15 laws of this state.

16       (2) "Livestock" means those species of animals used for  
17 human food and fiber or those species of animals used for service  
18 to humans. Livestock includes, but is not limited to, cattle,  
19 sheep, new world camelids, goats, bison, ~~captive cervidae~~  
20 PRIVATELY OWNED CERVIDS, ratites, swine, equine, poultry, aqua-  
21 culture, and rabbits. Livestock does not include dogs and cats.

22       (3) "Livestock auction market" means a livestock market  
23 where livestock is accepted on consignment and the auction method  
24 is used in the marketing of consigned livestock as defined in  
25 ~~Act No. 284 of the Public Acts of 1937, being sections 287.121~~  
26 ~~to 287.131 of the Michigan Compiled Laws 1937 PA 284,~~  
27 MCL 287.121 TO 287.131.

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1 (4) "National poultry improvement plan" means a plan for the  
2 control or eradication of certain poultry diseases which is pub-  
3 lished in ~~parts 145 and 147 of subchapter G of chapter 1,~~  
4 ~~title 9 of the code of federal regulations~~ 9 C.F.R. PARTS 145  
5 AND 147.

6 (5) "Native" means born and raised in this state, or legally  
7 imported into the state and having complied with entry require-  
8 ments prescribed by the director, and having been maintained in  
9 the state for at least 45 days.

10 (6) "Neutered" means sterilization by 1 of the following  
11 methods only:

12 (a) Chemical.

13 (b) Castration.

14 (c) Clamping.

15 (d) Banding.

16 (e) Spaying.

17 (7) "New world camelids" means animals belonging to the  
18 genus llama and vicuna of the family camelidae of the order  
19 artiodactyla including, but not limited to, the llama, alpaca,  
20 vicuna, and guanaco.

21 (8) "Offal" means the waste parts resulting from the pro-  
22 cessing of animals, poultry, and fish. Offal does not include  
23 rendered products.

24 Sec. 6. (1) "Official calfhood vaccinate" means female  
25 cattle that are vaccinated by an accredited veterinarian with a  
26 United States department of agriculture approved brucella abortus

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1 vaccine in accordance with procedures and at an age approved by  
2 the director.

3       (2) "Official identification" means an identification ear  
4 tag, ~~or ear~~ tattoo, ELECTRONIC IDENTIFICATION, or other identi-  
5 fication approved by the United States department of agriculture  
6 or the department.

7       (3) "Official interstate health certificate" or "official  
8 interstate certificate of veterinary inspection" means a printed  
9 form adopted by any state that documents the information required  
10 under section 20 and that is issued for animals being imported to  
11 or exported from this state within 30 days before the importation  
12 or exportation of the animals it describes. A photocopy of an  
13 official interstate health certificate or an official interstate  
14 certificate of veterinary inspection is an official copy if cer-  
15 tified as a true copy by the issuing veterinarian or a livestock  
16 health official of the state of origin.

17       (4) "Official test" means a sample of specific material col-  
18 lected from an animal by an accredited veterinarian or other  
19 person authorized by the director, and analyzed by a laboratory  
20 certified by the United States department of agriculture or the  
21 department to conduct the test, or a diagnostic injection admin-  
22 istered and analyzed by an accredited veterinarian. An official  
23 test shall be conducted only by an accredited veterinarian except  
24 under special permission by the director.

25       (5) "Official vaccination" means a vaccination that the  
26 director has designated as reportable. An official vaccination

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1 shall be administered by an accredited veterinarian and  
2 documented on a form supplied by the department.

3 (6) "Originate" refers to direct movement of animals from a  
4 herd or flock of origin.

5 (7) "Over 19 months of age" means cattle that have the first  
6 pair of permanent incisor teeth visibly present unless the owner  
7 can document the exact age. Parturient or postparturient heif-  
8 ers, regardless of their age, are considered over 19 months of  
9 age.

10 (8) "Person" means an individual, partnership, corporation,  
11 cooperative, association, joint venture, or other legal entity  
12 — including, but not limited to, contractual relationships.

13 (9) "Poultry" means but is not limited to chickens, guinea  
14 fowl, turkeys, waterfowl, pigeons, doves, peafowl, and game birds  
15 that are propagated and maintained under the husbandry of  
16 humans.

17 (10) "Prior entry permit" means a code that is obtained from  
18 the department for specific species of livestock imported into  
19 the state that is recorded on the official interstate health cer-  
20 tificate or official interstate certificate of veterinary  
21 inspection.

22 (11) "PRIVATELY OWNED CERVID" MEANS ALL SPECIES OF THE  
23 CERVID FAMILY INCLUDING, BUT NOT LIMITED TO, DEER, ELK, MOOSE,  
24 AND ALL OTHER MEMBERS OF THE FAMILY CERVIDAE RAISED OR MAINTAINED  
25 IN CAPTIVITY FOR THE PRODUCTION OF MEAT AND OTHER AGRICULTURAL  
26 PRODUCTS, SPORT, EXHIBITION, OR ANY OTHER PURPOSE. A PRIVATELY

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1 OWNED CERVID AT LARGE WILL CONTINUE TO BE CONSIDERED A PRIVATELY  
2 OWNED CERVID AS LONG AS IT BEARS OFFICIAL IDENTIFICATION.

3 (12) "PRIVATELY OWNED CERVID FARM" MEANS ANY PRIVATE OR  
4 PUBLIC PREMISES THAT CONTAINS 1 OR MORE PRIVATELY OWNED CERVIDS  
5 AND DOES NOT HAVE ANY PRIVATELY OWNED CERVIDS REMOVED BY THE  
6 HUNTING METHOD.

7 (13) "PRIVATELY OWNED CERVID RANCH" MEANS ANY PRIVATE OR  
8 PUBLIC PREMISES THAT CONTAINS 1 OR MORE PRIVATELY OWNED CERVIDS  
9 AND HAS PRIVATELY OWNED CERVIDS REMOVED BY THE HUNTING METHOD.

10 (14) "PRIVATELY OWNED WHITE-TAILED DEER OR ELK RANCH" MEANS  
11 ANY PRIVATE OR PUBLIC PREMISES THAT CONTAIN 1 OR MORE PRIVATELY  
12 OWNED WHITE-TAILED DEER OR PRIVATELY OWNED ELK AND HAS PRIVATELY  
13 OWNED WHITE-TAILED DEER OR PRIVATELY OWNED ELK REMOVED BY THE  
14 HUNTING METHOD.

15 (15) ~~-(11)-~~ "Pullorum-typhoid" means a disease of poultry  
16 caused by both salmonella pullorum and salmonella gallinarum.

17 (16) ~~-(12)-~~ "Pullorum-typhoid clean flock" means a flock  
18 that receives and maintains this status by fulfilling the  
19 requirements prescribed in the national poultry improvement  
20 plan.

21 (17) ~~-(13)-~~ "Quarantine" means enforced ~~restriction of a~~  
22 ~~premises or isolation and restriction of free movement imposed on~~  
23 ~~an animal~~ ISOLATION OF ANY ANIMAL OR GROUP OF ANIMALS OR  
24 RESTRICTION OF MOVEMENT OF AN ANIMAL OR GROUP OF ANIMALS TO OR  
25 FROM ANY STRUCTURE, PREMISES, OR AREA OF THIS STATE INCLUDING THE  
26 ENTIRETY OF THIS STATE.

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1       (18) ~~-(14)-~~ "Ratite" means flightless birds having a flat  
2 breastbone without the keellike prominence characteristic of most  
3 flying birds. Ratites include, but are not limited to, casso-  
4 waries, kiwis, ostriches, emus, and rheas.

5       (19) ~~-(15)-~~ "Reasonable assistance" means safely controlling  
6 an animal by corralling, stabling, kenneling, holding, tying,  
7 chemically restraining, or confining by halter or leash or crowd-  
8 ing the animal in a safe and sensible manner so an examination or  
9 testing procedure considered necessary by the director can be  
10 performed.

11       (20) ~~-(16)-~~ "Rendered products" means waste material derived  
12 in whole or in part from meat of any animal or other animal mate-  
13 rial and other refuse of any character whatsoever that has been  
14 associated with any such material at any time during the han-  
15 dling, preparation, cooking, or consumption of food that has been  
16 ground and heat-treated to a minimum temperature of 230 degrees  
17 Fahrenheit to make products including, but not limited to, animal  
18 protein meal, poultry protein meal, fish protein meal, grease, or  
19 tallow. Rendered products also include bakery wastes, eggs,  
20 candy wastes, and domestic dairy products including, but not  
21 limited to, milk.

22       (21) ~~-(17)-~~ "Reportable disease" means an animal disease on  
23 the current reportable animal disease list maintained by the  
24 state veterinarian that poses a serious threat to the livestock  
25 industry, public health, or human food chain.

26       (22) ~~-(18)-~~ "Slaughter facility premises" means all  
27 facilities, buildings, structures, including all immediate

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1 grounds where slaughtering occurs under federal or state  
2 inspection, or otherwise authorized by the director.

3       (23) ~~-(19)-~~ "Sow" means any female swine that has farrowed  
4 or given birth to or aborted 1 litter or more.

5       (24) ~~-(20)-~~ "State veterinarian" means the chief animal  
6 health official of the state as appointed by the director under  
7 section 7, or his or her authorized representative.

8       (25) ~~-(21)-~~ "Swine" means any of the ungulate mammals of the  
9 family suidae.

10       (26) "TERMINAL OPERATION" MEANS A FACILITY FOR CATTLE AND  
11 GOATS TO ALLOW FOR CONTINUED GROWTH AND FINISHING UNTIL SUCH TIME  
12 AS THE CATTLE AND GOATS ARE SHIPPED DIRECTLY TO SLAUGHTER.

13       (27) ~~-(22)-~~ "Toxic substance" means a natural or synthetic  
14 chemical in concentrations which alone or in combination with  
15 other natural or synthetic chemicals presents a threat to the  
16 health, safety, or welfare to human or animal life or which has  
17 the capacity to produce injury or illness through ingestion,  
18 inhalation, or absorption through the body surface.

19       (28) ~~-(23)-~~ "Toxicological disease" means any condition  
20 caused by or related to a toxic substance.

21       (29) ~~-(24)-~~ "U.S. registered shield" means a tattoo autho-  
22 rized and approved by the United States department of agriculture  
23 for use by an accredited veterinarian to designate cattle that  
24 have been vaccinated against brucellosis using an approved bru-  
25 cella abortus vaccine.

26       (30) ~~-(25)-~~ "Veterinarian" means a person licensed to  
27 practice veterinary medicine under article 15 of the public

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1 health code, ~~Act No. 368 of the Public Acts of 1978, being~~  
2 ~~sections 333.16101 to 333.18838 of the Michigan Compiled Laws~~  
3 1978 PA 368, MCL 333.16101 TO 333.18838, or under a state or fed-  
4 eral law applicable to that person.

5 (31) ~~(26)~~ "Veterinary biological" means all viruses,  
6 serums, toxins, and analogous products of natural or synthetic  
7 origin, or products prepared from any type of genetic engineer-  
8 ing, such as diagnostics, antitoxins, vaccines, live microorgan-  
9 isms, killed microorganisms, and the antigenic or immunizing com-  
10 ponents of microorganisms intended for use in the diagnosis,  
11 treatment, or prevention of diseases in animals.

12 (32) ~~(27)~~ "Waters of the state" means groundwaters, lakes,  
13 rivers, and streams and all other watercourses and waters within  
14 the jurisdiction of the state and also the Great Lakes bordering  
15 the state.

16 (33) ~~(28)~~ "Wild animal" means any nondomesticated animal  
17 or any cross of a nondomesticated animal.

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

20 (a) Develop and enforce policy and supervise activities to  
21 carry out this act and other state and federal laws, rules, and  
22 regulations that pertain to the health and welfare of animals in  
23 this state ON PUBLIC OR PRIVATE PREMISES.

24 (b) Promulgate rules under the administrative procedures act  
25 of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the use of veter-  
26 inary biologicals including diagnostic biological agents. ~~The~~  
27 ~~state veterinarian may require that the importation and use of~~



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1 ~~veterinary biologicals or biological agents be reported to the~~  
2 ~~department.~~

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

6 (d) Maintain a list of veterinary biologicals whose sale,  
7 distribution, use, or administration by any person is reported to  
8 the director when requested by the director within 10 working  
9 days of the sale, distribution, use, or administration. The  
10 state veterinarian shall review and update the list annually and  
11 more often if necessary.

12 (e) Develop and implement scientifically based surveillance  
13 AND MONITORING programs for reportable diseases when the director  
14 determines, with advice and consultation from the livestock  
15 industry and veterinary profession, that ~~surveillance~~ THESE  
16 PROGRAMS would aid in the control or eradication of a reportable  
17 disease or assist in the economic viability of the industry.

18 ~~-(f) The department shall consider and regularly review the~~  
19 ~~need to require a negative official test for bovine tuberculosis~~  
20 ~~for all cattle and goats within 60 days prior to movement from a~~  
21 ~~premises to another within this state or require that cattle and~~  
22 ~~goats originate directly from a herd that is accredited~~  
23 ~~tuberculosis-free as defined in title 9 of the code of federal~~  
24 ~~regulations and the bovine tuberculosis eradication: uniform~~  
25 ~~methods and rules, effective February 3, 1989, approved by veter-~~  
26 ~~inary services of the animal and plant health inspection service~~  
27 ~~of the United States department of agriculture, and all~~

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~~1 amendments to those publications thereafter adopted pursuant to  
2 rules that the director may promulgate. The director may require  
3 that other species have a negative official test for bovine  
4 tuberculosis prior to movement from 1 premises to another within  
5 this state. This subsection shall be in effect until January 1,  
6 2001.~~

~~7 (g) The department shall coordinate and conduct, and the  
8 department of natural resources shall actively support and assist  
9 as directed by the department, a scientifically based surveil=  
10 lance program for bovine tuberculosis of free-ranging deer, based  
11 upon risk and conducted at a minimum 95% confidence of a 2%  
12 infection rate based upon an official determination by the United  
13 States department of agriculture, in at least each of the follow=  
14 ing counties: Cheboygan, Presque Isle, Otsego, Montmorency,  
15 Alpena, Crawford, Oscoda, Alcona, Roscommon, Ogemaw, Iosco, and  
16 any other county and counties adjacent to that county where 1 or  
17 more free-ranging deer are found to be positive for bovine tuber=  
18 culosis, based upon an official determination by the United  
19 States department of agriculture. For purposes of enforcing this  
20 section, the department may enter upon private or public premises  
21 to acquire samples. The Michigan department of natural resources  
22 and the Michigan department of community health shall cooperate  
23 with the state veterinarian to fulfill the requirements of this  
24 section. The department shall report the results of the study to  
25 the legislature and the governor by September 1, 1999.~~

~~26 (2) THE STATE VETERINARIAN MAY REQUIRE THAT THE IMPORTATION  
27 AND USE OF VETERINARY BIOLOGICALS OR BIOLOGICAL AGENTS BE~~

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1 REPORTED TO THE DEPARTMENT AND MAY RESTRICT THE USE OF CERTAIN  
2 VETERINARY BIOLOGICALS TO VETERINARIANS WHEN THE DISEASE OR VET-  
3 ERINARY BIOLOGICAL INVOLVED HAS A SUBSTANTIAL IMPACT ON PUBLIC  
4 HEALTH, ANIMAL HEALTH, OR ANIMAL INDUSTRY.

5       (3) ~~—(2)—~~ Unless otherwise prohibited by law, the state vet-  
6 erinarian may enter upon any PUBLIC OR PRIVATE premises to  
7 enforce this act.

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

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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~~ ENFORCING the director's QUARANTINES,  
6 orders, OR ANY OTHER PROVISIONS OF THIS ACT.

7       (4) A person shall not remove or alter the OFFICIAL identi-  
8 fication of an animal. ~~for the purpose of misrepresentation of~~  
9 ~~the~~ A PERSON SHALL NOT MISREPRESENT AN animal's identity or the  
10 ownership of ~~the~~ AN animal. A person shall not ~~make misrepre-~~  
11 ~~sentations concerning~~ MISREPRESENT the animal's health status to  
12 a potential buyer.

13       (5) The director may devise and implement a program to com-  
14 pensate livestock owners for livestock that die, ARE INJURED, or  
15 need to be destroyed for humane purposes while the livestock are  
16 being tested or under a surveillance program for a reportable  
17 disease.

18       (6) ANY MEDICAL OR EPIDEMIOLOGICAL INFORMATION THAT IDENTI-  
19 FIES THE OWNERS OF ANIMALS AND IS GATHERED IN CONNECTION WITH THE  
20 REPORTING OF A DISCOVERY, SUSPICION, OR REASON TO BELIEVE THAT AN  
21 ANIMAL IS EITHER AFFECTED BY A REPORTABLE DISEASE OR CONTAMINATED  
22 WITH A TOXIC SUBSTANCE, OR INFORMATION GATHERED IN CONNECTION  
23 WITH AN INVESTIGATION OF THE REPORTING OF A DISCOVERY, SUSPICION,  
24 OR REASON TO BELIEVE THAT AN ANIMAL IS AFFECTED BY A REPORTABLE  
25 DISEASE OR CONTAMINATED WITH A TOXIC SUBSTANCE IS CONFIDENTIAL,  
26 IS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT,  
27 1976 PA 442, MCL 15.231 TO 15.246, AND IS NOT OPEN TO PUBLIC

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1 INSPECTION WITHOUT THE INDIVIDUAL'S CONSENT UNLESS PUBLIC  
2 INSPECTION IS NECESSARY TO PROTECT THE PUBLIC OR ANIMAL HEALTH AS  
3 DETERMINED BY THE DIRECTOR. SUCH MEDICAL OR EPIDEMIOLOGICAL  
4 INFORMATION THAT IS RELEASED TO A LEGISLATIVE BODY SHALL NOT CON-  
5 TAIN INFORMATION THAT IDENTIFIES A SPECIFIC OWNER.

6 (7) AS USED IN SUBSECTIONS (8) TO (10):

7 (A) "DISEASE FREE ZONE" MEANS ANY AREA IN THE STATE WITH  
8 DEFINED DIMENSIONS DETERMINED BY THE DEPARTMENT IN CONSULTATION  
9 WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE TO BE FREE OF  
10 BOVINE TUBERCULOSIS.

11 (B) "INFECTED ZONE" MEANS ANY AREA IN THE STATE WITH DEFINED  
12 DIMENSIONS IN WHICH BOVINE TUBERCULOSIS IS PRESENT AND SEPARATED  
13 FROM THE DISEASE FREE ZONE BY A SURVEILLANCE ZONE AS DETERMINED  
14 BY THE DEPARTMENT IN CONSULTATION WITH THE UNITED STATES DEPART-  
15 MENT OF AGRICULTURE.

16 (C) "OFFICIAL INTRASTATE HEALTH CERTIFICATE OR OFFICIAL  
17 INTRASTATE CERTIFICATE OF VETERINARY INSPECTION" MEANS A PRINTED  
18 FORM ADOPTED BY THE DEPARTMENT AND COMPLETED AND ISSUED BY AN  
19 ACCREDITED VETERINARIAN THAT DOCUMENTS AN ANIMAL'S POINT OF  
20 ORIGIN, POINT OF DESTINATION, OFFICIAL IDENTIFICATION, AND ANY  
21 REQUIRED OFFICIAL TEST RESULTS.

22 (D) "PRIOR MOVEMENT PERMIT" MEANS PRIOR DOCUMENTED PERMIS-  
23 SION GIVEN BY THE DIRECTOR BEFORE MOVEMENT OF LIVESTOCK.

24 (E) "SURVEILLANCE ZONE" MEANS ANY AREA IN THE STATE WITH  
25 DEFINED DIMENSIONS WHICH IS BOVINE TUBERCULOSIS DISEASE FREE AND  
26 LOCATED ADJACENT AND CONTIGUOUS TO AN INFECTED ZONE AS DETERMINED

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1 BY THE DEPARTMENT IN CONSULTATION WITH THE UNITED STATES

2 DEPARTMENT OF AGRICULTURE.

3       (8) THE DIRECTOR MAY DEVELOP, IMPLEMENT, AND ENFORCE SCIEN-  
4 TIFICALLY BASED MOVEMENT RESTRICTIONS AND REQUIREMENTS INCLUDING  
5 OFFICIAL BOVINE TUBERCULOSIS TEST REQUIREMENTS, PRIOR MOVEMENT  
6 PERMITS, OFFICIAL INTRASTATE HEALTH CERTIFICATES OR ANIMAL MOVE-  
7 MENT CERTIFICATES TO ACCOMPANY MOVEMENT OF ANIMALS, AND OFFICIAL  
8 IDENTIFICATION OF ANIMALS FOR MOVEMENT BETWEEN OR WITHIN A DIS-  
9 EASE FREE ZONE, SURVEILLANCE ZONE, AND AN INFECTED ZONE, OR ANY  
10 COMBINATION OF THOSE ZONES.

11       (9) THE DEPARTMENT SHALL COMPLY WITH THE FOLLOWING PROCE-  
12 DURES BEFORE ISSUING MOVEMENT RESTRICTIONS AND OTHER REQUIREMENTS  
13 DESCRIBED IN SUBSECTION (8) THAT ASSURE PUBLIC NOTICE AND OPPOR-  
14 TUNITY FOR PUBLIC COMMENT:

15       (A) DEVELOP SCIENTIFICALLY BASED MOVEMENT RESTRICTIONS AND  
16 OTHER REQUIREMENTS WITH ADVICE AND CONSULTATION FROM THE LIVE-  
17 STOCK INDUSTRY AND VETERINARY PROFESSION.

18       (B) PLACE THE PROPOSED MOVEMENT RESTRICTIONS AND OTHER  
19 REQUIREMENTS ON THE COMMISSION OF AGRICULTURE AGENDA FOR AT LEAST  
20 1 MONTH BEFORE IMPLEMENTATION AND ALLOW PUBLIC COMMENT BEFORE  
21 COMMISSION REVIEW.

22       (C) PLACE THE PROPOSED MOVEMENT RESTRICTIONS AND OTHER  
23 REQUIREMENTS AT LEAST 1 MONTH BEFORE IMPLEMENTATION IN AT LEAST  
24 3 MAJOR NEWSPAPERS, 1 OF WHICH IS LOCATED IN THE UPPER  
25 PENINSULA.

26       (10) THE DEPARTMENT MAY REVISE OR RESCIND MOVEMENT  
27 RESTRICTIONS AND OTHER REQUIREMENTS DESCRIBED IN SUBSECTION (8),

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1 PURSUANT TO THIS SECTION, AND ANY REVISION OR REVOCATION OF SUCH  
2 MOVEMENT RESTRICTIONS OR OTHER REQUIREMENTS SHALL COMPLY WITH THE  
3 PROCEDURE SET FORTH IN SUBSECTION (9).

4 (11) AS USED IN SUBSECTIONS (12) TO (32):

5 (A) "HIGH-RISK AREA" MEANS AN AREA WHERE BOVINE TUBERCULOSIS  
6 HAS BEEN DIAGNOSED IN LIVESTOCK. HIGH-RISK AREA DOES NOT INCLUDE  
7 AN AREA WHERE TESTS CONDUCTED UNDER SUBSECTION (14) INDICATE A  
8 LACK OF BOVINE TUBERCULOSIS DIAGNOSIS AT LEAST 36 MONTHS AFTER  
9 THE DATE THE AREA WAS DESIGNATED A HIGH-RISK AREA.

10 (B) "INTRASTATE" MEANS FROM 1 PREMISES TO ANOTHER WITHIN  
11 THIS STATE. INTRASTATE IN REFERENCE TO MOVEMENT DOES NOT INCLUDE  
12 THE MOVEMENT OF LIVESTOCK FROM 1 PREMISES WITHIN THE STATE  
13 DIRECTLY TO ANOTHER PREMISES WITHIN THE STATE WHEN BOTH PREMISES  
14 ARE A PART OF THE SAME LIVESTOCK OPERATION UNDER COMMON OWNERSHIP  
15 AND BOTH PREMISES ARE DIRECTLY INTERRELATED AS PART OF THE SAME  
16 LIVESTOCK OPERATION.

17 (C) "POTENTIAL HIGH-RISK AREA" MEANS AN AREA WHERE BOVINE  
18 TUBERCULOSIS HAS BEEN DIAGNOSED IN WILD ANIMALS ONLY. POTENTIAL  
19 HIGH-RISK AREA DOES NOT INCLUDE AN AREA WHERE CATTLE AND GOAT  
20 HERDS ARE WHOLE HERD TESTED IN THE MANNER PROVIDED FOR UNDER  
21 SUBSECTION (16) RESULTING IN THE LACK OF ANY ADDITIONAL BOVINE  
22 TUBERCULOSIS INFECTED ANIMALS BEING FOUND IN WILD ANIMALS, DOMES-  
23 TIC ANIMALS, OR LIVESTOCK.

24 (D) "WHOLE HERD" MEANS ANY ISOLATED GROUP OF CATTLE AND  
25 GOATS 12 MONTHS OF AGE OR OLDER MAINTAINED ON COMMON GROUND FOR  
26 ANY PURPOSE, OR 2 OR MORE GROUPS OF CATTLE AND GOATS UNDER COMMON  
27 OWNERSHIP OR SUPERVISION GEOGRAPHICALLY SEPARATED BUT THAT HAVE

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1 AN INTERCHANGE OR MOVEMENT OF CATTLE AND GOATS WITHOUT REGARD TO  
2 HEALTH STATUS AS DETERMINED BY THE DIRECTOR.

3       (12) THIS SECTION DOES NOT EXEMPT DAIRY HERDS FROM BEING  
4 TESTED IN THE MANNER PROVIDED FOR BY GRADE "A" PASTEURIZED MILK  
5 ORDINANCE, 1999 REVISION OF THE UNITED STATES PUBLIC HEALTH  
6 SERVICE/FOOD AND DRUG ADMINISTRATION, WITH ADMINISTRATIVE PROCE-  
7 DURES AND APPENDICES, SET FORTH IN THE PUBLIC HEALTH SERVICE/FOOD  
8 AND DRUG ADMINISTRATION PUBLICATION NO. 229, AND THE PROVISIONS  
9 OF THE 1995 GRADE "A" CONDENSED AND DRY MILK PRODUCTS AND CON-  
10 DENSED AND DRY WHEY-SUPPLEMENT I TO THE GRADE "A" PASTEURIZED  
11 MILK ORDINANCE, 1999 REVISIONS, AND ALL AMENDMENTS TO THOSE PUB-  
12 LICATIONS THEREAFTER ADOPTED PURSUANT TO THE RULES THAT THE  
13 DIRECTOR MAY PROMULGATE.

14       (13) THE DIRECTOR MAY ESTABLISH HIGH-RISK AREAS AND POTEN-  
15 TIAL HIGH-RISK AREAS BASED UPON SCIENTIFICALLY BASED  
16 EPIDEMIOLOGY. NOTIFICATION SHALL BE GIVEN THROUGH THE COMMISSION  
17 OF AGRICULTURE AND IN A NEWSPAPER WITH GENERAL CIRCULATION IN ANY  
18 AREA DESIGNATED AS A HIGH-RISK OR POTENTIAL HIGH-RISK AREA.

19       (14) CATTLE AND GOAT HERDS LOCATED IN HIGH-RISK AREAS SHALL  
20 BE WHOLE HERD BOVINE TUBERCULOSIS TESTED AT LEAST ONCE PER YEAR.  
21 AFTER THE FIRST WHOLE HERD BOVINE TUBERCULOSIS TEST, TESTING  
22 SHALL OCCUR BETWEEN 10 AND 14 MONTHS FROM THE ANNIVERSARY DATE OF  
23 THE FIRST TEST. THIS SECTION DOES NOT PREVENT WHOLE HERD TESTING  
24 BY THE OWNER OR BY DEPARTMENT MANDATE AT SHORTER INTERVALS.

25       (15) TERMINAL OPERATIONS LOCATED IN HIGH-RISK AREAS IN THIS  
26 STATE ARE EXEMPT FROM THE REQUIREMENTS OF SUBSECTION (14) AND MAY



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1 BE MONITORED BY A WRITTEN SURVEILLANCE PLAN APPROVED BY THE  
2 DIRECTOR.

3 (16) CATTLE AND GOAT HERDS LOCATED IN POTENTIAL HIGH-RISK  
4 AREAS SHALL BE WHOLE HERD BOVINE TUBERCULOSIS TESTED WITHIN  
5 6 MONTHS AFTER THE DIRECTOR HAS ESTABLISHED A POTENTIAL HIGH-RISK  
6 AREA OR HAVE A WRITTEN HERD PLAN WITH A TARGETED WHOLE HERD  
7 BOVINE TUBERCULOSIS TESTING DATE.

8 (17) TERMINAL OPERATIONS LOCATED IN POTENTIAL HIGH-RISK  
9 AREAS IN THIS STATE ARE EXEMPT FROM THE REQUIREMENTS OF  
10 SUBSECTION (16) AND MAY BE MONITORED BY A WRITTEN SURVEILLANCE  
11 PLAN APPROVED BY THE DIRECTOR.

12 (18) EACH OWNER OF ANY PRIVATELY OWNED CERVID HERD WITHIN A  
13 HIGH-RISK AREA SHALL CAUSE AN ANNUAL WHOLE HERD BOVINE TUBERCULO-  
14 SIS TEST TO BE CONDUCTED ON ALL PRIVATELY OWNED CERVIDS 12 MONTHS  
15 OF AGE AND OLDER WITHIN THE HERD AND ALL CATTLE AND GOATS  
16 6 MONTHS OF AGE AND OLDER IN CONTACT WITH THE CERVIDS. FOLLOWING  
17 THE INITIAL ANNUAL WHOLE HERD TEST, SUBSEQUENT WHOLE HERD TESTS  
18 SHALL BE COMPLETED AT 9- TO 15-MONTH INTERVALS. THIS SECTION  
19 DOES NOT PREVENT WHOLE HERD TESTING BY THE OWNER OR BY DEPARTMENT  
20 MANDATE AT SHORTER INTERVALS.

21 (19) EACH OWNER OF ANY PRIVATELY OWNED CERVID RANCH WITHIN A  
22 HIGH-RISK AREA MAY ELECT TO UNDERGO A TUBERCULOSIS SLAUGHTER SUR-  
23 VEILLANCE PLAN APPROVED BY THE DIRECTOR IN LIEU OF THE ANNUAL  
24 WHOLE HERD TESTING. THIS SLAUGHTER SURVEILLANCE PLAN MUST  
25 INCLUDE EXAMINATION OF ANIMALS REMOVED FROM THE HERD FOR DETEC-  
26 TION OF TUBERCULOSIS. EXAMINATION MUST BE PERFORMED BY A STATE  
27 OR FEDERAL VETERINARIAN OR ACCREDITED VETERINARIAN. THE NUMBER

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1 TO BE EXAMINED AT EACH TESTING INTERVAL SHALL INCLUDE ADULT  
2 ANIMALS AND MUST BE EQUAL TO THE AMOUNT NECESSARY TO ESTABLISH AN  
3 OFFICIAL TUBERCULOSIS MONITORED HERD AS DEFINED IN THE BOVINE  
4 TUBERCULOSIS ERADICATION UNIFORM METHODS AND RULES, EFFECTIVE  
5 JANUARY 22, 1999, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THERE-  
6 AFTER ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY  
7 PROMULGATE.

8       (20) ALL CATTLE AND GOAT HERDS LOCATED IN ANY AREA OUTSIDE A  
9 HIGH-RISK AREA OR A POTENTIAL HIGH-RISK AREA IN THIS STATE SHALL  
10 BE WHOLE HERD BOVINE TUBERCULOSIS TESTED BETWEEN JANUARY 1, 2000  
11 AND DECEMBER 31, 2003. PRIVATELY OWNED CERVID HERDS LOCATED IN  
12 THE NON-HIGH-RISK AREAS OR POTENTIAL HIGH-RISK AREAS SHALL BE  
13 TESTED PER SECTIONS 30C AND 30D.

14       (21) TERMINAL OPERATIONS AND PRIVATELY OWNED CERVID PREMISES  
15 LOCATED IN ANY AREA OUTSIDE A HIGH-RISK AREA OR A POTENTIAL  
16 HIGH-RISK AREA IN THIS STATE MAY BE EXEMPTED FROM SUBSECTION (18)  
17 AND MAY BE MONITORED BY A WRITTEN SURVEILLANCE PLAN APPROVED BY  
18 THE DIRECTOR.

19       (22) SUBJECT TO SUBSECTION (24), CATTLE AND GOATS ORIGINAT-  
20 ING IN AN AREA NOT DESIGNATED AS A HIGH-RISK AREA MOVING INTRA-  
21 STATE SHALL MEET AT LEAST 1 OF THE FOLLOWING UNTIL THE ZONE,  
22 AREA, OR THE ENTIRETY OF THE STATE FROM WHICH THEY ORIGINATE  
23 RECEIVES TUBERCULOSIS FREE STATUS FROM THE UNITED STATES DEPART-  
24 MENT OF AGRICULTURE OR UNDER OTHER CIRCUMSTANCES AS APPROVED BY  
25 THE DIRECTOR:

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1 (A) ORIGINATE DIRECTLY FROM A HERD THAT HAS RECEIVED AN  
2 OFFICIAL NEGATIVE WHOLE HERD BOVINE TUBERCULOSIS TEST WITHIN THE  
3 24 MONTHS BEFORE THE INTRASTATE MOVEMENT.

4 (B) HAS RECEIVED AN INDIVIDUAL OFFICIAL NEGATIVE BOVINE  
5 TUBERCULOSIS TEST WITHIN 60 DAYS BEFORE THE INTRASTATE  
6 MOVEMENTS.

7 (C) HAS ORIGINATED DIRECTLY FROM AN ACCREDITED BOVINE  
8 TUBERCULOSIS-FREE HERD AS DEFINED IN TITLE 9 OF THE CODE OF FED-  
9 ERAL REGULATIONS AND THE BOVINE TUBERCULOSIS ERADICATION: UNI-  
10 FORM METHODS AND RULES, EFFECTIVE JANUARY 22, 1999, APPROVED BY  
11 VETERINARY SERVICES OF THE UNITED STATES DEPARTMENT OF AGRICUL-  
12 TURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER ADOPTED  
13 PURSUANT TO RULES THAT THE DIRECTOR MAY PROMULGATE.

14 (23) SUBJECT TO SUBSECTION (24), CATTLE AND GOATS ORIGINAT-  
15 ING IN A HIGH-RISK AREA THAT MOVE INTRASTATE SHALL MEET AT LEAST  
16 1 OF THE FOLLOWING UNTIL THE ZONE, AREA, OR THE ENTIRETY OF THE  
17 STATE FROM WHICH THEY ORIGINATE IS NO LONGER DESIGNATED AS A  
18 HIGH-RISK AREA BY THE DIRECTOR OR UNDER OTHER CIRCUMSTANCES AS  
19 APPROVED BY THE DIRECTOR:

20 (A) ORIGINATE DIRECTLY FROM A HERD THAT HAS RECEIVED AN  
21 OFFICIAL NEGATIVE WHOLE HERD BOVINE TUBERCULOSIS TEST WITHIN THE  
22 12 MONTHS BEFORE THE INTRASTATE MOVEMENT.

23 (B) HAS RECEIVED AN INDIVIDUAL OFFICIAL NEGATIVE BOVINE  
24 TUBERCULOSIS TEST WITHIN 60 DAYS BEFORE THE INTRASTATE  
25 MOVEMENTS.

26 (C) HAS ORIGINATED DIRECTLY FROM AN ACCREDITED BOVINE  
27 TUBERCULOSIS-FREE HERD AS DEFINED IN TITLE 9 OF THE CODE OF

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1 FEDERAL REGULATIONS AND THE BOVINE TUBERCULOSIS ERADICATION:  
2 UNIFORM METHODS AND RULES EFFECTIVE JANUARY 22, 1999, APPROVED BY  
3 VETERINARY SERVICES OF THE UNITED STATES DEPARTMENT OF AGRICUL-  
4 TURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER ADOPTED  
5 PURSUANT TO RULES THAT THE DIRECTOR MAY PROMULGATE.

6 (24) CATTLE AND GOATS NOT MEETING SUBSECTION (22) OR (23)  
7 MAY BE SOLD THROUGH A LIVESTOCK AUCTION MARKET FOR SLAUGHTER  
8 ONLY. VERIFICATION THAT THE ANIMALS WERE SOLD ONLY FOR SLAUGHTER  
9 AND THAT THE SLAUGHTER OCCURRED WITHIN 5 DAYS AFTER SALE SHALL BE  
10 PRESENTED UPON REQUEST OF THE DIRECTOR.

11 (25) PRIVATELY OWNED CERVIDS MOVING INTRASTATE SHALL MEET  
12 REQUIREMENTS UNDER SECTION 30B.

13 (26) BOVINE TUBERCULOSIS TESTING REQUIRED UNDER THIS SECTION  
14 SHALL BE CONDUCTED BY ANY OF THE FOLLOWING:

15 (A) VETERINARIANS EMPLOYED BY THE DEPARTMENT.

16 (B) VETERINARIANS EMPLOYED BY THE UNITED STATES DEPARTMENT  
17 OF AGRICULTURE.

18 (C) ACCREDITED VETERINARIANS UNDER CONTRACT AND PAID BY THE  
19 DEPARTMENT OR THE UNITED STATES DEPARTMENT OF AGRICULTURE.

20 VETERINARIANS APPROVED TO BE UNDER CONTRACT AND PAID BY THE  
21 DEPARTMENT OR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR  
22 BOVINE TUBERCULOSIS TESTING REQUIRED BY THIS SECTION MUST ATTEND  
23 A BOVINE TUBERCULOSIS EDUCATIONAL SEMINAR APPROVED BY THE  
24 DIRECTOR. TO BE ELIGIBLE FOR CONTINUED CONTRACT AND PAYMENT BY  
25 THE DEPARTMENT OR UNITED STATES DEPARTMENT OF AGRICULTURE,  
26 ACCREDITED VETERINARIANS MUST ATTEND YEARLY BOVINE TUBERCULOSIS  
27 EDUCATIONAL SEMINARS APPROVED BY THE DIRECTOR.

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1 (D) ANY OTHER ACCREDITED VETERINARIANS PAID BY THE OWNER.  
2 (27) INDIVIDUAL, WHOLE HERD, OR ACCREDITED FREE HERD ANIMAL  
3 BOVINE TUBERCULOSIS TESTING REQUIRED OR PERMITTED BY THIS SECTION  
4 SHALL BE CONDUCTED BY THE DEPARTMENT, UNITED STATES DEPARTMENT OF  
5 AGRICULTURE, OR PRIVATE VETERINARIANS. BEGINNING JANUARY 1,  
6 2000, PRIVATE VETERINARIANS APPROVED IN SUBSECTION (26) MAY BE  
7 PAID BY THE DEPARTMENT FOR TESTING SERVICES. ANY OTHER BOVINE  
8 TUBERCULOSIS TESTING CONDUCTED IN ADDITION TO, OR LESS THAN,  
9 REQUIREMENTS OR ALLOWANCES IN THIS SECTION ARE THE RESPONSIBILITY  
10 OF THE OWNER.  
11 (28) INDIVIDUAL LIVESTOCK THAT HAVE BEEN INJECTED AND ARE  
12 UNDERGOING BOVINE TUBERCULOSIS TESTING SHALL NOT BE REMOVED FROM  
13 THE PREMISES WHERE THE TEST IS ADMINISTERED UNTIL THE TEST IS  
14 READ EXCEPT WITH PERMISSION GRANTED BY THE DIRECTOR.  
15 (29) BEGINNING JANUARY 1, 2000, WITH ADVICE AND CONSULTATION  
16 FROM THE LIVESTOCK INDUSTRY AND VETERINARY PROFESSION, THE DIREC-  
17 TOR SHALL PAY TO A PRODUCER FOR ASSISTANCE APPROVED BY THE  
18 MICHIGAN COMMISSION OF AGRICULTURE FOR WHOLE HERD BOVINE TUBERCU-  
19 LOSIS TESTING REQUIRED IN SUBSECTIONS (14), (16), (18), AND (20)  
20 OR REQUIRED BY GRADE "A" PASTEURIZED MILK ORDINANCE, 1999 REVI-  
21 SION OF THE UNITED STATES PUBLIC HEALTH SERVICE/FOOD AND DRUG  
22 ADMINISTRATION, WITH ADMINISTRATIVE PROCEDURES AND APPENDIXES,  
23 SET FORTH IN THE PUBLIC HEALTH SERVICE/FOOD AND DRUG ADMINISTRA-  
24 TION PUBLICATION NO. 229, AND THE PROVISIONS OF THE 1995  
25 GRADE "A" CONDENSED AND DRY MILK PRODUCTS AND CONDENSED AND DRY  
26 WHEY-SUPPLEMENT I TO THE GRADE "A" PASTEURIZED MILK ORDINANCE,  
27 1999 REVISIONS, AND ALL AMENDMENTS TO THOSE PUBLICATIONS

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1 THEREAFTER ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY  
2 PROMULGATE.

3       (30) BEGINNING JANUARY 1, 2000, WITH ADVICE AND CONSULTATION  
4 FROM THE LIVESTOCK INDUSTRY AND VETERINARY PROFESSION, THE DIREC-  
5 TOR SHALL PAY TO A VETERINARIAN, WHO HAS FULFILLED THE REQUIRE-  
6 MENTS OF SUBSECTION (26), FOR CHUTES AND GATES ON A 50/50 COST  
7 SHARE BASIS AS APPROVED BY THE AGRICULTURE COMMISSION.

8       (31) BEGINNING JANUARY 1, 2000, WITH ADVICE AND CONSULTATION  
9 FROM THE LIVESTOCK INDUSTRY AND VETERINARY PROFESSION, THE DIREC-  
10 TOR SHALL PAY TO AN OPERATOR OR OWNER OF A LIVESTOCK AUCTION  
11 MARKET FOR CHUTES, GATES, AND REMODELING TO EXPEDITE IDENTIFICA-  
12 TION OF LIVESTOCK FOR BOVINE TUBERCULOSIS SURVEILLANCE AND ERADI-  
13 CATION ON A 50/50 COST SHARE BASIS AS APPROVED BY THE AGRICULTURE  
14 COMMISSION.

15       (32) SUBSECTIONS (22), (23), (24), AND (25) TAKE EFFECT  
16 JANUARY 1, 2001.

17       SEC. 11A. (1) BEGINNING NOVEMBER 1, 2001, ALL PREMISES  
18 WITHIN THIS STATE HAVING CATTLE, BISON, GOATS, SWINE, PRIVATELY  
19 OWNED CERVIDS, AQUACULTURE, EQUINE, OR SHEEP, OR ANY COMBINATION  
20 THEREOF, SHALL REGISTER WITH THE DEPARTMENT ON NOVEMBER 1 OF THAT  
21 YEAR. REGISTRATION SHALL BE ON FORMS SUPPLIED BY THE DEPARTMENT  
22 AND SHALL INCLUDE ONLY THE OWNER'S NAME, OWNER'S CURRENT ADDRESS,  
23 LOCATION OF LIVESTOCK, AND SPECIES OF LIVESTOCK AT THE PREMISES  
24 AS OF OCTOBER 1 OF THAT CALENDAR YEAR. IF CATTLE, BISON, GOATS,  
25 SWINE, PRIVATELY OWNED CERVIDS, AQUACULTURE, EQUINE, OR SHEEP, OR  
26 ANY COMBINATION THEREOF, ARE PRESENT AT THE PREMISES AS OF  
27 OCTOBER 1 OF ANY SUBSEQUENT YEAR, THE PERSON SHALL REGISTER OR

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1 REREGISTER EACH YEAR AFTER THE YEAR OF THE INITIAL REGISTRATION,  
2 OR EACH YEAR THE SPECIFIED SPECIES ARE PRESENT AT THE PREMISES AS  
3 OF OCTOBER 1, NOT LATER THAN NOVEMBER 1.

4 (2) INFORMATION KEPT BY THE DIRECTOR AS REQUIRED IN SUBSEC-  
5 TION (1) IS CONFIDENTIAL, IS EXEMPT FROM DISCLOSURE UNDER THE  
6 FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246,  
7 AND IS NOT OPEN TO PUBLIC INSPECTION OR TO ANY LOCAL, STATE, OR  
8 FEDERAL GOVERNMENTAL DEPARTMENT, UNIT, AGENCY, OR LEGISLATIVE  
9 BODY, EXCEPT THE UNITED STATES DEPARTMENT OF AGRICULTURE, WITHOUT  
10 THE OWNER'S CONSENT UNLESS PUBLIC INSPECTION IS NECESSARY TO PRO-  
11 TECT THE PUBLIC OR ANIMAL HEALTH AS DETERMINED BY THE DIRECTOR.

12 (3) A PERSON OR PREMISES REGISTERED UNDER ANOTHER REGISTRA-  
13 TION PROGRAM ADMINISTERED BY THE DEPARTMENT THAT THE DIRECTOR  
14 DETERMINES MEETS THE CRITERIA OF THIS SECTION IS EXEMPT FROM THE  
15 REGISTRATION REQUIREMENTS OF THIS SECTION.

16 (4) A REGISTRATION UNDER THIS SECTION SHALL NOT BE CONSTRUED  
17 IN ANY WAY AS A LICENSE UNDER THE LAWS OF THIS STATE.

18 SEC. 11B. ALL CATTLE, GOATS, AND PRIVATELY OWNED CERVIDS  
19 SHALL BEAR OFFICIAL IDENTIFICATION BEFORE THEY LEAVE A PREMISES.  
20 COMPLIANCE WITH THIS SECTION REGARDING OFFICIAL IDENTIFICATION IS  
21 THE RESPONSIBILITY OF THE OWNER. OFFICIAL IDENTIFICATION SHALL  
22 BE SUPPLIED BY THE DEPARTMENT.

23 Sec. 12. (1) The director may issue a quarantine on animals  
24 ~~or premises in this state~~ STRUCTURES, PREMISES, OR ANY AREA IN  
25 THE STATE, INCLUDING THE ENTIRE STATE IF NECESSARY, for the pur-  
26 pose of controlling or preventing the spread of a known or  
27 suspected infectious, contagious, or toxicological disease.

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1       (2) A person shall not move animals that are under  
2 quarantine without permission from the director.

3       (3) A person shall not allow animals under quarantine to  
4 mingle or have contact with other animals not under quarantine  
5 without permission by the director.

6       (4) A person shall not import into this state an animal from  
7 another state or jurisdiction if that animal is under quarantine  
8 by the other state or jurisdiction unless that person obtains  
9 prior permission from the director.

10       (5) A person shall not import into this state an animal spe-  
11 cies from an area under quarantine for that species for any  
12 infectious, contagious, or toxicological disease unless permis-  
13 sion is granted from the director.

14       (6) The director may prescribe procedures for the identifi-  
15 cation, inventory, separation, mode of handling, TESTING, treat-  
16 ment, feeding, and caring for ~~the~~ BOTH quarantined animals AND  
17 ANIMALS WITHIN A QUARANTINED AREA to prevent the ~~quarantined~~  
18 ~~animals from infecting or exposing~~ INFECTION OR EXPOSURE OF non-  
19 quarantined OR QUARANTINED animals to infectious, contagious, or  
20 toxicological diseases.

21       (7) The director may prescribe procedures required before  
22 ~~an~~ ANY animal, ~~and~~ STRUCTURE, premises, OR AREA OR ZONE IN  
23 THIS STATE, INCLUDING THE ENTIRETY OF THE STATE IF NECESSARY, are  
24 released from quarantine.

25       (8) An animal found running at large in violation of a quar-  
26 antine may be killed by a law enforcement ~~agent~~ AGENCY. The  
27 director may enlist the cooperation of a law enforcement agency



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1 to enforce the provisions of this quarantine. A law enforcement  
2 ~~agent~~ AGENCY killing an animal due to a quarantine under this  
3 section is not subject to liability for the animal.

4 SEC. 13A. (1) A TERMINAL OPERATION MAY BE A LOT, PARCEL,  
5 PASTURE, PREMISES, FACILITY, OR CONFINED AREA.

6 (2) A TERMINAL OPERATION SHALL BE REGISTERED WITH THE  
7 DEPARTMENT ON AN APPLICATION FORM PROVIDED BY THE DEPARTMENT.

8 (3) REGISTRATION SHALL NOT BE ISSUED UNLESS THE TERMINAL  
9 OPERATION HAS BEEN INSPECTED BY THE DIRECTOR AND FOUND TO MEET  
10 THE REQUIREMENTS OF THIS SECTION.

11 (4) A TERMINAL OPERATION SHALL NOT ALLOW OR PERMIT DRAINAGE  
12 FROM THE TERMINAL OPERATION TO FLOW INTO AREAS ACCESSIBLE TO  
13 LIVESTOCK, LIVESTOCK FEED, OR LIVESTOCK FEED STORAGE AREAS OTHER  
14 THAN THE CATTLE AND GOATS IN THE TERMINAL OPERATION.

15 (5) A TERMINAL OPERATION IS CONSTRUCTED AND OPERATED TO  
16 DETER CATTLE AND GOATS IN THE TERMINAL OPERATION FROM MAKING CON-  
17 TACT WITH ANIMALS OTHER THAN THOSE IN THE TERMINAL OPERATION.

18 (6) IF A VEHICLE TRANSPORTING CATTLE AND GOATS FROM A TERMI-  
19 NAL OPERATION COMPLETES THE LOAD AT ADDITIONAL FARMS, ALL OF  
20 WHICH ARE EN ROUTE TO A SLAUGHTER FACILITY, ALL CATTLE AND GOATS  
21 MUST REMAIN ON THE VEHICLE AND NO ANIMALS ARE ALLOWED TO UNLOAD.

22 (7) ABORTED FETUSES AND ANIMALS THAT DIE IN A TERMINAL OPER-  
23 ATION SHALL BE DISPOSED OF IN COMPLIANCE WITH SECTION 57 OF THE  
24 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.57, REGARDING BURIAL OF  
25 DEAD ANIMALS.

26 (8) IF AN ANIMAL GIVES BIRTH WHILE IN THE TERMINAL  
27 OPERATION, BOTH OF THE FOLLOWING APPLY:

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1 (A) THE OFFSPRING ARE RESTRICTED TO THE TERMINAL OPERATION  
2 AND MAY LEAVE ONLY AS DESCRIBED IN SUBSECTION (7).

3 (B) THE NEWBORN ANIMAL MUST BE OFFICIALLY IDENTIFIED WITHIN  
4 30 DAYS AFTER BIRTH.

5 (9) CATTLE AND GOATS SHALL ONLY EXIT A TERMINAL OPERATION BY  
6 BEING TRANSPORTED DIRECTLY TO A SLAUGHTERING ESTABLISHMENT,  
7 DIRECTLY TO ANOTHER REGISTERED TERMINAL OPERATION, OR THROUGH A  
8 LIVESTOCK AUCTION MARKET FOR SLAUGHTER ONLY, OR TO A VETERINARY  
9 HOSPITAL OR CLINIC WHERE THE ANIMAL IS NOT COMMINGLED WITH OTHER  
10 ANIMALS UNLESS PERMISSION IS GRANTED BY THE DIRECTOR TO MOVE THE  
11 CATTLE OR GOATS TO ANOTHER PREMISES. IF CATTLE OR GOATS EXIT A  
12 TERMINAL OPERATION THROUGH A LIVESTOCK AUCTION MARKET, THE DIREC-  
13 TOR MAY REQUEST VERIFICATION THAT THE ANIMALS WERE SOLD FOR  
14 SLAUGHTER AND THAT THE SLAUGHTER OCCURRED 5 DAYS AFTER SALE.  
15 MOVING DIRECTLY TO A SLAUGHTERING ESTABLISHMENT OR DIRECTLY TO  
16 ANOTHER REGISTERED TERMINAL OPERATION INCLUDES STOPPING AT A  
17 PREMISES TO LOAD OTHER ANIMALS BEING TRANSPORTED TO THE SLAUGH-  
18 TERING ESTABLISHMENT OR TERMINAL OPERATION WITHOUT UNLOADING ANY  
19 ANIMALS.

20 (10) CATTLE AND GOATS IN A TERMINAL OPERATION ARE EXEMPT  
21 FROM OFFICIAL BOVINE TUBERCULOSIS TESTING AS REQUIRED IN  
22 SECTION 9(14), (16), AND (20).

23 (11) A CONVEYANCE VEHICLE USED TO TRANSPORT CATTLE AND GOATS  
24 FROM A TERMINAL OPERATION SHALL BE CLEANED AND DISINFECTED AFTER  
25 USE WITH A DISINFECTANT APPLIED IN ACCORDANCE WITH LABEL  
26 INSTRUCTIONS.

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1       (12) THE DIRECTOR MAY INSPECT ANY TERMINAL OPERATION AND  
2 RECORDS OF THE TERMINAL OPERATION AT ANY REASONABLE TIME TO  
3 DETERMINE WHETHER REQUIREMENTS ESTABLISHED BY THIS ACT ARE BEING  
4 MET. THE DIRECTOR SHALL MAKE A REASONABLE ATTEMPT TO NOTIFY THE  
5 OWNER/OPERATOR BEFORE ANY INSPECTION.

6       (13) TERMINAL OPERATION RECORDS SHALL INCLUDE ALL OF THE  
7 FOLLOWING:

8       (A) IDENTIFICATION OF ALL CATTLE AND GOATS. AS USED IN THIS  
9 SUBDIVISION, "IDENTIFICATION" MEANS OFFICIAL IDENTIFICATION,  
10 INCLUDING ELECTRONIC IDENTIFICATION, OR PERMANENT IDENTIFICATION  
11 APPROVED AND SUPPLIED BY THE DIRECTOR.

12       (B) THE DATE CATTLE OR GOATS, OR BOTH, WERE ADDED TO THE  
13 TERMINAL OPERATION.

14       (C) THE COMPLETE NAME AND ADDRESS OF THE PERSON OR DEALER  
15 FROM WHOM THE CATTLE OR GOATS, OR BOTH, WERE OBTAINED.

16       (D) THE COMPLETE STREET ADDRESS OF THE PREMISES FROM WHICH  
17 THE CATTLE OR GOATS, OR BOTH, WERE OBTAINED.

18       (E) THE COMPLETE NAME AND STREET ADDRESS OF THE SLAUGHTER-  
19 HOUSE, VETERINARY HOSPITAL OR CLINIC, LIVESTOCK AUCTION MARKET,  
20 OR TERMINAL OPERATION WHERE THE CATTLE OR GOATS, OR BOTH, WERE  
21 SENT.

22       (F) THE DATE THE CATTLE OR GOATS, OR BOTH, WERE REMOVED FROM  
23 THE TERMINAL OPERATION.

24       (14) A TERMINAL OPERATION THAT PURCHASES LIVESTOCK FROM A  
25 DEALER MAY PROVIDE THE DEPARTMENT THE NAME OF THE DEALER IN ORDER  
26 TO FULFILL THE RECORD REQUIREMENTS IMPOSED UNDER THIS SECTION.

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1       Sec. 14. (1) If it is determined by the director that the  
2 control or eradication of a disease or condition of livestock  
3 warrants the ENTRY ONTO PROPERTY WHERE LIVESTOCK OR DOMESTIC ANI-  
4 MALS ARE LOCATED, SEIZURE, slaughter, destruction, or other dis-  
5 position of the livestock OR DOMESTIC ANIMALS, the director shall  
6 order the ENTRY ONTO PROPERTY WHERE LIVESTOCK OR DOMESTIC ANIMALS  
7 ARE LOCATED, SEIZURE, slaughter, destruction, or other disposi-  
8 tion of the INDIVIDUAL livestock OR DOMESTIC ANIMALS WITHIN THE  
9 HERD, FLOCK, OR SCHOOL OR AN ENTIRE HERD, FLOCK, OR SCHOOL. If  
10 the director has signed an order for the slaughter, destruction,  
11 or other disposition of livestock OR DOMESTIC ANIMALS, the direc-  
12 tor shall notify the attorney general and the house and senate  
13 appropriations committees and the department of management and  
14 budget on the issue of indemnity under this section. The direc-  
15 tor may approve facilities AND PROCEDURES for the orderly dis-  
16 posal of animals, animal products, and animal feeds for the pur-  
17 pose of controlling or preventing the spread of an infectious,  
18 contagious, or toxicological disease. The director may select a  
19 site or method for the disposal with the advice of the director  
20 of the department of environmental quality.

21       (2) The director may, under rules promulgated by the depart-  
22 ment, allow indemnification for the slaughter, destruction, or  
23 other disposition of LIVESTOCK OR DOMESTIC animals due to live-  
24 stock diseases or toxicological contamination. If the director  
25 has signed an order for the slaughter, destruction, or other dis-  
26 position of livestock OR DOMESTIC ANIMALS, the owner may apply  
27 for indemnification. The director shall appraise and inventory

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1 the condemned livestock OR DOMESTIC ANIMALS. The appraisals and  
2 inventories shall be on forms approved by the director. The  
3 director shall ~~use state agricultural statistical service pric-~~  
4 ~~ing information to determine the value of condemned livestock.~~  
5 ~~If state agricultural statistical service pricing information is~~  
6 ~~not available, the director shall~~ use agricultural pricing  
7 information from commercial livestock OR DOMESTIC ANIMAL auction  
8 markets and other livestock OR DOMESTIC ANIMAL market information  
9 as determined by the director to determine the value of condemned  
10 livestock OR DOMESTIC ANIMALS.

11 (3) Except as otherwise provided in subsection (5), ~~(3) and~~  
12 ~~until January 1, 2005, regarding any quarantine on animals or~~  
13 ~~premises issued after January 1, 1998,~~ indemnification FOR INDI-  
14 VIDUAL LIVESTOCK OR DOMESTIC ANIMALS WITHIN A HERD, FLOCK, OR  
15 SCHOOL shall be based upon 90% of the fair market value of that  
16 type of livestock OR DOMESTIC ANIMAL on the date of the appraisal  
17 and marketable for the purpose for which the livestock OR DOMES-  
18 TIC ANIMAL was intended, not to exceed ~~\$3,000.00~~ \$4,000.00 for  
19 each LIVESTOCK OR DOMESTIC animal. ~~except that after January 1,~~  
20 ~~2005, indemnification shall be based upon 75% of the fair market~~  
21 ~~value of that type of livestock on the date of the appraisal as~~  
22 ~~if the livestock was grade status and marketable for the purpose~~  
23 ~~for which the livestock was intended, not to exceed \$1,250.00 for~~  
24 ~~each animal.~~ THE APPRAISAL DETERMINATION SHALL NOT DELAY THE  
25 SLAUGHTER, DESTRUCTION, OR DISPOSITION OF THE LIVESTOCK OR DOMES-  
26 TIC ANIMALS. The indemnification amount under this ~~section~~  
27 SUBSECTION shall include a deduction for any compensation

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1 received, or to be received, from any other source including, but  
2 not limited to, indemnification by the United States department  
3 of agriculture, insurance, salvage value, or any monetary value  
4 obtained to encourage disposal of infected or exposed livestock  
5 OR DOMESTIC ANIMALS in accordance with a disease control or erad-  
6 ication program. The owner shall furnish to the department all  
7 records indicating other sources of indemnity. An affidavit  
8 signed by the owner attesting to the amount of compensation for  
9 the livestock received or to be received from any other source  
10 shall accompany the appraisal certificate ~~prior to~~ BEFORE  
11 indemnification under this section.

12       (4) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5), INDEMNIFI-  
13 CATION FOR ENTIRE HERD, FLOCK, OR SCHOOL DEPOPULATIONS OF LIVE-  
14 STOCK OR DOMESTIC ANIMALS SHALL BE BASED UPON 90% OF THE FAIR  
15 MARKET VALUE OF THAT TYPE OF ANIMAL ON THE DATE OF THE APPRAISAL  
16 AND MARKETABLE FOR THE PURPOSE FOR WHICH THE LIVESTOCK OR DOMES-  
17 TIC ANIMAL WAS INTENDED, NOT TO EXCEED AN AVERAGE OF \$4,000.00  
18 PER ANIMAL IN THE FLOCK, HERD, OR SCHOOL. THE APPRAISAL DETERMI-  
19 NATION SHALL NOT DELAY DEPOPULATION. THE INDEMNIFICATION AMOUNT  
20 UNDER THIS SECTION SHALL INCLUDE A DEDUCTION FOR ANY COMPENSATION  
21 RECEIVED, OR TO BE RECEIVED, FROM ANY OTHER SOURCE INCLUDING, BUT  
22 NOT LIMITED TO, INDEMNIFICATION BY THE UNITED STATES DEPARTMENT  
23 OF AGRICULTURE, INSURANCE, SALVAGE VALUE, OR ANY MONETARY VALUE  
24 OBTAINED TO ENCOURAGE DISPOSAL OF INFECTED OR EXPOSED LIVESTOCK  
25 OR DOMESTIC ANIMALS IN ACCORDANCE WITH A DISEASE CONTROL OR ERAD-  
26 ICATION PROGRAM. THE OWNER SHALL FURNISH TO THE DEPARTMENT ALL  
27 RECORDS INDICATING OTHER SOURCES OF INDEMNITY. AN AFFIDAVIT

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1 SIGNED BY THE OWNER ATTESTING TO THE AMOUNT OF COMPENSATION FOR  
2 THE LIVESTOCK OR DOMESTIC ANIMALS RECEIVED, OR TO BE RECEIVED,  
3 FROM ANY OTHER SOURCE SHALL ACCOMPANY THE APPRAISAL CERTIFICATE  
4 PRIOR TO INDEMNIFICATION UNDER THIS SECTION.

5 (5) ~~(3)~~ The department may provide for indemnity pursuant  
6 to this section not to exceed ~~-\$10,000.00~~ \$100,000.00 per order,  
7 from any line item in the annual budget for the department in the  
8 applicable fiscal year. Any agreement greater than ~~-\$10,000.00~~  
9 \$100,000.00 entered into between the department and an owner of  
10 livestock shall contain a provision indicating that, notwith-  
11 standing the terms of the agreement, indemnification shall be  
12 subject to specific appropriations by the legislature and not be  
13 paid from department funds.

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

19 (6) ACCEPTANCE OF COMPENSATION UNDER THIS ACT CONSTITUTES A  
20 FULL AND COMPLETE RELEASE OF ANY CLAIM THE OWNER HAS AGAINST THE  
21 STATE OF MICHIGAN, ITS DEPARTMENTS, AGENCIES, OFFICERS, EMPLOY-  
22 EES, AGENTS, AND CONTRACTORS TO THE EXTENT THESE PERSONS WERE  
23 ACTING ON BEHALF OF THE STATE, WITHIN THE SCOPE OF THEIR EMPLOY-  
24 MENT WITH THE STATE OR UNDER THE DIRECTION OF THE STATE, ITS  
25 DEPARTMENTS, AGENCIES, OFFICERS, OR EMPLOYEES, ARISING OUT OF  
26 TESTING, PURCHASE, REMOVAL, SLAUGHTER, DESTRUCTION, AND OTHER  
27 DISPOSITION OF THE OWNER'S ANIMALS.

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1       (7) ~~—(5)—~~ The right to indemnity from the state for animals  
2 condemned and ordered slaughtered, destroyed, or otherwise dis-  
3 posed of by the director applies only to native livestock AND  
4 NATIVE DOMESTIC ANIMALS. Indemnification shall not apply to  
5 livestock OR DOMESTIC ANIMALS determined by the department to be  
6 imported without meeting import requirements such as official  
7 interstate health certificate or official interstate certificate  
8 of veterinary inspection, required testing, required vaccination,  
9 or for livestock OR DOMESTIC ANIMALS determined by the department  
10 to have been illegally moved within this state. An owner is not  
11 entitled to indemnity from the state for an animal that comes  
12 into the possession of the owner with the owner's knowledge that  
13 the animal is diseased or is suspected of having been exposed to  
14 an infectious, contagious, or toxicological disease. In addi-  
15 tion, the director shall not indemnify an owner for animals that  
16 have been exposed to an animal that comes in to the possession of  
17 the owner with the owner's knowledge that the animal is diseased  
18 or is suspected of having been exposed to an infectious, conta-  
19 gious, or toxicological disease.

20       (8) ~~—(6)—~~ A premises that has been depopulated shall be  
21 cleaned and disinfected as prescribed by the director.

22       (9) ~~—(7)—~~ Repopulation of the premises, except as approved  
23 by the director, shall not confer eligibility for future indem-  
24 nity under this section.

25       (10) ~~—(8)—~~ The department may cooperate and coordinate with  
26 the secretary of the United States department of agriculture or  
27 the secretary's authorized representative or other governmental



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1 departments or agencies regarding indemnification under this  
2 section.

(11) NOT LESS THAN ANNUALLY, WITHIN 60 DAYS AFTER THE CLOSE OF THE FISCAL YEAR, THE DIRECTOR SHALL MAKE A WRITTEN REPORT TO THE STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE HAVING JURISDICTION ON AGRICULTURAL AND FARMING ISSUES. THE REPORT WILL INCLUDE THE FOLLOWING:

(A) THE AMOUNT EXPENDED FOR BOVINE TUBERCULOSIS ERADICATION DURING THE PRECEDING FISCAL YEAR.

(B) AN EXPLANATION OF THE EXPENDITURES FOR BOVINE TUBERCULOSIS ERADICATION DURING THE PRECEDING FISCAL YEAR.

(C) THE STATUS OF BOVINE TUBERCULOSIS ERADICATION EFFORTS IN MICHIGAN.

3       Sec. 15. (1) The state shall not indemnify an owner of  
4 livestock OR DOMESTIC ANIMALS for the loss of the livestock OR  
5 DOMESTIC ANIMALS due to an infectious, contagious, or toxicologi-  
6 cal disease until the owner executes and signs a subrogation  
7 agreement assigning to the state the rights of the owner to a  
8 cause of action to recover damages for the loss up to the amount  
9 of indemnification paid to the owner under this act, and presents  
10 all necessary documents, including registration papers, a state-  
11 ment of names and addresses of all persons to whom or from whom  
12 the owner has transferred LIVESTOCK OR DOMESTIC animals within a  
13 time period determined by the director, and signed permission  
14 allowing the breed association to disclose information requested  
15 by the director.

16       (2) The attorney general may bring a civil or criminal  
17 action against a person responsible for unlawfully introducing an  
18 infectious, contagious, or toxicological disease into animals,  
19 animal products, or animal feeds in this state.

20       Sec. 16. (1) Livestock ordered to be slaughtered,  
21 destroyed, or otherwise disposed of by the director because of  
22 tuberculosis shall be branded on the left hip with a letter "T"  
23 not less than 2 inches high, and a tag designated as a reactor  
24 tag by the director shall be placed in the left ear.  
25 Tuberculosis reactor cattle, ~~and~~ bison, AND GOATS AS DEFINED IN  
26 TITLE 9 OF THE CODE OF FEDERAL REGULATIONS AND THE BOVINE  
27 TUBERCULOSIS ERADICATION: UNIFORM METHODS AND RULES EFFECTIVE

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1 JANUARY 22, 1999, APPROVED BY VETERINARY SERVICES OF THE ANIMAL  
2 AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPART-  
3 MENT OF AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS  
4 THEREAFTER ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY  
5 PROMULGATE shall also be identified by a permanent and legible  
6 tuberculosis tattoo and spray of yellow paint on the left ear.  
7 The director may refrain from the branding, TATTOOING, EAR PAINT-  
8 ING, AND REACTOR TAGGING if slaughter, destruction, or other dis-  
9 position of the entire herd is under the director's direct con-  
10 trol OR IF INDIVIDUAL ANIMALS ARE SENT TO A DIAGNOSTIC LABORATORY  
11 OR TO DISPOSAL UNDER AN OFFICIAL SEAL AND SECURED TRANSPORT  
12 LIMIT.

13 (2) TUBERCULOSIS REACTOR CATTLE, BISON, GOATS, AND PRIVATELY  
14 OWNED CERVIDS AS DEFINED IN TITLE 9 OF THE CODE OF FEDERAL REGU-  
15 LATIONS AND THE BOVINE TUBERCULOSIS ERADICATION: UNIFORM METHODS  
16 AND RULES EFFECTIVE JANUARY 22, 1999, APPROVED BY VETERINARY  
17 SERVICES OF THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE  
18 UNITED STATES DEPARTMENT OF AGRICULTURE, AND ALL AMENDMENTS TO  
19 THOSE PUBLICATIONS THEREAFTER ADOPTED PURSUANT TO RULES THAT THE  
20 DIRECTOR MAY PROMULGATE SHALL REMAIN ON THE PREMISES WHERE THEY  
21 WERE LOCATED UNTIL A STATE OR FEDERAL PERMIT FOR MOVEMENT HAS  
22 BEEN OBTAINED. MOVEMENT FOR DESTRUCTION SHALL BE WITHIN 15 DAYS  
23 AFTER CLASSIFICATION AS A REACTOR.

24 (3) ~~—(2)—~~ Livestock ordered to be slaughtered, destroyed, or  
25 otherwise disposed of by the director because of brucellosis  
26 shall be branded on the left hip with a letter "B" not less than  
27 2 inches high, and a tag designated as a reactor tag by the

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1 director shall be placed in the left ear. An exposed animal in a  
2 brucellosis infected or quarantined herd shall be branded on the  
3 left hip with a letter "S" not less than 2 inches high before a  
4 permit shall be issued to slaughter, destroy, or otherwise dis-  
5 pose of the animal for slaughter. The director may refrain from  
6 the branding and identification if slaughter, destruction, or  
7 other disposition of the entire herd is under the director's  
8 direct control OR IF INDIVIDUAL ANIMALS ARE SENT TO A DIAGNOSTIC  
9 LABORATORY OR TO DISPOSAL UNDER AN OFFICIAL SEAL AND SECURED  
10 TRANSPORT UNIT.

11 (4) ~~-(3)-~~ Livestock ordered slaughtered, destroyed, or oth-  
12 erwise disposed of for infectious, contagious, or toxicological  
13 diseases other than tuberculosis or brucellosis shall be identi-  
14 fied and slaughtered, destroyed, or otherwise disposed of in a  
15 manner approved by the director.

16 Sec. 19. (1) Livestock imported into this state shall MEET  
17 ANY AND ALL REQUIREMENTS UNDER APPROPRIATE PROVISIONS OF THIS ACT  
18 AND SHALL be accompanied by 1 of the following:

19 (a) An official interstate health certificate.

20 (b) An official interstate certificate of veterinary  
21 inspection.

22 (c) An owner-shipper statement or sales invoice if consigned  
23 directly to slaughter, or if nonnative neutered cattle imported  
24 directly to a cattle importation lot.

25 (d) A "report of sales of hatching eggs, chicks, and poults"  
26 (vs form 9-3) for participants in the national poultry  
27 improvement plan.

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1 (e) A "permit for movement of restricted animals" (vs form  
2 1-27), if prior approval is granted by the director.

3 ~~-(f) A fish disease inspection report for aquaculture only.~~

4 (F) ~~-(g)~~ Permission from the director.

5 (2) Brucellosis or tuberculosis officially classified sus-  
6 pect or reactor cattle shall not be imported into this state.

7 (3) A person shall not import or move intrastate livestock  
8 known to be affected with or exposed to tuberculosis or brucello-  
9 sis, as determined by an official test, without permission of the  
10 director.

11 (4) The director may require that a prior entry permit be  
12 obtained for certain classifications of livestock.

13 (5) It shall be the responsibility of the consignee or  
14 dealer ~~licensed pursuant to Act No. 284 of the Public Acts of~~  
15 ~~1937, being sections 287.121 to 287.131 of the Michigan Compiled~~  
16 ~~Laws,~~ to ensure ANY TESTING REQUIRED UNDER THIS ACT, the  
17 requirements for official interstate OR INTRASTATE health certif-  
18 icate, official interstate OR INTRASTATE certificate of veteri-  
19 nary inspection, ANIMAL MOVEMENT CERTIFICATE, owner-shipper  
20 statement, sales invoice, "report of sales of hatching eggs,  
21 chicks, and poults" (vs form 9-3), "permit for movement of  
22 restricted animals" (vs form 1-27), or prior entry permit have  
23 been fulfilled and a true copy is provided to the director upon  
24 request.

25 (6) ~~-(5)~~ Livestock shall not be diverted to premises other  
26 than the destination site named on the official interstate OR  
27 INTRASTATE health certificate, official interstate OR INTRASTATE

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1 certificate of veterinary inspection, owner-shipper statement,  
2 sale invoice, ENTRY AUTHORIZATION FORM, EXIT AUTHORIZATION FORM,  
3 PRIOR MOVEMENT FORM, vs form 9-3, or vs form 1-27.

4       (7) ~~-(6)-~~ Out-of-state livestock for exhibition shall meet  
5 the requirements prescribed by this act for importation of breed-  
6 ing animals of that species and shall be accompanied by a copy of  
7 an official interstate health certificate or an official inter-  
8 state certificate of veterinary inspection issued by an accredi-  
9 ted veterinarian from the state of origin.

10       (8) ~~-(7)-~~ The director may refuse entry into this state of  
11 livestock that the director has reason to believe may pose a  
12 threat to the public health or health of livestock. Livestock  
13 imported into this state shall not originate from a herd under  
14 quarantine unless accompanied by permission issued by the  
15 director. The director may waive specific requirements if it is  
16 determined that livestock imported from a certain area or state  
17 are not a threat to the public health or health of livestock.

18       (9) ~~-(8)-~~ If the director determines that there is a threat  
19 to public health or a threat to the health of animals in this  
20 state, the director may require additional testing and vaccina-  
21 tion requirements for animals imported or to be imported into  
22 this state.

23       Sec. 20. (1) An official interstate OR INTRASTATE health  
24 certificate or official interstate OR INTRASTATE certificate of  
25 veterinary inspection shall be prepared and signed by an accredi-  
26 ted veterinarian in the state of origin for animals requiring  
27 such a certificate and being imported into this state OR BEING

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1 MOVED FROM 1 PREMISES TO ANOTHER PREMISES WITHIN THIS STATE. An  
2 official interstate OR INTRASTATE health certificate or official  
3 interstate OR INTRASTATE certificate of veterinary inspection for  
4 animals being imported to or exported from this state OR BEING  
5 MOVED FROM 1 PREMISES TO ANOTHER PREMISES WITHIN THIS STATE WHEN  
6 REQUIRED shall include all of the following:

7       (a) The complete names and addresses of the consignor and  
8 consignee and the destination address if different from the con-  
9 signee address.

10       (b) A description of the animals by breed, sex, and age, and  
11 a signed certification by the consignor that the animals in the  
12 shipment are those described on the certificate. The director  
13 may require that certain classifications of animals be individu-  
14 ally officially identified by ear tag, tattoo, brand, or regis-  
15 tration number.

16       (c) The date of examination of the animals by the accredited  
17 veterinarian preparing the certificate.

18       (d) The intended use of the livestock, including use for  
19 dairy, breeding, feeding or grazing, or immediate slaughter.

20       (e) The health status of the animals by recording the  
21 results of the required tests, required vaccinations, and any  
22 other data concerning the health of the animals including herd or  
23 state disease-free status. The accredited veterinarian preparing  
24 the certificate shall certify that the animals are free from  
25 clinical signs of infectious, contagious, or toxicological  
26 diseases.

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1 (f) The prior entry permit issued by the director, if a  
2 prior entry permit is required.

3 (2) A copy of the official interstate OR INTRASTATE health  
4 certificate or official interstate OR INTRASTATE certificate of  
5 veterinary inspection for livestock being exported from this  
6 state OR FOR LIVESTOCK BEING MOVED FROM 1 PREMISES TO ANOTHER  
7 PREMISES WITHIN THIS STATE shall be forwarded by the issuing  
8 accredited veterinarian to the state veterinarian within 10 work-  
9 ing days after the date of issuance.

10 (3) Livestock delivered directly to a slaughter plant shall  
11 be slaughtered within 5 days except for swine which shall be  
12 slaughtered within 48 hours. Livestock for slaughter delivered  
13 to a livestock auction market as defined in ~~Act No. 284 of the~~  
14 ~~Public Acts of 1937, being sections 287.121 to 277.131 of the~~  
15 ~~Michigan Compiled Laws~~ 1937 PA 284, MCL 287.121 TO 287.131,  
16 shall be slaughtered within 10 days.

17 Sec. 23. (1) Except as exempted in section 24 OR AS DETER-  
18 MINED APPROPRIATE BY THE DIRECTOR, cattle entering this state  
19 shall meet 1 or more of the following requirements:

20 (a) Originate directly from an accredited bovine  
21 tuberculosis-free state OR BOVINE TUBERCULOSIS FREE ZONE as  
22 defined in title 9 of the code of federal regulations and the  
23 bovine tuberculosis eradication: uniform methods and rules,  
24 effective ~~February 3, 1989~~ JANUARY 22, 1999, approved by veter-  
25 inary services of the animal and plant health inspection service  
26 of the United States department of agriculture, and all

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1 amendments to those publications thereafter adopted pursuant to  
2 rules that the director may promulgate.

3       (b) Originate directly from an accredited bovine  
4 tuberculosis-free herd as defined in title 9 of the code of fed-  
5 eral regulations and the bovine tuberculosis eradication: uni-  
6 form methods and rules, effective ~~February 3, 1989~~ JANUARY 22,  
7 1999, approved by veterinary services of the animal and plant  
8 health inspection service of the United States department of  
9 agriculture, and all amendments to those publications thereafter  
10 adopted pursuant to rules that the director may promulgate.

11       (c) ~~Have a negative tuberculosis test within 60 days before~~  
12 ~~importation.~~ IN THE CASE OF CATTLE NOT MEETING THE REQUIREMENTS  
13 OF SUBDIVISION (A) OR (B), ORIGINATE FROM A STATE OR ZONE WHOSE  
14 BOVINE TUBERCULOSIS STATUS IS LESS THAN ACCREDITED FREE AS  
15 DEFINED IN TITLE 9 OF THE CODE OF FEDERAL REGULATIONS AND THE  
16 BOVINE TUBERCULOSIS ERADICATION: UNIFORM METHODS AND RULES  
17 EFFECTIVE JANUARY 22, 1999, APPROVED BY VETERINARY SERVICES OF  
18 THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED  
19 STATES DEPARTMENT OF AGRICULTURE, AND ALL AMENDMENTS TO THOSE  
20 PUBLICATIONS THEREAFTER ADOPTED PURSUANT TO RULES THAT THE DIREC-  
21 TOR MAY PROMULGATE. THE CATTLE SHALL ORIGINATE FROM A HERD THAT  
22 HAS HAD A NEGATIVE OFFICIAL WHOLE HERD TEST AS DEFINED IN  
23 SECTION 9 WITHIN THE PRECEDING 12 MONTHS AND THE INDIVIDUAL  
24 CATTLE BEING IMPORTED SHALL HAVE HAD A NEGATIVE OFFICIAL TEST FOR  
25 BOVINE TUBERCULOSIS WITHIN 60 DAYS BEFORE ENTRY.

26       (2) Female cattle over 19 months of age THAT ARE OFFICIALLY  
27 VACCINATED AGAINST BRUCELLOSIS and bulls AND FEMALE CATTLE NOT



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1 OFFICIALLY VACCINATED AGAINST BRUCELLOSIS THAT ARE over 6 months  
2 of age shall test negative to an official brucellosis test within  
3 30 days before importation or originate directly from a certified  
4 brucellosis-free herd or originate directly from a state which  
5 has maintained, for the previous 6 consecutive years prior to  
6 importation, certified brucellosis class free state status as  
7 defined in title 9 of the code of federal regulations and the  
8 brucellosis eradication: uniform methods and rules, effective  
9 ~~May 6, 1992~~ FEBRUARY 1, 1998, approved by veterinary services  
10 of the animal and plant health inspection service of the United  
11 States department of agriculture, and all amendments to those  
12 publications thereafter adopted pursuant to rules that the direc-  
13 tor may promulgate.

14 ~~-(3) Female cattle over 4 months of age shall be officially~~  
15 ~~calfhoo~~ vaccinated against brucellosis and the vaccination  
16 tattoo shall be visibly present unless originating directly from  
17 a state which has maintained, for the previous 6 consecutive  
18 years prior to importation, certified brucellosis class free  
19 state status as defined in title 9 of the code of federal regula-  
20 tions and the brucellosis eradication: uniform methods and  
21 rules, effective May 6, 1992, approved by veterinary services of  
22 the animal and plant health inspection service of the United  
23 States department of agriculture, and all amendments to those  
24 publications thereafter adopted pursuant to rules that the direc-  
25 tor may promulgate. The vaccination status and vaccination  
26 tattoo shall be recorded on the official interstate health  
27 certificate or official interstate certificate of veterinary

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1 inspection. ~~The vaccination tattoo shall be observed by the~~  
2 ~~accredited veterinarian preparing the certificate and shall be~~  
3 ~~considered legible if the letter "V", surrounded by a~~  
4 ~~U.S. registered shield, can be identified.~~

5       (3) ~~(4) All cattle shall have a prior entry permit except~~  
6 ~~as specifically exempted in section 24.~~ Female dairy or breeding  
7 cattle over 19 months of age or bulls over 6 months of age  
8 imported from states classified brucellosis B and C by the United  
9 States department of agriculture shall be quarantined at the  
10 destination. Unless otherwise provided for by the director,  
11 female cattle over 19 months of age and bulls over 6 months of  
12 age imported from states classified brucellosis B and C by the  
13 United States department of agriculture, shall test negative to  
14 an official brucellosis test not sooner than 45 days nor more  
15 than 120 days after movement to the destination for release from  
16 quarantine. The dairy or breeding cattle shall not be sold or  
17 moved from the premises where they are quarantined, without per-  
18 mission from the director.

19       Sec. 26. (1) Equine shall test negative to an official test  
20 for equine infectious anemia within 180 days before importation  
21 and be accompanied by an official interstate health certificate  
22 or official interstate certificate of veterinary inspection.

23       (2) THIS SECTION IS REPEALED EFFECTIVE JANUARY 1, 2001.

24       SEC. 26A. (1) AS USED IN THIS SECTION:

25       (A) "AGAR GEL IMMUNODIFFUSION TEST (AGID)" MEANS AN OFFICIAL  
26 LABORATORY TEST FOR DIAGNOSIS OF EQUINE INFECTIOUS ANEMIA IN  
27 WHICH PRECIPITATES ARE FORMED BY COMBINATION OF EQUINE INFECTIOUS

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1 ANEMIA ANTIGENS AND ANTIBODIES THAT DIFFUSE THROUGH GEL AND IS  
2 ALSO KNOWN AS THE COGGINS TEST.

3 (B) "APPROVED LABORATORY" MEANS A STATE, FEDERAL, OR PRIVATE  
4 VETERINARY DIAGNOSTIC LABORATORY APPROVED BY THE UNITED STATES  
5 DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION  
6 SERVICE, VETERINARY SERVICES TO CONDUCT APPROVED OFFICIAL LABORA-  
7 TORY TESTS FOR EQUINE INFECTIOUS ANEMIA.

8 (C) "CALENDAR YEAR" MEANS THE CURRENT 12-MONTH PERIOD COM-  
9 MENCING WITH JANUARY 1 AND ENDING DECEMBER 31.

10 (D) "CHANGE OF OWNERSHIP" MEANS A TRANSFER OF OWNERSHIP OF  
11 EQUINES FROM 1 PERSON TO ANOTHER PERSON EITHER THROUGH SELLING,  
12 BARTERING, TRADING, LEASING, OR DONATING THE EQUINE.

13 (E) "EQUINE HERD" MEANS ANY OF THE FOLLOWING:

14 (i) ALL ANIMALS OF THE FAMILY EQUIDAE UNDER COMMON OWNERSHIP  
15 OR SUPERVISION THAT ARE GROUPED ON 1 OR MORE PARTS OF ANY SINGLE  
16 PREMISES, LOT, FARM, OR RANCH.

17 (ii) ALL ANIMALS OF THE FAMILY EQUIDAE UNDER COMMON OWNER-  
18 SHIP OR SUPERVISION ON 2 OR MORE PREMISES THAT ARE GEOGRAPHICALLY  
19 SEPARATED BUT IN WHICH THE EQUINES HAVE BEEN INTERCHANGED OR HAD  
20 CONTACT WITH EQUINES FROM DIFFERENT PREMISES.

21 (iii) ALL ANIMALS OF THE FAMILY EQUIDAE ON COMMON PREMISES,  
22 SUCH AS COMMUNITY PASTURES OR GRAZING ASSOCIATION UNITS, BUT  
23 OWNED BY DIFFERENT PERSONS.

24 (F) "EQUINE INFECTIOUS ANEMIA" MEANS AN INFECTIOUS DISEASE  
25 OF EQUINES CAUSED BY A LENTIVIRUS, EQUINE INFECTIOUS ANEMIA  
26 VIRUS.

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1       (G) "EQUINE INFECTIOUS ANEMIA LABORATORY TEST FORM" MEANS  
2 THE OFFICIAL FEDERAL GOVERNMENT FORM, VETERINARY SERVICES  
3 FORM 10-11, REQUIRED TO SUBMIT BLOOD SAMPLES TO AN APPROVED LABO-  
4 RATORY FOR EQUINE INFECTIOUS ANEMIA TESTING.

5       (H) "EQUINE INFECTIOUS ANEMIA TEST POSITIVE EQUINE" MEANS  
6 ANY ANIMAL OF THE FAMILY EQUIDAE THAT HAS BEEN SUBJECTED TO AN  
7 OFFICIAL EQUINE INFECTIOUS ANEMIA TEST WHOSE RESULT IS POSITIVE  
8 FOR EQUINE INFECTIOUS ANEMIA.

9       (I) "EXPOSED EQUINE" MEANS ANIMALS IN THE FAMILY EQUIDAE  
10 THAT HAVE BEEN EXPOSED TO EQUINE INFECTIOUS ANEMIA BY REASON OF  
11 ASSOCIATING WITH EQUINES KNOWN OR LATER FOUND TO BE AFFECTED WITH  
12 THIS DISEASE.

13       (J) "OFFICIAL EQUINE INFECTIOUS ANEMIA TEST" MEANS ANY TEST  
14 FOR THE LABORATORY DIAGNOSIS OF EQUINE INFECTIOUS ANEMIA THAT  
15 UTILIZES A DIAGNOSTIC PRODUCT THAT IS BOTH OF THE FOLLOWING:

16       (i) PRODUCED UNDER LICENSE FROM THE SECRETARY OF AGRICULTURE  
17 OF THE UNITED STATES DEPARTMENT OF AGRICULTURE OR THE SECRETARY'S  
18 AUTHORIZED REPRESENTATIVE, UNDER CHAPTER 145, 37 STAT. 832,  
19 21 U.S.C. 151, 154, 154a, 157, AND 159, POPULARLY KNOWN AS THE  
20 VIRUS-SERUM-TOXIN ACT OF MARCH 4, 1913.

21       (ii) CONDUCTED IN AN APPROVED LABORATORY.

22       (K) "PERMIT" MEANS AN OFFICIAL DOCUMENT, VS FORM 1-27 OR  
23 COMPARABLE STATE FORM, THAT IS ISSUED BY A STATE OR FEDERAL REP-  
24 RESENTATIVE OR BY AN ACCREDITED VETERINARIAN, REQUIRED TO ACCOM-  
25 PANY ALL EQUINE INFECTIOUS ANEMIA TEST POSITIVE EQUINE AND THOSE  
26 EQUINE INFECTIOUS ANEMIA-EXPOSED EQUINES THAT ARE BEING MOVED

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1 UNDER OFFICIAL SEAL DURING THEIR MOVEMENT TO THE SPECIFIED  
2 DESTINATION.

3 (I) "PUBLIC HIGHWAYS, ROADS, OR STREETS" MEANS STATE HIGH-  
4 WAY; COUNTY OR TOWNSHIP ROADS; CITY OR VILLAGE STREETS; OR  
5 MICHIGAN INSTITUTIONAL ROADS AS DEFINED IN 1951 PA 51,  
6 MCL 247.651 TO 247.675.

7 (M) "RESTRICTED EQUINES" MEANS EQUINE INFECTIOUS ANEMIA TEST  
8 POSITIVE EQUINE OR EQUINE EXPOSED TO EQUINE INFECTIOUS ANEMIA  
9 TEST POSITIVE EQUINE.

10 (2) ALL EQUINES BEING MOVED INTO MICHIGAN FROM OTHER STATES  
11 MUST HAVE HAD AN OFFICIAL EQUINE INFECTIOUS ANEMIA TEST WITH A  
12 NEGATIVE RESULT WITHIN THE CALENDAR YEAR OR THE PREVIOUS 30 DAYS  
13 BEFORE ENTRY AND MUST BE ACCOMPANIED BY AN OFFICIAL INTERSTATE  
14 HEALTH CERTIFICATE OR OFFICIAL INTERSTATE CERTIFICATE OF VETERI-  
15 NARY INSPECTION DOCUMENTING THE DATE, LABORATORY, ACCESSION  
16 NUMBER, AND RESULTS OF THE LATEST EQUINE INFECTIOUS ANEMIA TEST,  
17 SIGNED BY AN ACCREDITED VETERINARIAN.

18 (3) ALL EQUINES ENTERED IN EXHIBITIONS, EXPOSITIONS, OR  
19 FAIRS MUST HAVE HAD AN OFFICIAL EQUINE INFECTIOUS ANEMIA TEST  
20 WITH A NEGATIVE RESULT WITHIN THE CALENDAR YEAR OR THE PREVIOUS  
21 30 DAYS WHICH IS DOCUMENTED ON THE EQUINE INFECTIOUS ANEMIA LABO-  
22 RATORY TEST FORM. A FAIR, EXHIBITION, EXPOSITION, OR SHOW  
23 AUTHORITY IS RESPONSIBLE FOR ASSURING THAT ALL PARTICIPATING  
24 EQUINES ARE TEST-NEGATIVE FOR EQUINE INFECTIOUS ANEMIA.

25 (4) ALL EQUINES, BEFORE CHANGE OF OWNERSHIP WITHIN THE  
26 STATE, MUST HAVE HAD AN OFFICIAL EQUINE INFECTIOUS ANEMIA TEST  
27 WITH A NEGATIVE RESULT WITHIN THE CALENDAR YEAR OR PREVIOUS

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1 30 DAYS. ALL CHANGE OF OWNERSHIP TRANSACTIONS MUST BE  
2 ACCOMPANIED BY A CERTIFICATE SIGNED BY AN ACCREDITED VETERINARIAN  
3 DOCUMENTING THE DATE, LABORATORY, ACCESSION NUMBER, AND RESULTS  
4 OF THE LATEST EQUINE INFECTIOUS ANEMIA TEST OR BY AN EQUINE  
5 INFECTIOUS ANEMIA LABORATORY TEST FORM.

6 (5) ALL EQUINES ENTERING HORSE AUCTIONS OR SALES MARKETS  
7 LICENSED UNDER 1974 PA 93, MCL 287.111 TO 287.119, AND 1937  
8 PA 284, MCL 287.121 TO 287.131, MUST HAVE AN OFFICIAL EQUINE  
9 INFECTIOUS ANEMIA TEST WITH A NEGATIVE RESULT WITHIN THE CALENDAR  
10 YEAR OR PREVIOUS 30 DAYS BEFORE SALE. IF AN EQUINE INFECTIOUS  
11 ANEMIA TEST IS NOT POSSIBLE BEFORE EACH SALE, THEN THE EQUINES  
12 MUST BE HELD ON THE SALE PREMISES UNTIL THE TEST RESULTS ARE  
13 KNOWN.

14 (6) EQUINES TRANSPORTED OR PROVIDING TRANSPORTATION ON  
15 PUBLIC HIGHWAYS, ROADS, OR STREETS MUST HAVE AN OFFICIAL EQUINE  
16 INFECTIOUS ANEMIA TEST WITH A NEGATIVE RESULT WITHIN THE CALENDAR  
17 YEAR OR PREVIOUS 30 DAYS.

18 (7) THE DIRECTOR SHALL QUARANTINE EQUINES THAT TEST POSITIVE  
19 TO AN OFFICIAL EQUINE INFECTIOUS ANEMIA TEST AND THEIR HERD OF  
20 ORIGIN. EQUINES THAT TEST POSITIVE TO AN OFFICIAL EQUINE INFEC-  
21 TIOUS ANEMIA TEST MAY, WITH APPROVAL FROM THE DIRECTOR, BE MOVED  
22 OR QUARANTINED TO A PREMISES THAT CONFINES THEM A MINIMUM OF  
23 1 QUARTER MILE AWAY FROM ANY OTHER EQUINE. EQUINES THAT TEST  
24 POSITIVE TO AN OFFICIAL EQUINE INFECTIOUS ANEMIA TEST MAY, WITH  
25 APPROVAL FROM THE DIRECTOR, BE SEGREGATED AND QUARANTINED IN AN  
26 INSECT-FREE ENCLOSURE AS DETERMINED BY THE DIRECTOR.

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1       (8) THE OWNER OR AGENT OF AN EQUINE HERD THAT IS THE SOURCE  
2 OF AN EQUINE INFECTIOUS ANEMIA TEST POSITIVE EQUINE SHALL ALLOW  
3 THE DIRECTOR TO TEST, IN ACCORDANCE WITH THE FOLLOWING SCHEDULE,  
4 THE COMPLETE SOURCE HERD WITH AN OFFICIAL EQUINE INFECTIOUS  
5 ANEMIA TEST AFTER THE OFFICIAL EQUINE INFECTIOUS ANEMIA TEST POS-  
6 ITIVE EQUINE HAVE BEEN REMOVED OR SEGREGATED FROM THE HERD IN A  
7 MANNER APPROVED BY THE DIRECTOR:

8       (A) BETWEEN NOVEMBER 1 AND APRIL 30, A SOURCE HERD MAY BE  
9 TESTED AT ANY TIME AND QUALIFY FOR QUARANTINE RELEASE IF ALL  
10 TESTED EQUINE ARE NEGATIVE TO AN OFFICIAL EQUINE INFECTIOUS  
11 ANEMIA TEST.

12       (B) BETWEEN MAY 1 AND OCTOBER 31, A SOURCE HERD MAY BE  
13 TESTED AFTER WAITING A MINIMUM OF 45 DAYS AFTER THE OFFICIAL  
14 EQUINE INFECTIOUS ANEMIA TEST POSITIVE EQUINE HAVE BEEN REMOVED  
15 OR SEGREGATED FROM THE HERD. IF ALL EQUINE TESTED ARE NEGATIVE  
16 TO THE OFFICIAL EQUINE INFECTIOUS ANEMIA TEST, THE QUARANTINE MAY  
17 BE RELEASED.

18       (9) THE DIRECTOR MAY CONDUCT EPIDEMIOLOGICAL INVESTIGATIONS  
19 ON ALL EQUINE THAT HAVE POSSIBLE EXPOSURE TO OFFICIAL EQUINE  
20 INFECTIOUS ANEMIA TEST POSITIVE EQUINE TO DETERMINE THE NEED FOR  
21 ADDITIONAL QUARANTINING AND OFFICIAL EQUINE INFECTIOUS ANEMIA  
22 TESTING.

23       (10) OFFICIAL EQUINE INFECTIOUS ANEMIA TEST POSITIVE EQUINE  
24 SHALL NOT BE DESTROYED OR REMOVED FROM THE ORIGINAL TEST LOCATION  
25 OR PREMISES WITHOUT PRIOR PERMISSION FROM THE DIRECTOR.

26       (11) IF THE OWNER CHOOSES TO DESTROY THE OFFICIAL EQUINE  
27 INFECTIOUS ANEMIA TEST POSITIVE EQUINE, PERMISSION SHALL FIRST BE

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1 OBTAINED FROM THE DIRECTOR. THE DIRECTOR SHALL ISSUE A  
2 QUARANTINE RELEASE AND BE PRESENT WHEN THE EQUINE ARE DESTROYED  
3 OR AN ACCREDITED VETERINARIAN MAY DOCUMENT AND CERTIFY THAT THE  
4 OFFICIAL EQUINE INFECTIOUS ANEMIA TEST POSITIVE EQUINE HAS BEEN  
5 DESTROYED.

6 (12) UNLESS IMMEDIATELY DESTROYED, OFFICIAL EQUINE INFEC-  
7 TIOUS ANEMIA TEST POSITIVE EQUINE SHALL BE IDENTIFIED BY THE  
8 DIRECTOR WITH THE FREEZE BRAND 34A, WHICH SHALL BE IN CHARACTERS  
9 NOT LESS THAN 2 INCHES IN HEIGHT AND PLACED ON THE LEFT CERVICAL  
10 AREA OF THE NECK OR SHALL BE IDENTIFIED IN ANOTHER MANNER  
11 APPROVED BY THE DIRECTOR.

12 (13) RESTRICTED EQUINES MAY MOVE INTERSTATE ONLY IF ACCOM-  
13 PANIED BY A PERMIT LISTING THE OWNER'S NAME AND ADDRESS, POINTS  
14 OF ORIGIN AND DESTINATION, NUMBER OF EQUINES INCLUDED, PURPOSE OF  
15 THE MOVEMENT, AND AT LEAST EITHER THE INDIVIDUAL EQUINE REGIS-  
16 TERED BREED ASSOCIATION REGISTRATION TATTOO OR THE INDIVIDUAL  
17 EQUINE REGISTERED BREED ASSOCIATION REGISTRATION NUMBER, OR OTHER  
18 UNIQUE OFFICIAL IDENTIFICATION. THE PERMIT SHALL ALSO LIST THE  
19 ANIMAL'S NAME, AGE, SEX, BREED, COLOR, AND MARKINGS.

20 (14) EQUINE INFECTIOUS ANEMIA TEST POSITIVE EQUINE MAY ONLY  
21 MOVE INTERSTATE UNDER PERMIT TO THE FOLLOWING LOCATIONS:

22 (A) A FEDERALLY INSPECTED SLAUGHTER FACILITY.

23 (B) A FEDERALLY APPROVED DIAGNOSTIC OR RESEARCH FACILITY.

24 (C) A HERD OR FARM OF ORIGIN.

25 (15) THE INDIVIDUAL ISSUING THE PERMIT MUST CONSULT WITH THE  
26 STATE ANIMAL HEALTH OFFICIAL IN THE STATE OF DESTINATION FOR  
27 APPROVAL AND MUST DETERMINE THAT THE EQUINE INFECTIOUS ANEMIA



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1 TEST POSITIVE EQUINE TO BE MOVED INTERSTATE WILL BE MAINTAINED IN  
2 ISOLATION SUFFICIENT TO PREVENT THE TRANSMISSION OF EQUINE INFEC-  
3 TIOUS ANEMIA TO OTHER EQUINES. THE REACTOR WILL REMAIN QUARAN-  
4 TINED UNDER STATE AUTHORITY AT THE LOCATIONS DESCRIBED IN  
5 SUBSECTION (14) UNTIL NATURAL DEATH, SLAUGHTER, OR EUTHANASIA.  
6 THE CARCASS SHALL BE DISPOSED OF ACCORDING TO PROVISIONS OF 1982  
7 PA 239, MCL 287.651 TO 287.683.

8 (16) INDIVIDUAL EXPOSED EQUINES MAY BE ALLOWED TO MOVE FROM  
9 A QUARANTINED AREA FOR SPECIFIC PURPOSES IF THEY HAVE A NEGATIVE  
10 TEST AT THE TIME OF MOVEMENT. THE EQUINES MUST BE MOVED UNDER  
11 QUARANTINE AND MAINTAINED UNDER QUARANTINE AT THE NEW PREMISES  
12 UNTIL TESTED NEGATIVE TO AN OFFICIAL EQUINE INFECTIOUS ANEMIA  
13 TEST AT LEAST 45 DAYS AFTER THE LAST KNOWN EXPOSURE TO AN EQUINE  
14 INFECTIOUS ANEMIA TEST POSITIVE EQUINE.

15 (17) THIS SECTION TAKES EFFECT JANUARY 1, 2001.

16 Sec. 28. (1) Goats, other than goats consigned directly to  
17 a slaughterhouse or to a livestock auction market for sale as  
18 slaughter goats and imported into this state shall be accompanied  
19 by an official interstate health certificate or official inter-  
20 state certificate of veterinary inspection. ~~and meet all of the~~  
21 ~~following:~~

22 ~~(a) In the case of goats more than 6 months old, test nega-~~  
23 ~~tive to an official tuberculosis test within 60 day s before~~  
24 ~~importation or originate directly from a herd that is accredited~~  
25 ~~tuberculosis-free as defined in the bovine tuberculosis~~  
26 ~~eradication: uniform methods and rules, effective February 3,~~  
27 ~~1989, approved by veterinary services of the animal and plant~~

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1 ~~health inspection service of the United States department of~~  
2 ~~agriculture, and all amendments to those publications thereafter~~  
3 ~~adopted pursuant to rules that the director may promulgate.~~

4 (2) GOATS ENTERING THIS STATE SHALL MEET 1 OR MORE OF THE  
5 FOLLOWING REQUIREMENTS REGARDING BOVINE TUBERCULOSIS:

6 (A) ORIGINATE DIRECTLY FROM AN ACCREDITED BOVINE TUBERCULO-  
7 SIS FREE STATE OR BOVINE TUBERCULOSIS FREE ZONE AS DEFINED IN  
8 TITLE 9 OF THE CODE OF FEDERAL REGULATIONS AND THE BOVINE TUBER-  
9 CULOSIS ERADICATION: UNIFORM METHODS AND RULES EFFECTIVE JANUARY  
10 22, 1999, APPROVED BY THE VETERINARY SERVICES OF THE ANIMAL AND  
11 PLANT HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT  
12 OF AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAF-  
13 TER ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY PROMULGATE.

14 (B) ORIGINATE DIRECTLY FROM AN ACCREDITED BOVINE TUBERCULO-  
15 SIS FREE HERD AS DEFINED IN TITLE 9 OF THE CODE OF FEDERAL REGU-  
16 LATIONS AND THE BOVINE TUBERCULOSIS ERADICATION: UNIFORM METHODS  
17 AND RULES EFFECTIVE JANUARY 22, 1999, APPROVED BY THE VETERINARY  
18 SERVICES OF THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE  
19 UNITED STATES DEPARTMENT OF AGRICULTURE, AND ALL AMENDMENTS TO  
20 THOSE PUBLICATIONS THEREAFTER ADOPTED PURSUANT TO RULES THAT THE  
21 DIRECTOR MAY PROMULGATE.

22 (C) REGARDING GOATS NOT MEETING THE REQUIREMENTS OF SUBDIVI-  
23 SION (A) OR (B), OR BOTH, ORIGINATE FROM A STATE OR ZONE WHOSE  
24 BOVINE TUBERCULOSIS STATUS IS LESS THAN ACCREDITED BOVINE TUBER-  
25 CULOSIS FREE AS DEFINED IN TITLE 9 OF THE CODE OF FEDERAL REGULA-  
26 TIONS AND THE BOVINE TUBERCULOSIS ERADICATION: UNIFORM METHODS  
27 AND RULES EFFECTIVE JANUARY 22, 1999, APPROVED BY THE VETERINARY

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2 UNITED STATES DEPARTMENT OF AGRICULTURE, AND ALL AMENDMENTS TO  
3 THOSE PUBLICATIONS THEREAFTER ADOPTED PURSUANT TO RULES THAT THE  
4 DIRECTOR MAY PROMULGATE, SHALL ORIGINATE FROM A HERD THAT HAS HAD  
5 A NEGATIVE OFFICIAL WHOLE HERD TEST AS DEFINED IN SECTION 9  
6 WITHIN THE PRECEDING 12 MONTHS AND THE INDIVIDUAL GOATS BEING  
7 IMPORTED SHALL HAVE HAD A NEGATIVE OFFICIAL TEST FOR BOVINE  
8 TUBERCULOSIS WITHIN 60 DAYS BEFORE ENTRY.

9 (3) ~~(b) In the case of goats~~ GOATS more than 6 months old  
10 except wethers, test negative to an official test for brucellosis  
11 within 30 days before importation or originate directly from a  
12 herd that is certified brucellosis-free by the state of origin.

13 Sec. 29. New world camelids ~~shall not be~~ imported into  
14 this state ~~without a prior entry permit from the director and~~  
15 shall be accompanied by an official interstate health certificate  
16 or official interstate certificate of veterinary inspection and  
17 meet all of the following requirements:

18 (a) Be individually identified by an official  
19 identification. The official identification shall be listed on  
20 the official interstate health certificate or official interstate  
21 certificate of veterinary inspection.

22 (b) In the case of new world camelids more than 6 months  
23 old, test negative to an official test for brucellosis within  
24 30 days before importation.

25 Sec. 29a. (1) ~~A person shall not import aquaculture~~  
26 AQUACULTURE IMPORTED into this state ~~without a prior entry~~  
27 ~~permit from the director and~~ 1 SHALL BE ACCOMPANIED BY EITHER of

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1 the following issued by an accredited veterinarian: ~~or a fish~~  
2 ~~health official.~~

3 (a) Official interstate health certificate.

4 (b) Official interstate certificate of veterinary  
5 inspection.

6 ~~(c) Fish disease inspection report.~~

7 (2) A person shall not import aquaculture from a hatchery or  
8 other facility with a record of an emergency fish disease within  
9 the past 2 years.

10 (3) A person shall not import aquaculture exhibiting clini-  
11 cal signs of disease.

12 Sec. 30. (1) All poultry and hatching poultry eggs imported  
13 into this state shall be accompanied by 1 of the following:

14 (a) An official interstate health certificate.

15 (b) An official interstate certificate of veterinary  
16 inspection.

17 (c) A "report of sales of hatching eggs, chicks, and poults"  
18 (~~vs~~ VETERINARY SERVICES form 9-3) for participants in the  
19 national poultry improvement plan.

20 (d) An owner-shipper statement or sales invoice if consigned  
21 directly to slaughter.

22 (e) A "permit for movement of restricted animals" (~~vs~~  
23 VETERINARY SERVICES form 1-27), if prior approval is granted by  
24 the director.

25 (2) All poultry imported into this state, except those con-  
26 signed directly to a state or federally inspected slaughter

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1 facility or to a livestock auction market for sale as slaughter  
2 poultry, shall meet 1 or both of the following requirements:

3       (a) Originate directly from a U.S. pullorum-typhoid clean  
4 flock as defined in title 9 of the code of federal regulations,  
5 and all amendments to that publication thereafter adopted pursu-  
6 ant to rules that the director may promulgate.

7       (b) Have a negative official test for salmonella  
8 pullorum-typhoid within 90 days before importation and remain  
9 segregated from all poultry of unknown or positive salmonella  
10 pullorum-typhoid test status.

11       (3) POULTRY VACCINATED FOR INFECTIOUS LARYNGOTRACHEITIS  
12 SHALL NOT BE IMPORTED INTO THIS STATE UNLESS PERMISSION FROM THE  
13 DIRECTOR IS GRANTED. ANY RESTRICTIONS PLACED BY THE DIRECTOR ON  
14 THE IMPORT OF THE POULTRY SHALL BE FOLLOWED.

15       (4) ~~-(3)-~~ Poultry and hatching poultry eggs, other than  
16 poultry and hatching poultry eggs moving directly from premises  
17 of origin to premises of final destination within this state,  
18 shall meet 1 or both of the following:

19       (a) Originate directly from a U.S. pullorum-typhoid clean  
20 flock as defined in ~~title 9 of the code of federal regulations~~  
21 9 C.F.R. PART 147, and all amendments to that publication there-  
22 after adopted pursuant to rules that the director may  
23 promulgate.

24       (b) Have a negative official test for salmonella  
25 pullorum-typhoid within 90 days before change of ownership and  
26 remain segregated from all poultry of unknown or positive  
27 salmonella pullorum-typhoid test status.

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1       Sec. 30a. (1) ~~Captive cervidae~~ PRIVATELY OWNED CERVIDS,  
2 except those consigned directly to a state or federally inspected  
3 slaughter facility premises, shall not be imported into this  
4 state unless accompanied by an official interstate health certif-  
5 icate or official interstate certificate of veterinary  
6 inspection.

7       (2) ~~Captive cervidae~~ PRIVATELY OWNED CERVIDS imported into  
8 this state shall be individually identified by an official  
9 identification. The official identification shall be listed on  
10 the official interstate health certificate or official interstate  
11 certificate of veterinary inspection.

12       (3) ~~Captive cervidae~~ PRIVATELY OWNED CERVIDS 6 months of  
13 age or older IMPORTED INTO THIS STATE, except those consigned  
14 directly to a state or federally inspected slaughter facility  
15 premises, ~~imported into this state~~ SHALL ORIGINATE DIRECTLY  
16 FROM A CERTIFIED BRUCELLOSIS-FREE CERVID HERD AS DEFINED IN BRU-  
17 CELLOSIS IN CERVIDAE: UNIFORM METHODS AND RULES, EFFECTIVE  
18 SEPTEMBER 30, 1998, OR shall test negative to an official test  
19 for brucellosis within 30 days before importation.

20       (4) ~~Captive cervidae 6 months~~ PRIVATELY OWNED CERVIDS  
21 1 YEAR of age or older IMPORTED INTO THIS STATE, except those  
22 consigned directly to a state or federally inspected slaughter  
23 facility premises, ~~imported into this state shall meet inter-~~  
24 ~~state tuberculosis testing requirements as defined in title 9 of~~  
25 ~~the code of federal regulations and the uniform methods and rules~~  
26 ~~for tuberculosis eradication in cervidae: uniform methods and~~  
27 ~~rules, effective May 15, 1994, approved by veterinary services of~~

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1 ~~the animal and plant health inspection service of the United~~  
2 ~~States department of agriculture, and all amendments to those~~  
3 ~~publications thereafter adopted pursuant to rules that the direc-~~  
4 ~~tor may promulgate.~~ MUST COMPLY WITH 1 OF THE FOLLOWING BEFORE  
5 IMPORTATION:

6 (A) ORIGINATE DIRECTLY FROM AN OFFICIAL TUBERCULOSIS ACCRED-  
7 ITED HERD AS OUTLINED IN BOVINE TUBERCULOSIS ERADICATION, UNIFORM  
8 METHODS AND RULES, EFFECTIVE JANUARY 22, 1999, APPROVED BY VETER-  
9 INARY SERVICES OF THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
10 OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND ALL AMEND-  
11 MENTS TO THOSE PUBLICATIONS THEREAFTER ADOPTED PURSUANT TO RULES  
12 THAT THE DIRECTOR MAY PROMULGATE.

13 (B) ORIGINATE DIRECTLY FROM AN OFFICIAL TUBERCULOSIS QUALI-  
14 FIED OR MONITORED HERD AS OUTLINED IN BOVINE TUBERCULOSIS  
15 ERADICATION: UNIFORM METHODS AND RULES, EFFECTIVE JANUARY 22,  
16 1999, APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND PLANT  
17 HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT OF  
18 AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER  
19 ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY PROMULGATE, AND  
20 RECEIVE AN OFFICIAL NEGATIVE TEST FOR TUBERCULOSIS WITHIN 90 DAYS  
21 BEFORE IMPORTATION.

22 (C) BE ISOLATED FROM ALL OTHER ANIMALS UNTIL THEY RECEIVE 2  
23 OFFICIAL NEGATIVE TUBERCULOSIS TESTS CONDUCTED NO LESS THAN  
24 90 DAYS APART, WITH THE FIRST TEST CONDUCTED NO MORE THAN  
25 120 DAYS BEFORE IMPORTATION AND THE SECOND TEST BEING WITHIN  
26 90 DAYS BEFORE IMPORTATION INTO THIS STATE.

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1       (5) All ~~captive cervidae~~ PRIVATELY OWNED CERVIDS less than  
2 ~~6 months~~ 1 YEAR of age imported into this state, except those  
3 consigned directly to a state or federally inspected slaughter  
4 facility premises, must ~~originate directly from an official~~  
5 ~~tuberculosis accredited or qualified herd as outlined in the uni-~~  
6 ~~form methods and rules for tuberculosis eradication in cervidae~~  
7 ~~effective May 15, 1994, approved by veterinary services of the~~  
8 ~~animal and plant health inspection service of the United States~~  
9 ~~department of agriculture, and all amendments to those publica-~~  
10 ~~tions thereafter adopted pursuant to rules that the director may~~  
11 ~~promulgate, or shall remain at the destination identified on the~~  
12 ~~official interstate health certificate or official certificate of~~  
13 ~~veterinary inspection until it receives an official negative test~~  
14 ~~for tuberculosis when it is at least 6 months of age, but not~~  
15 ~~more than 8 months of age. For the purposes of this section, the~~  
16 ~~age of the captive white-tailed deer or captive elk shall be~~  
17 ~~determined by the age placed on the official interstate health~~  
18 ~~certificate or official certificate of veterinary inspection. A~~  
19 ~~copy of the official test for tuberculosis and a copy of the~~  
20 ~~official interstate health certificate or official certificate of~~  
21 ~~veterinary inspection shall be forwarded to the department within~~  
22 ~~10 days following completion of the testing.~~ COMPLY WITH 1 OF  
23 THE FOLLOWING BEFORE IMPORTATION:

24       (A) ORIGINATE DIRECTLY FROM AN OFFICIAL TUBERCULOSIS ACCRED-  
25 ITED HERD AS OUTLINED IN BOVINE TUBERCULOSIS ERADICATION: UNI-  
26 FORM METHODS AND RULES, EFFECTIVE JANUARY 22, 1999, APPROVED BY  
27 VETERINARY SERVICES OF THE ANIMAL AND PLANT HEALTH INSPECTION



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1 SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND ALL  
2 AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER ADOPTED PURSUANT TO  
3 RULES THAT THE DIRECTOR MAY PROMULGATE.

4 (B) BE BORN IN AND ORIGINATE DIRECTLY FROM AN OFFICIAL  
5 TUBERCULOSIS QUALIFIED OR MONITORED HERD AS OUTLINED IN BOVINE  
6 TUBERCULOSIS ERADICATION, UNIFORM METHODS AND RULES, EFFECTIVE  
7 JANUARY 22, 1999, APPROVED BY VETERINARY SERVICES OF THE ANIMAL  
8 AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED STATES DEPART-  
9 MENT OF AGRICULTURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS  
10 THEREAFTER ADOPTED PURSUANT TO RULES THAT THE DIRECTOR MAY  
11 PROMULGATE.

12 (C) BE A PURCHASED ADDITION ORIGINATING DIRECTLY FROM AN  
13 OFFICIAL TUBERCULOSIS QUALIFIED OR MONITORED HERD AS OUTLINED IN  
14 BOVINE TUBERCULOSIS ERADICATION, UNIFORM METHODS AND RULES,  
15 EFFECTIVE JANUARY 22, 1999, APPROVED BY VETERINARY SERVICES OF  
16 THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE UNITED  
17 STATES DEPARTMENT OF AGRICULTURE, AND ALL AMENDMENTS TO THOSE  
18 PUBLICATIONS THEREAFTER ADOPTED PURSUANT TO RULES THAT THE DIREC-  
19 TOR MAY PROMULGATE, AND RECEIVE AN OFFICIAL NEGATIVE TEST FOR  
20 TUBERCULOSIS WITHIN 90 DAYS BEFORE IMPORTATION.

21 (D) BE ISOLATED FROM ALL OTHER ANIMALS UNTIL IT RECEIVES 2  
22 OFFICIAL NEGATIVE TUBERCULOSIS TESTS CONDUCTED NOT LESS THAN  
23 90 DAYS APART, WITH THE FIRST TEST CONDUCTED NO MORE THAN  
24 120 DAYS BEFORE IMPORTATION AND THE SECOND TEST BEING WITHIN  
25 90 DAYS BEFORE IMPORTATION INTO THIS STATE.

26 (6) ~~Captive cervidae~~ PRIVATELY OWNED CERVIDS with a  
27 response other than negative to any tuberculosis test or

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1 brucellosis test are not eligible for interstate movement into  
2 this state without permission from the director.

3       (7) ~~Captive cervidae~~ PRIVATELY OWNED CERVIDS known to be  
4 affected with or exposed to tuberculosis or brucellosis are not  
5 eligible for interstate movement into this state without permis-  
6 sion from the director.

7       Sec. 30b. (1) ~~All live captive cervidae 6 months of age or~~  
8 ~~older except captive white-tailed deer and captive elk moving~~  
9 ~~from 1 premises to another premises within this state, except~~  
10 ~~those consigned directly to a state or federally inspected~~  
11 ~~slaughter facility premises, shall be accompanied by a copy of~~  
12 ~~the current official test for tuberculosis or written permission~~  
13 ~~from the director and shall originate directly from accredited,~~  
14 ~~qualified, or monitored herds as defined in title 9 of the code~~  
15 ~~of federal regulations and the uniform methods and rules for the~~  
16 ~~control and eradication of bovine tuberculosis in cervidae~~  
17 ~~approved by veterinary services of the animal and plant health~~  
18 ~~inspection service of the U.S. department of agriculture and all~~  
19 ~~amendments thereafter to those publications adopted pursuant to~~  
20 ~~rules that the director may promulgate or originate from herds~~  
21 ~~not known to be affected with or exposed to tuberculosis and~~  
22 ~~accompanied by a certificate signed by an accredited veterinarian~~  
23 ~~stating that the captive cervidae have been classified negative~~  
24 ~~to an official tuberculosis test that was conducted within 90 day~~  
25 ~~s before their movement.~~ ALL LIVE PRIVATELY OWNED CERVIDS MOVING  
26 FROM 1 PREMISES TO ANOTHER PREMISES WITHIN THIS STATE SHALL BE

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1 OFFICIALLY IDENTIFIED WITH AN IDENTIFICATION APPROVED BY THE  
2 DIRECTOR.

3 (2) All live ~~captive white-tailed deer and captive elk~~  
4 PRIVATELY OWNED CERVIDS 6 months of age or older moving from 1  
5 premises to another premises within this state, except those con-  
6 signed directly to a state or federally inspected slaughter  
7 facility premises, shall comply with 1 of the following:

8 (a) Originate directly from an official tuberculosis  
9 accredited, ~~or~~ qualified, OR MONITORED herd as outlined in ~~the~~  
10 ~~uniform methods and rules for tuberculosis eradication in cervi-~~  
11 ~~dae effective May 15, 1994~~ BOVINE TUBERCULOSIS ERADICATION:  
12 UNIFORM METHODS AND RULES, EFFECTIVE JANUARY 22, 1999, approved  
13 by veterinary services of the animal and plant health inspection  
14 service of the United States department of agriculture, and all  
15 amendments to those publications thereafter adopted pursuant to  
16 rules that the director may promulgate, and be accompanied by a  
17 copy of the current official letter from the Michigan department  
18 of agriculture verifying herd status.

19 (B) ORIGINATE DIRECTLY FROM A HERD THAT HAS RECEIVED AN  
20 OFFICIAL NEGATIVE TUBERCULOSIS TEST OF ALL PRIVATELY OWNED CER-  
21 VIDS 12 MONTHS OF AGE OR OLDER AND ALL CATTLE AND GOATS 6 MONTHS  
22 OF AGE AND OLDER IN CONTACT WITH THE HERD WITHIN 24 MONTHS BEFORE  
23 MOVEMENT.

24 (C) ~~(b)~~ Originate directly from a herd that has received  
25 an official negative tuberculosis test of all ~~captive cervidae~~  
26 PRIVATELY OWNED CERVIDS 12 months of age or older and all cattle  
27 and goats 6 months of age or older in contact with the herd MORE

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1 THAN 24 MONTHS BEFORE MOVEMENT, receive an individual negative  
2 official test for tuberculosis within 90 days ~~prior to~~ BEFORE  
3 movement, and be accompanied by a copy of the official tests for  
4 tuberculosis verifying that testing.

5 (D) ~~(c)~~ Be isolated from all other members of the herd and  
6 receive 2 official negative tests for tuberculosis at 90- to  
7 120-day intervals before movement and be accompanied by copies of  
8 the official tests for tuberculosis verifying that testing. THE  
9 SECOND NEGATIVE TEST SHALL BE WITHIN 90 DAYS BEFORE MOVEMENT.

10 (3) All live ~~captive white-tailed deer and captive elk~~  
11 PRIVATELY OWNED CERVIDS less than 6 months of age moving from 1  
12 premises to another premises within this state, except those con-  
13 signed directly to a state or federally inspected slaughter  
14 facility premises, ~~shall~~ MUST comply with 1 of the following:

15 (a) Originate directly from an official tuberculosis  
16 accredited, ~~or~~ qualified, OR MONITORED herd as outlined in ~~the~~  
17 ~~uniform methods and rules for tuberculosis eradication in cervi-~~  
18 ~~dae effective May 15, 1994~~ BOVINE TUBERCULOSIS ERADICATION:  
19 UNIFORM METHODS AND RULES, EFFECTIVE JANUARY 22, 1999, approved  
20 by veterinary services of the animal and plant health inspection  
21 service of the United States department of agriculture, and all  
22 amendments to those publications thereafter adopted pursuant to  
23 rules that the director may promulgate, be identified by an offi-  
24 cial identification, and be accompanied by a copy of the current  
25 official letter from the Michigan department of agriculture veri-  
26 fying 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 PRIVATELY OWNED  
3 CERVIDS 12 MONTHS OF AGE OR OLDER AND ALL CATTLE AND GOATS  
4 6 MONTHS OF AGE AND OLDER IN CONTACT WITH THE HERD WITHIN  
5 24 MONTHS BEFORE MOVEMENT.

6 (C) ~~-(b)-~~ Originate directly from a herd that has received  
7 an official negative tuberculosis test of all ~~captive cervidae~~  
8 PRIVATELY OWNED CERVIDS 12 months of age or older and all cattle  
9 and goats 6 months of age or older in contact with the herd ~~, be~~  
10 ~~individually identified by an official identification,~~ MORE THAN  
11 24 MONTHS BEFORE MOVEMENT AND be accompanied by an official  
12 permit for movement of ~~captive white-tailed deer and captive~~  
13 ~~elk~~ PRIVATELY OWNED CERVIDS less than 6 months of age within  
14 Michigan OR AN OFFICIAL INTERSTATE HEALTH CERTIFICATE issued by  
15 an accredited veterinarian, and remain at the destination stated  
16 on the permit OR OFFICIAL INTERSTATE HEALTH CERTIFICATE until it  
17 receives an official negative tuberculosis test when it reaches  
18 6 months of age, but not more than 8 months of age. For purposes  
19 of this section, the age of the ~~captive white-tailed deer or~~  
20 ~~captive elk~~ PRIVATELY OWNED CERVIDS shall be determined by the  
21 age placed on the official permit for movement of ~~captive~~  
22 ~~white-tailed deer and captive elk~~ PRIVATELY OWNED CERVIDS less  
23 than 6 months of age in Michigan OR THE OFFICIAL INTERSTATE  
24 HEALTH CERTIFICATE ISSUED by the accredited veterinarian. A copy  
25 of the official test for tuberculosis and a copy of the official  
26 permit for movement of ~~captive white-tailed deer and captive~~  
27 ~~elk~~ PRIVATELY OWNED CERVIDS less than 6 months of age within

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1 Michigan OR THE OFFICIAL INTERSTATE HEALTH CERTIFICATE shall be  
2 forwarded to the department within 10 days following completion  
3 of the testing.

4 (4) ~~Captive cervidae~~ PRIVATELY OWNED CERVIDS with a  
5 response other than negative to any tuberculosis test are not  
6 eligible for intrastate movement without permission from the  
7 director.

8 (5) ~~Captive cervidae~~ PRIVATELY OWNED CERVIDS known to be  
9 affected with or exposed to tuberculosis shall not be moved  
10 intrastate without permission from the director.

11 (6) The department shall keep a current database on ~~captive~~  
12 ~~cervidae~~ PRIVATELY OWNED CERVIDS premises in this state. The  
13 database shall include the owner's name, the owner's current  
14 address, location of ~~captive cervidae~~ PRIVATELY OWNED CERVIDS,  
15 species of ~~captive cervidae~~ PRIVATELY OWNED CERVIDS at the  
16 premises, and the approximate number of ~~captive cervidae~~  
17 PRIVATELY OWNED CERVIDS at the premises.

18 Sec. 30c. (1) ~~Beginning on the effective date of this sec-~~  
19 ~~tion, each~~ EACH owner of any ~~captive~~ PRIVATELY OWNED  
20 white-tailed deer farm or ~~captive~~ PRIVATELY OWNED elk farm that  
21 does not possess official tuberculosis accredited or qualified  
22 herd status as defined in ~~the uniform methods and rules for~~  
23 ~~tuberculosis eradication in cervidae effective May 15, 1994~~  
24 BOVINE TUBERCULOSIS ERADICATION, UNIFORM METHODS AND RULES,  
25 EFFECTIVE JANUARY 22, 1999, approved by the veterinary services  
26 of the animal and plant health inspection service of the United  
27 States department of agriculture, and all amendments to those

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1 publications thereafter adopted pursuant to rules that the  
2 director may promulgate, shall cause an official test for tuber-  
3 culosis to be conducted on all ~~captive cervidae~~ PRIVATELY OWNED  
4 CERVIDS 12 months of age or older, and all cattle and goats  
5 6 months of age and older in contact with the ~~captive cervidae~~  
6 PRIVATELY OWNED CERVIDS. This testing shall be completed ~~within~~  
7 ~~18 months following the effective date of this section~~ BY JULY  
8 27, 2000. The owner of any ~~captive~~ PRIVATELY OWNED  
9 white-tailed deer farm or ~~captive~~ PRIVATELY OWNED elk farm that  
10 begins operation after the effective date of this section shall  
11 complete the testing requirement within 18 months following  
12 assembly of the herd.

13 (2) ~~Beginning on the effective date of this section, each~~  
14 EACH owner of any ~~captive cervidae~~ PRIVATELY OWNED WHITE-TAILED  
15 DEER OR ELK ranch shall cause ~~captive cervidae~~ PRIVATELY OWNED  
16 CERVIDS removed from the herd to undergo visual inspection by a  
17 specially trained accredited veterinarian, approved by the direc-  
18 tor, for evidence of tuberculosis. The number of animals to be  
19 inspected shall be equal to the number required for establishing  
20 an official tuberculosis monitored herd as outlined in ~~the uni-~~  
21 ~~form methods and rules for tuberculosis eradication in cervidae~~  
22 ~~effective May 15, 1994~~ BOVINE TUBERCULOSIS ERADICATION: UNIFORM  
23 METHODS AND RULES, EFFECTIVE JANUARY 22, 1999, approved by veter-  
24 inary services of the animal and plant health inspection service  
25 of the United States department of agriculture, and all amend-  
26 ments to those publications thereafter adopted pursuant to rules  
27 that the director may promulgate. The testing shall be

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1 ~~conducted over a 3-consecutive-year period and be~~ completed  
2 ~~within 5 years following the effective date of this section~~ BY  
3 JANUARY 27, 2004. The owner of any ~~captive cervidae~~ PRIVATELY  
4 OWNED WHITE-TAILED DEER OR ELK ranch which begins operation after  
5 the effective date of this section shall complete the required  
6 testing within 5 years following assembly of the herd.

7 SEC. 30D. (1) BEGINNING 90 DAYS AFTER THE ENACTMENT DATE OF  
8 THIS SECTION, EACH OWNER OF ANY PRIVATELY OWNED CERVID FARM,  
9 OTHER THAN ANY PRIVATELY OWNED WHITE-TAILED DEER OR ELK FARM,  
10 THAT DOES NOT POSSESS OFFICIAL TUBERCULOSIS ACCREDITED OR QUALI-  
11 FIED HERD STATUS AS DEFINED IN BOVINE TUBERCULOSIS ERADICATION:  
12 UNIFORM METHODS AND RULES, EFFECTIVE JANUARY 22, 1999, APPROVED  
13 BY THE VETERINARY SERVICES OF THE ANIMAL AND PLANT HEALTH INSPEC-  
14 TION SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND  
15 ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER ADOPTED PURSUANT  
16 TO RULES THAT THE DIRECTOR MAY PROMULGATE, SHALL CAUSE AN OFFI-  
17 CIAL TEST FOR TUBERCULOSIS TO BE CONDUCTED ON ALL PRIVATELY OWNED  
18 CERVIDS 12 MONTHS OF AGE OR OLDER, AND ALL CATTLE AND GOATS  
19 6 MONTHS OF AGE AND OLDER IN CONTACT WITH THE PRIVATELY OWNED  
20 CERVIDS. THIS TESTING SHALL BE COMPLETED WITHIN 18 MONTHS FOL-  
21 LOWING THE EFFECTIVE DATE OF THIS SECTION. THE OWNER OF ANY PRI-  
22 VATELY OWNED CERVID FARM, OTHER THAN PRIVATELY WHITE-TAILED DEER  
23 OR ELK FARMS, THAT BEGIN OPERATION AFTER THE EFFECTIVE DATE OF  
24 THIS SECTION SHALL COMPLETE THE TESTING REQUIREMENT WITHIN  
25 18 MONTHS FOLLOWING ASSEMBLY OF THE HERD.

26 (2) BEGINNING 90 DAYS AFTER THE ENACTMENT DATE OF THIS  
27 SECTION, EACH OWNER OF ANY PRIVATELY OWNED CERVID RANCH, OTHER



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1 THAN PRIVATELY OWNED WHITE-TAILED DEER OR ELK RANCHES, SHALL  
2 CAUSE PRIVATELY OWNED CERVIDS REMOVED FROM THE HERD TO UNDERGO  
3 VISUAL INSPECTION BY A SPECIALLY TRAINED ACCREDITED VETERINARIAN,  
4 APPROVED BY THE DIRECTOR, FOR EVIDENCE OF TUBERCULOSIS. THE  
5 NUMBER OF ANIMALS TO BE INSPECTED SHALL BE EQUAL TO THE NUMBER  
6 REQUIRED FOR ESTABLISHING AN OFFICIAL TUBERCULOSIS MONITORED HERD  
7 AS OUTLINED IN BOVINE TUBERCULOSIS ERADICATION: UNIFORM METHODS  
8 AND RULES, EFFECTIVE JANUARY 22, 1999, APPROVED BY VETERINARY  
9 SERVICES OF THE ANIMAL AND PLANT HEALTH INSPECTION SERVICE OF THE  
10 UNITED STATES DEPARTMENT OF AGRICULTURE, AND ALL AMENDMENTS TO  
11 THOSE PUBLICATIONS THEREAFTER ADOPTED PURSUANT TO RULES THAT THE  
12 DIRECTOR MAY PROMULGATE. THE TESTING SHALL BE COMPLETED WITHIN  
13 5 YEARS FOLLOWING THE EFFECTIVE DATE OF THIS SECTION. THE OWNER  
14 OF ANY PRIVATELY OWNED CERVID RANCH, OTHER THAN PRIVATELY OWNED  
15 WHITE-TAILED DEER OR ELK RANCHES, WHICH BEGINS OPERATION AFTER  
16 THE EFFECTIVE DATE OF THIS SECTION SHALL COMPLETE THE REQUIRED  
17 TESTING WITHIN 5 YEARS FOLLOWING ASSEMBLY OF THE HERD.

18       Sec. 31. (1) Any species having the potential to spread  
19 serious diseases or parasites, to cause serious physical harm, or  
20 to otherwise endanger native wildlife, human life, livestock,  
21 domestic animals, or property, as determined by the director,  
22 shall not be imported into this state.

23       ~~-(2) A prior entry permit shall be obtained from the direc=~~  
24 ~~tor for a wild animal or exotic animal species not regulated by~~  
25 ~~the fish and wildlife service of the United States department of~~  
26 ~~interior or the department of natural resources of this state.~~

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1       (2) ~~—(3)—~~ The director may require compliance with any or  
2 all of the following ~~—prior to—~~ BEFORE the importation of a wild  
3 animal or an exotic animal species not regulated by the fish and  
4 wildlife service of the United States department of interior or  
5 the department of natural resources of this state:

6       (a) Physical examination by an accredited veterinarian be  
7 conducted after importation to determine the health status,  
8 proper housing, husbandry, and confinement of any animal permit-  
9 ted to enter this state.

10       (b) Negative test results to specific official tests  
11 required by the director within a time frame before importation  
12 into this state as determined by the director.

13       (c) Identification prior to importation in a manner approved  
14 by the director.

15       (3) ~~—(4)—~~ An official interstate health certificate or offi-  
16 cial interstate certificate of veterinary inspection signed by an  
17 accredited veterinarian from the state of origin shall accompany  
18 all wild animal or exotic animal species imported into this  
19 state. The official interstate health certificate or official  
20 interstate certificate of veterinary inspection shall comply with  
21 all the requirements of section 20(1)(a), (b), (c), (d), (e), and  
22 (f).

23       (4) ~~—(5)—~~ A wild animal or exotic animal species permitted  
24 to enter this state shall receive housing, feeding, restraining,  
25 and care that is approved by the director.

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1       (5) ~~-(6)-~~ A person shall not import or release live feral  
2 swine or any crosses of feral swine in this state for any purpose  
3 without permission from the director.

4       Sec. 33. (1) Livestock sold at a livestock auction market  
5 shall be handled and housed in facilities and pens in a manner  
6 approved by the director. The alleys and sale rings used for  
7 livestock auction shall be appropriately cleaned and disinfected  
8 before each day's sale. The pens, facilities, and the procedures  
9 for cleaning and disinfecting shall be approved by the director.

10       (2) ALL CATTLE, BISON, GOATS, AND PRIVATELY OWNED CERVIDS  
11 PRESENTED AT ANY LIVESTOCK AUCTION MARKET IN MICHIGAN SHALL BE  
12 IDENTIFIED AS REQUIRED IN THE BOVINE TUBERCULOSIS ERADICATION:  
13 UNIFORM METHODS AND RULES, EFFECTIVE JANUARY 22, 1999, AND  
14 APPROVED BY VETERINARY SERVICES OF THE ANIMAL AND PLANT HEALTH  
15 INSPECTION SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICUL-  
16 TURE, AND ALL AMENDMENTS TO THOSE PUBLICATIONS THEREAFTER ADOPTED  
17 PURSUANT TO RULES THAT THE DIRECTOR MAY PROMULGATE.

18       (3) CATTLE, BISON, GOATS, AND PRIVATELY OWNED CERVIDS THAT  
19 ARE MARKETING FOR IMMEDIATE SLAUGHTER SHALL BE IDENTIFIED BY OFFI-  
20 CIAL EAR TAG, SALE TAG, OR OFFICIAL BACK TAG IN A MANNER DESIGNED  
21 TO TRACE THE ANIMALS TO THE PREMISES OF ORIGIN.

22       Sec. 35. If livestock ~~undergoes parturition within~~ ENTER  
23 a slaughter facility premises, the ~~newborn~~ LIVESTOCK AND OFF-  
24 SPRING BORN IN THE PREMISES shall not leave the slaughter facil-  
25 ity premises unless permission is granted by the director to move  
26 the ~~newborn~~ LIVESTOCK to an alternate premises.

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1       Sec. 39. Unless otherwise approved or waived by the  
2 director, the following shall apply to exhibition facilities:

3       (a) A facility for exhibition of livestock shall be con-  
4 structed to allow sufficient separation of each exhibitor's live-  
5 stock AND TO ALLOW FOR SUFFICIENT SEPARATION OF SPECIES. The  
6 facility shall be constructed of a material that can be ade-  
7 quately cleaned and disinfected.

8       (b) An exhibition building or yarding facility shall be  
9 cleaned and disinfected with USDA-approved disinfectant used in  
10 accordance with label instructions before livestock are admitted  
11 by removing from the premises all manure, litter, hay, straw, and  
12 forage from pens, runways, and show rings, and thoroughly disin-  
13 fecting walls, partitions, floors, mangers, yarding facilities,  
14 and runways BEFORE EACH USE in a manner approved by the  
15 director.

16       Sec. 40. (1) A fair shall have an accredited veterinarian  
17 on call whenever there are animals on the premises during the  
18 fair.

19       (2) A fair, exhibition, exposition, or show authority shall  
20 do all of the following:

21       (a) Notify exhibitors of health tests and certificates  
22 required for importation and exhibition in this state.

23       (b) Examine and approve required health certificates,  
24 reports, test charts, certificates, or other required documen-  
25 tation before displaying, exhibiting, or stabling the animals in  
26 the exhibition area or before commingling with other animals.

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1 (c) Provide shipping arrangements for all swine exhibited  
2 that are to be removed from the fair, exhibition, exposition, or  
3 show facility for direct movement to slaughter or a livestock  
4 auction market as defined in ~~Act No. 284 of the Public Acts of~~  
5 ~~1937, being sections 287.121 to 287.131 of the Michigan Compiled~~  
6 ~~Laws~~ 1937 PA 284, MCL 287.121 TO 287.131.

7 (D) NOTIFY EXHIBITORS WHETHER OR NOT POULTRY VACCINATED  
8 AGAINST INFECTIOUS LARYNGOTRACHEITIS ARE ALLOWED IN THE FAIR,  
9 EXHIBITION, OR EXPOSITION.

10 (3) A fair, exhibition, exposition, or show authority may  
11 require additional testing or vaccination of animals before entry  
12 and during the fair, exhibition, exposition, or show.

13 (4) Livestock with clinical signs of infectious, contagious,  
14 or toxicological disease shall be removed from the fair, exhibi-  
15 tion, or exposition or, by permission of the director, shall be  
16 isolated on the premises.

17 (5) It is the responsibility of the exhibitor to ensure that  
18 all requirements for testing, identification, and official inter-  
19 state health certificate or official interstate certificate of  
20 veterinary inspection are fulfilled ~~prior to~~ BEFORE importation  
21 and that proof of fulfilling these requirements is provided to  
22 the director, fair, exhibition, exposition, or show authority  
23 upon request.

24 (6) Swine for exhibition within this state shall be individ-  
25 ually identified by official identification.

26 (7) Swine shall not enter any fair, exhibition, exposition,  
27 or show facility unless it can be demonstrated that the swine

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1 presented for exhibition or exposition meet 1 or more of the  
2 following conditions:

3       (a) Originate as a direct movement from a swine premises  
4 located in a pseudorabies stage III area or region or other  
5 equivalent low prevalence area as recognized by the director.

6       (b) Originate directly from a pseudorabies  
7 qualified-negative herd as defined in title 9 ~~of the code of~~  
8 ~~federal regulations~~ C.F.R. PART 85, which proof may consist of a  
9 copy of a valid certificate issued by the department stating that  
10 the herd meets the requirements for a pseudorabies  
11 qualified-negative herd.

12       (c) Unless the swine are piglets nursing a pseudorabies neg-  
13 ative sow, present an official swine test report that indicates  
14 the swine have been tested for pseudorabies within 45 days before  
15 exhibition and have tested negative.

16       (8) All swine removed from any exhibition facility shall be  
17 moved directly to a livestock auction market or slaughter facil-  
18 ity premises for disposition in accordance with applicable laws  
19 concerning movement of swine to slaughter unless all swine  
20 present at the exhibition or exposition at any time for any  
21 reason have entered the exhibition facility according to the pro-  
22 visions of subsection (7)(b) or (c).

23       (9) Upon request, a person who exhibits livestock shall  
24 present for inspection all reports, test charts, and appropriate  
25 health certificates required by this act to accompany the  
26 livestock.

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1       (10) Any swine found to be exhibited or removed from  
2 exhibition in violation of any provision of this section may be  
3 quarantined or ordered slaughtered, destroyed, or disposed of by  
4 the director without being eligible for indemnification as  
5 described in sections 14 and 15.

6       Sec. 41. Exhibition of poultry shall meet the following  
7 requirements:

8       (a) All poultry except waterfowl, pigeons, and doves shown  
9 at public exhibition in this state shall meet 1 or more of the  
10 following requirements:

11       (i) Originate directly from a U.S. pullorum-typhoid clean  
12 flock as defined in title 9 ~~of the code of federal regulations~~  
13 C.F.R. PART 147, and all amendments to that publication thereaf-  
14 ter adopted pursuant to rules that the director may promulgate.

15       (ii) Have a negative official test for salmonella  
16 pullorum-typhoid within 90 days before the exhibition or exposi-  
17 tion and remain segregated from all poultry of unknown or posi-  
18 tive salmonella pullorum-typhoid test status.

19       (b) A feed or water container provided for an exhibition  
20 coop shall be new or properly cleaned.

21       (c) A feed or water container from which a bird has eaten or  
22 drunk shall be refilled to prevent contamination of the common  
23 supply of feed or water. A feed or water container shall not be  
24 removed from an exhibition coop except for the purpose of  
25 cleaning.

26       (d) An exhibition coop shall be thoroughly cleaned and  
27 disinfected before and after each exhibition.

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1 (e) An exhibition coop shall be constructed and placed to  
2 provide adequate light for proper inspection of poultry for evi-  
3 dence of transmissible diseases.

4 (f) A shipping crate used in the shipment of birds by common  
5 carrier shall not be used as an exhibition coop. A shipping  
6 crate shall be cleaned and disinfected on the day of arrival  
7 after birds have been removed for exhibition and before being  
8 used again. Unless otherwise necessary, a shipping crate shall  
9 not be stored in the exhibition area.

10 (g) Litter for an exhibition coop shall be clean and shall  
11 be replaced daily or as often as needed.

12 (h) A bird shall not be handled except by the exhibitor,  
13 attendant, FAIR VETERINARIAN, DIRECTOR, or judge after the bird  
14 is placed in an exhibition coop.

15 Sec. 42. (1) Whenever an official test is conducted, ~~or an~~  
16 ~~official vaccination is administered, livestock~~ AN OFFICIAL VAC-  
17 CINATION IS ADMINISTERED, OR A UNITED STATES DEPARTMENT OF AGRI-  
18 CULTURE ACCREDITED LABORATORY HAS DIAGNOSED A REPORTABLE DISEASE,  
19 THE ANIMALS shall, unless exempted by the director, be identified  
20 by an official identification.

21 (2) The result of an official test shall be reported on a  
22 form supplied by the department. If a tissue sample is submitted  
23 for analysis, a properly completed sample submission form sup-  
24 plied by the department shall accompany the sample. The official  
25 test tissue sample shall be obtained and submitted only by an  
26 accredited veterinarian except under special permission of the  
27 director. The form used to document the results of an official



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1 test, sample submission, or official vaccination shall be  
2 properly prepared and completed.

3       (3) An official brucellosis calfhood vaccination shall be  
4 performed by an accredited veterinarian in compliance with the  
5 method outlined in title 9 ~~of the code of federal regulations~~  
6 C.F.R., PART 78 and the brucellosis eradication: uniform methods  
7 and rules, effective ~~May 6, 1992~~ FEBRUARY 1, 1998, approved by  
8 veterinary services of the animal and plant health inspection  
9 service of the United States department of agriculture, and all  
10 amendments to those publications thereafter adopted pursuant to  
11 rules that the director may promulgate.

12       (4) Except upon special permission from the director, offi-  
13 cial brucellosis calfhood vaccination shall be performed only on  
14 female cattle between the ages of 4 and 8 months.

15       (5) A person shall not tattoo any animal with the official  
16 brucellosis vaccination tattoo unless the animal is an official  
17 brucellosis calfhood vaccinate.

18       (6) Testing and surveillance for brucellosis and tuberculo-  
19 sis shall be as follows:

20       (a) A brucellosis ring test shall be conducted on each herd  
21 shipping milk to a dairy plant in this state. The test shall be  
22 conducted as outlined in title 9 ~~of the code of federal~~  
23 ~~regulations~~ C.F.R., PART 78 and the brucellosis eradication:  
24 uniform methods and rules, effective ~~May 6, 1992~~ FEBRUARY 1,  
25 1998, approved by veterinary services of the animal and plant  
26 health inspection service of the United States department of

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1 agriculture, and all amendments to those publications thereafter  
2 adopted pursuant to rules that the director may promulgate.

3       (b) Disease surveillance for tuberculosis and brucellosis  
4 shall be conducted through the market cattle identification pro-  
5 gram as set forth in title 9 ~~of the code of federal regulations~~  
6 C.F.R., PART 78 and the brucellosis eradication: uniform methods  
7 and rules, effective ~~May 6, 1992~~ FEBRUARY 1, 1998, approved by  
8 veterinary services of the animal and plant health inspection  
9 service of the United States department of agriculture, and all  
10 amendments to those publications thereafter adopted pursuant to  
11 rules that the director may promulgate and the bovine tuberculo-  
12 sis eradication: uniform methods and rules, effective  
13 ~~February 3, 1989~~ JANUARY 22, 1999, approved by veterinary serv-  
14 ices of the animal and plant health inspection service of the  
15 United States department of agriculture, and all amendments to  
16 those publications thereafter adopted pursuant to rules that the  
17 director may promulgate.

18       (7) The department may participate in the programs described  
19 in subsection (6) and programs for other reportable diseases and  
20 may test for reportable diseases in any sample of livestock blood  
21 or tissue collected at a United States department or department  
22 approved slaughter facility, any livestock collection or market  
23 facility, or any sample of livestock blood or tissue submitted  
24 for diagnostic purposes to a United States department of agricul-  
25 ture officially approved laboratory. The slaughter facility,  
26 livestock collection or market facility, or laboratory shall

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1 provide adequate room, time, and safe conditions for the  
2 collection of blood or tissue samples.

3       Sec. 44. (1) A person who commits 1 or more of the follow-  
4 ing is guilty of a felony punishable by a fine of not less than  
5 \$1,000.00 ~~nor~~ AND NOT more than \$50,000.00, or imprisonment of  
6 not more than 5 years, or both, and shall not receive any indem-  
7 nification payments at the discretion of the director:

8       (a) Intentionally contaminating or exposing livestock to an  
9 infectious, contagious, or toxicological disease for the purpose  
10 of receiving indemnification from the state or causing the state  
11 to destroy affected livestock.

12       (b) Intentionally making a false statement on an application  
13 for indemnification or reimbursement from the state.

14       (c) Intentionally violating a condition of quarantine  
15 AUTHORIZED UNDER SECTION 12 OR MOVEMENT RESTRICTIONS AND OTHER  
16 REQUIREMENTS AUTHORIZED UNDER SECTION 9.

17       (d) Intentionally importing into this state, without permis-  
18 sion from the director, diseased livestock or livestock exposed  
19 to an infectious, contagious, or toxicological disease.

20       (e) Intentionally misrepresenting the health, medical  
21 status, or prior treatment for an infectious, contagious, or tox-  
22 icological disease of livestock to facilitate movement or trans-  
23 fer of ownership to another person.

24       (2) ~~A~~ EXCEPT AS OTHERWISE PROVIDED UNDER SUBSECTIONS (1)  
25 AND (2), A person who violates this act, ~~or~~ a rule promulgated  
26 under this act, ~~other than subsection (1)~~ A QUARANTINE  
27 AUTHORIZED UNDER SECTION 12, OR MOVEMENT RESTRICTIONS AND OTHER

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1 REQUIREMENTS AUTHORIZED UNDER SECTION 9 is guilty of a  
2 misdemeanor, punishable by a fine of not less than \$300.00 or  
3 imprisonment of not less than 30 days, or both.

4 (3) The court may allow the department to recover reasonable  
5 costs and attorney fees incurred in a prosecution resulting in a  
6 conviction for a violation of subsections (1) and (2). Costs  
7 assessed and recovered under this subsection shall be paid to the  
8 state treasury and credited to the department for the enforcement  
9 of this act.

10 (4) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1),  
11 THE director, upon finding that a person has violated this act,  
12 ~~or~~ a rule promulgated under this act, A QUARANTINE AUTHORIZED  
13 UNDER SECTION 12, OR MOVEMENT RESTRICTIONS AND OTHER REQUIREMENTS  
14 AUTHORIZED UNDER SECTION 9, may do the following:

15 (a) Issue a warning.

16 (b) Impose an administrative fine of not more than \$1,000.00  
17 for each violation after notice and an opportunity for a hearing  
18 pursuant to the administrative procedures act of 1969, ~~Act~~  
19 ~~No. 306 of the Public Acts of 1969, being sections 24.201 to~~  
20 ~~24.328 of the Michigan Compiled Laws~~ 1969 PA 306, MCL 24.201 TO  
21 24.328.

22 (c) Issue an appearance ticket as described and authorized  
23 by sections 9a to 9g of chapter 4 of the code of criminal proce-  
24 dure, ~~Act No. 175 of the Public Acts of 1927, being sections~~  
25 ~~764.9a to 764.9g of the Michigan Compiled Laws~~ 1927 PA 175,  
26 MCL 764.9A TO 764.9G, with a fine of not less than \$300.00 or  
27 imprisonment of not less than 30 days, or both.

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1       (5) The director shall advise the attorney general of the  
2 failure of any person to pay an administrative OR CIVIL fine  
3 imposed under this section. The attorney general shall bring a  
4 civil action in a court of competent jurisdiction to recover the  
5 fine and costs and fees INCLUDING ATTORNEY FEES. Civil penalties  
6 AND ADMINISTRATIVE FINES collected shall be paid to the state  
7 treasury.

8       (6) THE REMEDIES AND SANCTIONS UNDER THIS ACT ARE INDEPEN-  
9 DENT AND CUMULATIVE. THE USE OF A REMEDY OR SANCTION UNDER THIS  
10 ACT DOES NOT BAR OTHER LAWFUL REMEDIES AND SANCTIONS AND DOES NOT  
11 LIMIT CRIMINAL OR CIVIL LIABILITY. Notwithstanding the provisions  
12 of this act, the department may bring an action to do 1 or more  
13 of the following:

14       (a) Obtain a declaratory judgment that a method, act, or  
15 practice is a violation of this act.

16       (b) Obtain an injunction against a person who is engaging,  
17 or about to engage, in a method, act, or practice that violates  
18 this act.

19       Sec. 45. The department ~~of agriculture~~ may promulgate  
20 rules for the implementation and enforcement of this act pursuant  
21 to the administrative procedures act of 1969, ~~Act No. 306 of the~~  
22 ~~Public Acts of 1969, being sections 24.201 to 24.328 of the~~  
23 ~~Michigan Compiled Laws~~ 1969 PA 306, MCL 24.201 TO 24.328.

24       Enacting section 1. (1) Sections 46 and 47 of 1988 PA 466,  
25 MCL 287.746 and 287.747, are repealed.

26       (2) R 287.710 of the Michigan administrative code is  
27 repealed and rescinded effective January 1, 2001.