

**SUBSTITUTE FOR  
HOUSE BILL NO. 6205**

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending the title and sections 1, 3, 7, 9, 11b, 12, 14, 19, 20, 22, 31, 39, 40, 43, and 44 (MCL 287.701, 287.703, 287.707, 287.709, 287.711b, 287.712, 287.714, 287.719, 287.720, 287.722, 287.731, 287.739, 287.740, 287.743, and 287.744), the title and section 43 as amended by 1996 PA 369, sections 1, 20, 39, and 40 as amended by 2000 PA 323, sections 3, 9, 11b, 14, 19, 22, and 44 as amended by 2002 PA 458, section 7 as amended by 1994 PA 41, and sections 12 and 31 as amended by 2003 PA 271, and by adding sections 3a, 3b, 12a, 12b, 14a, 17b, 17c, 17d, 40a, 40b, 43a, and 43b; and to repeal acts and parts of acts.

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

1 TITLE

2 An act to authorize and require the appointment of a state  
 3 veterinarian within the department of agriculture **AND RURAL**  
 4 **DEVELOPMENT**; to protect the human food chain and the livestock and  
 5 ~~aquaculture industries~~ **INDUSTRY** of ~~the~~ **THIS** state through  
 6 prevention, control, and eradication of infectious, contagious, or  
 7 toxicological diseases of livestock and other animals; to prevent  
 8 the importation of certain nonindigenous animals under certain  
 9 circumstances; to safeguard the human population from certain  
 10 diseases that are communicable between animals and humans; to  
 11 prevent or control the contamination of livestock with certain  
 12 toxic substances through certain livestock or livestock products;  
 13 to provide for indemnification for livestock under certain  
 14 circumstances; to provide for certain powers and duties for certain  
 15 state agencies and departments; to provide for the promulgation of  
 16 rules; to provide for certain hearings; to provide for remedies and  
 17 penalties; and to repeal acts and parts of acts.

18 Sec. 1. (1) This act shall be known and may be cited as the  
 19 "animal industry act".

20 (2) This act is intended to protect the health ~~AND~~ safety ~~AND~~  
 21 ~~and welfare~~ of humans and **THE HEALTH, SAFETY, AND WELFARE OF**  
 22 animals ~~AND~~ to be consistent with applicable federal and state  
 23 laws ~~and~~ shall be so construed.

24 Sec. 3. **AS USED IN THIS ACT:**

25 **(A)** ~~(1)~~ "Accredited veterinarian" means a veterinarian  
 26 approved by the administrator of the United States ~~department~~  
 27 **DEPARTMENT** of agriculture, ~~animal~~ **AGRICULTURE, ANIMAL** and plant

1 ~~health inspection service~~ **PLANT HEALTH INSPECTION SERVICE** in  
 2 accordance with ~~provisions of 9 C.F.R.~~ **CFR** part 161, and considered  
 3 preapproved to perform certain functions of federal and cooperative  
 4 state/federal programs.

5 **(B)** ~~(2)~~—"Animal" means mollusks, crustaceans, and vertebrates  
 6 other than human beings including, but not limited to, livestock,  
 7 exotic animals, aquaculture **SPECIES**, and domestic animals.

8 **(C)** ~~(3)~~—"Animal movement certificate" means animal movement  
 9 authorization established in a manner approved and issued by the  
 10 director that contains, at a minimum, the following information  
 11 regarding animals or an animal:

12 **(i)** ~~(a)~~—The point of origin and point of destination.

13 **(ii)** ~~(b)~~—Official identification.

14 **(iii)** ~~(c)~~—Anticipated movement date.

15 **(iv)** ~~(d)~~—Any required official test results. ~~for bovine~~  
 16 ~~tuberculosis.~~

17 **(D)** **"ANIMAL WELFARE" MEANS THE WELL-BEING OF ANIMALS BASED**  
 18 **UPON ANIMAL HUSBANDRY, ANIMAL SCIENCE, AND VETERINARY SCIENCE**  
 19 **PRACTICES AND STANDARDS.**

20 **(E)** **"APPROVED VACCINE" MEANS A VETERINARY BIOLOGICAL AS**  
 21 **DESCRIBED IN 9 CFR SUBCHAPTER E THAT IS ADMINISTERED TO LIVESTOCK**  
 22 **OR OTHER ANIMALS TO INDUCE IMMUNITY IN THE RECIPIENT AND APPROVED**  
 23 **BY THE STATE VETERINARIAN.**

24 **(F)** ~~(4)~~—"Aquaculture" means the ~~commercial husbandry~~  
 25 **PROPAGATION AND REARING** of aquaculture species on the approved list  
 26 of aquaculture species under the Michigan aquaculture development  
 27 act, 1996 PA 199, MCL 286.871 to 286.884, ~~including,~~ **IN CONTROLLED**

1 **OR SELECTED ENVIRONMENTS. AQUACULTURE INCLUDES**, but **IS** not limited  
 2 to, the culturing, producing, growing, using, propagating,  
 3 harvesting, transporting, importing, exporting, or marketing of any  
 4 **AQUACULTURE** products ~~, coproducts, or by-products of fish,~~  
 5 ~~crustaceans, mollusks, reptiles, and amphibians, reared or cultured~~  
 6 ~~under controlled conditions in an aquaculture facility.~~**AN**

7 **APPROPRIATE PERMIT OR REGISTRATION.**

8 (G) ~~(5)~~—"Aquaculture facility" means that term as defined  
 9 ~~under~~**IN** the Michigan aquaculture development act, 1996 PA 199, MCL  
 10 286.871 to 286.884.

11 ~~—— (6) "Approved vaccine" means a veterinary biological~~  
 12 ~~administered to livestock or other animals to induce immunity in~~  
 13 ~~the recipient and approved by the state veterinarian.~~

14 (H) **"AQUACULTURE SPECIES" MEANS THAT TERM AS DEFINED IN THE**  
 15 **MICHIGAN AQUACULTURE DEVELOPMENT ACT, 1996 PA 199, MCL 286.871 TO**  
 16 **286.884.**

17 (I) **"AUTOGENOUS VETERINARY BIOLOGICAL" MEANS ALL BACTERIA,**  
 18 **VIRUSES, SERUMS, TOXINS, OR ANALOGOUS PRODUCTS FROM A SPECIFIC HERD**  
 19 **THAT ARE CUSTOM-MADE WITH HERD-SPECIFIC ANTIGENS.**

20 (J) ~~(7)~~—"Carcasses" means the dead bodies of animals, poultry,  
 21 or aquaculture. Carcasses do not include rendered products.

22 (K) ~~(8)~~—"Cattle" means all bovine (genus bos) animals,  
 23 bovinelike animals (genus bison) also commonly referred to as  
 24 American buffalo or bison, and any cross of these species unless  
 25 otherwise specifically provided.

26 ~~—— (9) "Cattle importation lot" means a premises registered with~~  
 27 ~~the department and used only to feed cattle in preparation for~~

1 ~~slaughter.~~

2 (I) ~~(10)~~ "Commingling" means concurrently or subsequently  
3 sharing or subsequent use by livestock or other domestic animals of  
4 the same pen or same section in a facility or same section in a  
5 transportation unit where there is physical contact or contact with  
6 bodily excrements, aerosols, or fluids from other livestock or  
7 domestic animals.

8 (M) ~~(11)~~ "Consignee" means ~~the~~ **A** person receiving ~~the~~ animals  
9 at the point of destination named on ~~the~~ **AN** official interstate or  
10 intrastate health certificate, official interstate certificate of  
11 veterinary inspection or animal movement certificate, entry  
12 authorization form, fish disease inspection report, owner-shipper  
13 statement, or sales invoice.

14 (N) "CONSIGNOR" MEANS A PERSON SENDING ANIMALS AT THE POINT OF  
15 ORIGIN NAMED ON AN OFFICIAL INTERSTATE OR INTRASTATE HEALTH  
16 CERTIFICATE, OFFICIAL INTERSTATE CERTIFICATE OF VETERINARY  
17 INSPECTION OR ANIMAL MOVEMENT CERTIFICATE, ENTRY AUTHORIZATION  
18 FORM, FISH DISEASE INSPECTION REPORT, OWNER-SHIPPER STATEMENT, OR  
19 SALES INVOICE.

20 (O) ~~(12)~~ "Contagious disease" means an illness due to a  
21 specific infectious agent or suspected infectious agent or its  
22 toxic products ~~which~~ **THAT** arises through transmission of that agent  
23 or its products from an infected animal, or inanimate reservoir to  
24 a susceptible host, either directly or indirectly through an  
25 intermediate plant or animal host, vector, or the inanimate  
26 environment, or via an airborne mechanism.

27 (P) ~~(13)~~ "Dealer" means ~~any~~ **A** person required to be licensed

1 under 1937 PA 284, MCL 287.121 to 287.131, and engaged in the  
2 business of buying, receiving, selling, exchanging, transporting,  
3 negotiating, or soliciting the sale, resale, exchange,  
4 transportation, or transfer of livestock.

5 (Q) ~~(14)~~ "Department" means the ~~Michigan~~ department of  
6 agriculture **AND RURAL DEVELOPMENT**.

7 (R) ~~(15)~~ "Direct movement" means transfer of animals to a  
8 destination without unloading the animals en route. ~~and without~~  
9 ~~exposure to any other animals or bodily excrements, aerosols, or~~  
10 ~~fluids from other animals.~~

11 (S) ~~(16)~~ "Director" means the director of the ~~Michigan~~  
12 ~~department of agriculture~~ or his or her authorized representative.

13 (T) ~~(17)~~ "Disease" means any animal health condition with  
14 potential for economic impact, public or animal health concerns, or  
15 food safety concerns.

16 (U) **"DISEASE FREE ZONE" MEANS AN AREA IN THIS STATE WITH A**  
17 **DEFINED DIMENSION DETERMINED BY THE DIRECTOR TO BE FREE OF A**  
18 **SPECIFIC REPORTABLE ANIMAL DISEASE.**

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

21 (W) ~~(19)~~ "Domestic animal" means ~~those~~ **A** species of animals  
22 **ANIMAL** that ~~live~~ **LIVES** under the husbandry of humans.

23 ~~———— (20) "Emergency fish diseases" means certain infectious~~  
24 ~~diseases of fish that are transmissible directly or indirectly from~~  
25 ~~1 fish to another and are not known to exist within the waters of~~  
26 ~~the state. Emergency fish diseases include, but are not limited to,~~  
27 ~~viral hemorrhagic septicemia, infectious hematopoietic necrosis,~~

1 ~~ceratomyxosis, and proliferative kidney disease.~~

2       **(X)** ~~(21)~~ "Equine" means all animals of the equine family ~~which~~  
3 **AND** includes horses, asses, jacks, jennies, hinnies, mules,  
4 donkeys, burros, ponies, and zebras.

5       **(Y)** ~~(22)~~ "Exhibition or exposition" means a congregation,  
6 gathering, or collection of livestock that are presented or exposed  
7 to public view for show, display, swap, exchange, entertainment,  
8 educational event, instruction, advertising, or competition.  
9 Exhibition or exposition does not include livestock for sale at  
10 public stockyards, auctions, saleyards, ~~and OR~~ livestock yards  
11 licensed under ~~the provisions of~~ 1937 PA 284, MCL 287.121 to  
12 287.131.

13       **(Z)** ~~(23)~~ "Exhibition facility" means any facility used or  
14 intended to be used for public view, show, display, swap, exchange,  
15 entertainment, advertisement, educational event, or competition  
16 involving livestock. Exhibition facility does not include a public  
17 stockyard, an auction saleyard, ~~and OR~~ a livestock yard where  
18 livestock are accepted on consignment and the auction method is  
19 used in the marketing of the livestock.

20       **(AA)** ~~(24)~~ "Exhibitor" means ~~any~~ **A** person who presents  
21 livestock for public display, exhibition, or competition or enters  
22 livestock in a fair, show, exhibition, or exposition.

23       **(BB)** ~~(25)~~ "Exotic animal" means ~~those animals~~ **A SPECIES OF**  
24 **ANIMAL** that ~~are~~ **IS** not native to ~~North America.~~ **THE UNITED STATES.**

25       **(CC)** ~~(26)~~ "Fair" means a competition and educational  
26 exhibition of agricultural commodities and manufactured products  
27 for which premiums may be paid. ~~and which is conducted by an~~

1 ~~association or governmental entity.~~

2 (DD) ~~(27)~~ "Feral swine" means swine ~~which~~ **THAT** have lived  
3 their life or any part of their life as free roaming. ~~or not under~~  
4 ~~the husbandry of humans.~~

5 (EE) "FISH DISEASE INSPECTION REPORT" MEANS A DOCUMENT  
6 PREPARED BY A FISH HEALTH LABORATORY APPROVED BY THE DIRECTOR, A  
7 VETERINARIAN, OR A FISH HEALTH OFFICIAL GIVING EVIDENCE OF  
8 INSPECTIONS AND DIAGNOSTIC WORK PERFORMED.

9 (FF) "FISH HEALTH OFFICIAL" MEANS A VETERINARIAN OR A FISH  
10 HEALTH SPECIALIST APPROVED BY THE DIRECTOR WHO IS RESPONSIBLE FOR  
11 CONDUCTING AQUACULTURE FACILITY INSPECTIONS AND ISSUING FISH  
12 DISEASE INSPECTION REPORTS.

13 (GG) "FLOCK" MEANS ALL OF THE POULTRY ON 1 PREMISES OR, IN THE  
14 DISCRETION OF THE DEPARTMENT, A GROUP OF POULTRY THAT IS SEGREGATED  
15 FROM ALL OTHER POULTRY ON THE SAME PREMISES.

16 (HH) "GARBAGE" MEANS ANY ANIMAL ORIGIN PRODUCTS, INCLUDING  
17 THOSE OF POULTRY AND FISH ORIGIN, OR OTHER ANIMAL MATERIAL  
18 RESULTING FROM THE HANDLING, PROCESSING, PREPARATION, COOKING, OR  
19 CONSUMPTION OF FOODS. GARBAGE INCLUDES, BUT IS NOT LIMITED TO, ANY  
20 REFUSE OF ANY TYPE THAT HAS BEEN ASSOCIATED WITH ANY SUCH MATERIAL  
21 AT ANY TIME DURING THE HANDLING, PREPARATION, COOKING, OR  
22 CONSUMPTION OF FOOD. GARBAGE DOES NOT INCLUDE RENDERED PRODUCTS OR  
23 MANURE.

24 (II) "GENETICALLY ENGINEERED" REFERS TO AN ORGANISM WHOSE  
25 GENOME, CHROMOSOMAL OR EXTRACHROMOSOMAL, IS MODIFIED PERMANENTLY  
26 AND HERITABLY USING RECOMBINANT NUCLEIC ACID TECHNIQUES, OR THE  
27 PROGENY THEREOF.

1 (JJ) "GRADE" MEANS AN ANIMAL FOR WHICH NO PROOF OF  
2 REGISTRATION WITH AN APPROPRIATE BREED REGISTRY IS PROVIDED.

3 (KK) "HERD OR FLOCK OF ORIGIN" MEANS ANY HERD OR FLOCK IN  
4 WHICH ANIMALS ARE BORN AND REMAIN UNTIL MOVEMENT OR ANY HERD OR  
5 FLOCK IN WHICH ANIMALS REMAIN FOR AT LEAST 30 DAYS IMMEDIATELY  
6 FOLLOWING DIRECT MOVEMENT INTO THE HERD OR FLOCK FROM ANOTHER HERD  
7 OR FLOCK. HERD OR FLOCK OF ORIGIN INCLUDES THE PLACE OF ORIGIN,  
8 PREMISES OF ORIGIN, AND FARM OF ORIGIN.

9 (LL) "HIGH-RISK AREA" MEANS AN AREA IN THIS STATE THAT HAS A  
10 DEFINED DIMENSION DETERMINED BY THE DIRECTOR IN WHICH A SPECIFIC  
11 REPORTABLE ANIMAL DISEASE HAS BEEN DIAGNOSED IN DOMESTICATED  
12 ANIMALS.

13 (MM) "INFECTIOUS DISEASE" MEANS A DISORDER CAUSED BY AN  
14 ORGANISM, INCLUDING, BUT NOT LIMITED TO, A BACTERIA, VIRUS, FUNGUS,  
15 PARASITE, OR ANALOGOUS ORGANISM, AND THAT CAN BE DIRECTLY OR  
16 INDIRECTLY PASSED FROM ANIMAL TO ANIMAL.

17 (NN) "INFECTED ZONE" MEANS AN AREA IN THIS STATE THAT HAS A  
18 DEFINED DIMENSION DETERMINED BY THE DIRECTOR IN WHICH A SPECIFIC  
19 REPORTABLE ANIMAL DISEASE IS PRESENT IN ANIMALS AND SEPARATED FROM  
20 A DISEASE FREE ZONE BY A SURVEILLANCE ZONE.

21 (OO) "INTRASTATE MOVEMENT" MEANS MOVEMENT FROM 1 PREMISES TO  
22 ANOTHER WITHIN THIS STATE. INTRASTATE MOVEMENT DOES NOT INCLUDE THE  
23 MOVEMENT OF ANIMALS FROM 1 PREMISES WITHIN THIS STATE DIRECTLY TO  
24 ANOTHER PREMISES WITHIN THIS STATE IF BOTH PREMISES ARE PART OF THE  
25 SAME OPERATION UNDER COMMON OWNERSHIP AND BOTH PREMISES ARE  
26 DIRECTLY INTERRELATED. UNLESS INTRASTATE MOVEMENT CAUSES LIVESTOCK  
27 TO CROSS FROM 1 ZONE INTO ANOTHER ZONE, LIVESTOCK SHALL MEET THE

1 TESTING REQUIREMENTS FOR ITS ZONE OF ORIGIN.

2 (PP) "ISOLATED" MEANS THE PHYSICAL SEPARATION OF ANIMALS BY A  
3 PHYSICAL BARRIER IN SUCH A MANNER THAT OTHER ANIMALS DO NOT HAVE  
4 ACCESS TO THE ISOLATED ANIMALS' BODIES, EXCREMENT, AEROSOLS, OR  
5 DISCHARGES, AS APPROVED BY THE DIRECTOR.

6 (QQ) "LAW ENFORCEMENT AGENCY" MEANS THE DEPARTMENT OF STATE  
7 POLICE, THE DEPARTMENT OF NATURAL RESOURCES, A LAW ENFORCEMENT  
8 AGENCY OF A COUNTY, TOWNSHIP, CITY, OR VILLAGE, OR A TRIBAL LAW  
9 ENFORCEMENT AGENCY THAT IS RESPONSIBLE FOR THE PREVENTION AND  
10 DETECTION OF CRIME AND ENFORCEMENT OF THE CRIMINAL LAWS OF THIS  
11 STATE.

12 (RR) "LIVESTOCK" MEANS THOSE SPECIES OF ANIMALS USED FOR HUMAN  
13 FOOD AND FOR FIBER OR THOSE SPECIES OF ANIMALS USED FOR SERVICE TO  
14 HUMANS. LIVESTOCK INCLUDES, BUT IS NOT LIMITED TO, CATTLE, SHEEP,  
15 NEW WORLD CAMELIDS, OLD WORLD CAMELIDS, GOATS, BISON, PRIVATELY  
16 OWNED CERVIDS, RATITES, SWINE, EQUINE, POULTRY, AQUACULTURE  
17 SPECIES, AND RABBITS. LIVESTOCK DOES NOT INCLUDE DOGS OR CATS.

18 (SS) "LIVESTOCK AUCTION MARKET" MEANS A LIVESTOCK MARKET WHERE  
19 LIVESTOCK IS ACCEPTED ON CONSIGNMENT AND THE AUCTION METHOD IS USED  
20 IN THE MARKETING OF CONSIGNED LIVESTOCK AS DEFINED IN 1937 PA 284,  
21 MCL 287.121 TO 287.131.

22 (TT) "NATIONAL POULTRY IMPROVEMENT PLAN" MEANS A PLAN FOR THE  
23 CONTROL OR ERADICATION OF CERTAIN POULTRY DISEASES THAT IS  
24 PUBLISHED IN 9 CFR PARTS 145 AND 147.

25 (UU) "NATIVE" MEANS AN ANIMAL BORN AND RAISED IN THIS STATE,  
26 OR LEGALLY IMPORTED INTO THIS STATE AND HAVING COMPLIED WITH ENTRY  
27 REQUIREMENTS PRESCRIBED BY THE DIRECTOR, AND HAVING BEEN MAINTAINED

1 IN THIS STATE FOR AT LEAST 30 DAYS.

2 (VV) "NEW WORLD CAMELIDS" MEANS ANIMALS BELONGING TO THE GENUS  
3 LLAMA AND VICUNA OF THE FAMILY CAMELIDAE OF THE ORDER ARTIODACTYLA  
4 INCLUDING, BUT NOT LIMITED TO, THE LLAMA, ALPACA, VICUNA, AND  
5 GUANACO.

6 (WW) "OFFAL" MEANS THE WASTE PARTS RESULTING FROM THE  
7 PROCESSING OF ANIMALS, POULTRY, FISH, AND AQUACULTURE SPECIES.  
8 OFFAL DOES NOT INCLUDE RENDERED PRODUCTS.

9 (XX) "OFFICIAL IDENTIFICATION" MEANS AN IDENTIFICATION EAR  
10 TAG, TATTOO, ELECTRONIC IDENTIFICATION, OR OTHER IDENTIFICATION  
11 APPROVED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR THE  
12 DEPARTMENT.

13 (YY) "OFFICIAL INTERSTATE HEALTH CERTIFICATE" OR "OFFICIAL  
14 INTERSTATE CERTIFICATE OF VETERINARY INSPECTION" MEANS A FORM IN  
15 PAPER OR ELECTRONIC FORMAT WITH A UNIQUE IDENTIFIER THAT IS ADOPTED  
16 BY ANY STATE THAT DOCUMENTS THE INFORMATION REQUIRED UNDER SECTION  
17 20 AND THAT IS ISSUED FOR ANIMALS BEING IMPORTED TO OR EXPORTED  
18 FROM THIS STATE WITHIN 30 DAYS BEFORE THE IMPORTATION OR  
19 EXPORTATION OF THE ANIMALS IT DESCRIBES. A PHOTOCOPY OF AN OFFICIAL  
20 INTERSTATE HEALTH CERTIFICATE OR AN OFFICIAL INTERSTATE CERTIFICATE  
21 OF VETERINARY INSPECTION IS CONSIDERED AN OFFICIAL COPY IF  
22 CERTIFIED AS A TRUE COPY BY THE ISSUING VETERINARIAN OR A LIVESTOCK  
23 HEALTH OFFICIAL OF THE STATE OF ORIGIN.

24 (ZZ) "OFFICIAL TEST" MEANS A SAMPLE OF SPECIFIC MATERIAL  
25 COLLECTED FROM AN ANIMAL BY AN ACCREDITED VETERINARIAN, STATE OR  
26 FEDERAL VETERINARY MEDICAL OFFICER, OR OTHER PERSON AUTHORIZED BY  
27 THE DIRECTOR AND ANALYZED BY A LABORATORY CERTIFIED BY THE UNITED

1 STATES DEPARTMENT OF AGRICULTURE OR THE DEPARTMENT TO CONDUCT THE  
2 TEST, OR A DIAGNOSTIC INJECTION ADMINISTERED AND ANALYZED BY AN  
3 ACCREDITED VETERINARIAN OR A STATE OR FEDERAL VETERINARY MEDICAL  
4 OFFICER. AN OFFICIAL TEST IS CONDUCTED ONLY BY AN ACCREDITED  
5 VETERINARIAN OR A STATE OR FEDERAL VETERINARY MEDICAL OFFICER  
6 EXCEPT UNDER SPECIAL PERMISSION BY THE DIRECTOR.

7 (AAA) "OFFICIAL VACCINATION" MEANS A VACCINATION THAT THE  
8 DIRECTOR HAS DESIGNATED AS REPORTABLE, ADMINISTERED BY AN  
9 ACCREDITED VETERINARIAN OR A STATE OR FEDERAL VETERINARY MEDICAL  
10 OFFICER, AND DOCUMENTED ON A FORM SUPPLIED BY THE DEPARTMENT.

11 (BBB) "OLD WORLD CAMELID" MEANS A BACTRIAN OR AN ARABIAN OR  
12 DROMEDARY CAMEL.

13 (CCC) "ORIGINATE" MEANS THE DIRECT MOVEMENT OF ANIMALS FROM A  
14 HERD OR FLOCK OF ORIGIN.

15 (DDD) "PERSON" MEANS AN INDIVIDUAL, PARTNERSHIP, CORPORATION,  
16 COOPERATIVE, ASSOCIATION, JOINT VENTURE, OR OTHER LEGAL ENTITY  
17 INCLUDING, BUT NOT LIMITED TO, CONTRACTUAL RELATIONSHIPS.

18 (EEE) "POTENTIAL HIGH-RISK AREA" MEANS AN AREA IN THIS STATE  
19 THAT HAS A DEFINED DIMENSION DETERMINED BY THE DIRECTOR IN WHICH A  
20 SPECIFIC REPORTABLE ANIMAL DISEASE HAS BEEN DIAGNOSED IN WILD  
21 ANIMALS ONLY.

22 (FFF) "POULTRY" MEANS, BUT IS NOT LIMITED TO, CHICKENS, GUINEA  
23 FOWL, TURKEYS, WATERFOWL, PIGEONS, DOVES, PEA FOWL, AND GAME BIRDS  
24 THAT ARE PROPAGATED AND MAINTAINED UNDER THE HUSBANDRY OF HUMANS.

25 (GGG) "PRIOR ENTRY PERMIT" MEANS A CODE THAT IS OBTAINED FROM  
26 THE DEPARTMENT FOR SPECIFIC SPECIES OF ANIMALS IMPORTED INTO THIS  
27 STATE THAT IS RECORDED ON THE OFFICIAL INTERSTATE HEALTH

1 CERTIFICATE, OFFICIAL INTERSTATE CERTIFICATE OF VETERINARY  
2 INSPECTION, OR FISH DISEASE INSPECTION REPORT BEFORE ENTRY INTO  
3 THIS STATE.

4 (HHH) "PRIOR MOVEMENT PERMIT" MEANS PRIOR DOCUMENTED  
5 PERMISSION GIVEN BY THE DIRECTOR BEFORE INTRASTATE MOVEMENT OF AN  
6 ANIMAL.

7 (III) "PRIVATELY OWNED CERVID" MEANS ALL SPECIES OF THE CERVID  
8 FAMILY INCLUDING, BUT NOT LIMITED TO, DEER, ELK, MOOSE, AND ALL  
9 OTHER MEMBERS OF THE FAMILY CERVIDAE PROPAGATED AND MAINTAINED  
10 UNDER THE HUSBANDRY OF HUMANS FOR THE PRODUCTION OF MEAT AND OTHER  
11 AGRICULTURAL PRODUCTS, SPORT, EXHIBITION, OR ANY OTHER PURPOSE  
12 APPROVED BY THE DIRECTOR. A PRIVATELY OWNED CERVID AT LARGE REMAINS  
13 A PRIVATELY OWNED CERVID AS LONG AS IT BEARS VISIBLE IDENTIFICATION  
14 AND IS RECOVERED BY ITS OWNER WITHIN 48 HOURS AFTER THE TIME THE  
15 CERVID IS DISCOVERED.

16 (JJJ) "PULLORUM-TYPHOID" MEANS A DISEASE OF POULTRY CAUSED BY  
17 SALMONELLA PULLORUM OR SALMONELLA GALLINARUM.

18 (KKK) "PULLORUM-TYPHOID CLEAN FLOCK" MEANS A FLOCK THAT  
19 RECEIVES AND MAINTAINS THIS STATUS BY FULFILLING THE REQUIREMENTS  
20 PRESCRIBED IN THE NATIONAL POULTRY IMPROVEMENT PLAN.

21 (III) "QUARANTINE" MEANS ENFORCED ISOLATION OF ANY ANIMAL OR  
22 GROUP OF ANIMALS OR RESTRICTION OF MOVEMENT OF AN ANIMAL OR GROUP  
23 OF ANIMALS, EQUIPMENT, OR VEHICLES TO OR FROM ANY STRUCTURE,  
24 PREMISES, OR AREA OF THIS STATE INCLUDING THE ENTIRETY OF THIS  
25 STATE.

26 (MMM) "RATITE" MEANS FLIGHTLESS BIRDS HAVING A FLAT BREASTBONE  
27 WITHOUT THE KEELLIKE PROMINENCE CHARACTERISTIC OF MOST FLYING

1 BIRDS. RATITES INCLUDE, BUT ARE NOT LIMITED TO, CASSOWARIES, KIWIS,  
2 OSTRICHES, EMUS, AND RHEAS.

3 (NNN) "REASONABLE ASSISTANCE" MEANS SAFELY CONTROLLING AN  
4 ANIMAL BY CORRALLING, STABLING, KENNELING, HOLDING, TYING,  
5 CHEMICALLY RESTRAINING, OR CONFINING BY HALTER OR LEASH OR CROWDING  
6 THE ANIMAL IN A SAFE AND SENSIBLE MANNER SO AN EXAMINATION OR  
7 TESTING PROCEDURE CONSIDERED NECESSARY BY THE DIRECTOR CAN BE  
8 PERFORMED.

9 (OOO) "RECOMBINANT NUCLEIC ACID TECHNIQUES" MEANS LABORATORY  
10 TECHNIQUES THROUGH WHICH GENETIC MATERIAL IS ISOLATED AND  
11 MANIPULATED IN VITRO AND THEN INSERTED INTO AN ORGANISM.

12 (PPP) "RENDERED PRODUCTS" MEANS WASTE MATERIAL DERIVED IN  
13 WHOLE OR IN PART FROM MEAT OF ANY ANIMAL OR OTHER ANIMAL MATERIAL  
14 AND OTHER REFUSE OF ANY CHARACTER THAT HAS BEEN ASSOCIATED WITH ANY  
15 SUCH MATERIAL AT ANY TIME DURING THE HANDLING, PREPARATION,  
16 COOKING, OR CONSUMPTION OF FOOD THAT HAS BEEN GROUND AND HEAT-  
17 TREATED TO A MINIMUM TEMPERATURE OF 170 DEGREES FAHRENHEIT FOR A  
18 MINIMUM OF 30 MINUTES TO MAKE PRODUCTS INCLUDING, BUT NOT LIMITED  
19 TO, ANIMAL PROTEIN MEAL, POULTRY PROTEIN MEAL, FISH PROTEIN MEAL,  
20 GREASE, OR TALLOW. RENDERED PRODUCTS ALSO INCLUDE BAKERY WASTES,  
21 EGGS, CANDY WASTES, AND DOMESTIC DAIRY PRODUCTS INCLUDING, BUT NOT  
22 LIMITED TO, MILK.

23 (QQQ) "REPORTABLE ANIMAL DISEASE" MEANS AN ANIMAL DISEASE ON  
24 THE CURRENT REPORTABLE ANIMAL DISEASE LIST MAINTAINED BY THE STATE  
25 VETERINARIAN THAT POSES A SERIOUS THREAT TO THE LIVESTOCK INDUSTRY,  
26 PUBLIC HEALTH, OR ANIMAL HEALTH, OR FOOD SUPPLY CHAIN.

27 (RRR) "SLAUGHTER PREMISES" MEANS ALL FACILITIES, BUILDINGS,

1 STRUCTURES, INCLUDING ALL IMMEDIATE GROUNDS WHERE SLAUGHTERING  
2 OCCURS UNDER FEDERAL OR STATE INSPECTION, OR OTHERWISE AUTHORIZED  
3 BY THE DIRECTOR.

4 (SSS) "SOW" MEANS ANY FEMALE SWINE THAT HAS FARROWED OR GIVEN  
5 BIRTH TO OR ABORTED 1 LITTER OR MORE.

6 (TTT) "STATE VETERINARIAN" MEANS THE CHIEF ANIMAL HEALTH  
7 OFFICIAL OF THIS STATE AS APPOINTED BY THE DIRECTOR UNDER SECTION  
8 7, OR HIS OR HER AUTHORIZED REPRESENTATIVE.

9 (UUU) "SURVEILLANCE ZONE" MEANS AN AREA IN THIS STATE THAT HAS  
10 A DEFINED DIMENSION DETERMINED BY THE DIRECTOR TO BE AT RISK FOR A  
11 SPECIFIC REPORTABLE ANIMAL DISEASE AND IS LOCATED ADJACENT AND  
12 CONTIGUOUS TO AN INFECTED ZONE.

13 (VVV) "SWINE" MEANS ANY OF THE UNGULATE MAMMALS OF THE FAMILY  
14 SUIDAE.

15 (WWW) "TOXIC SUBSTANCE" MEANS A NATURAL OR SYNTHETIC CHEMICAL  
16 OR RADIOLOGIC MATERIAL IN CONCENTRATIONS THAT ALONE OR IN  
17 COMBINATION WITH OTHER NATURAL OR SYNTHETIC CHEMICALS PRESENTS A  
18 THREAT TO THE HEALTH, SAFETY, OR WELFARE TO HUMAN OR ANIMAL LIFE OR  
19 THAT HAS THE CAPACITY TO PRODUCE INJURY OR ILLNESS THROUGH  
20 INGESTION, INHALATION, OR ABSORPTION THROUGH THE BODY SURFACE.

21 (XXX) "TOXICOLOGICAL DISEASE" MEANS ANY CONDITION CAUSED BY OR  
22 RELATED TO A TOXIC SUBSTANCE.

23 (YYY) "VETERINARIAN" MEANS A PERSON LICENSED TO PRACTICE  
24 VETERINARY MEDICINE UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE,  
25 1978 PA 368, MCL 333.16101 TO 333.18838, OR UNDER A STATE OR  
26 FEDERAL LAW APPLICABLE TO THAT PERSON.

27 (ZZZ) "VETERINARY BIOLOGICAL" MEANS ALL BACTERIA, VIRUSES,

1 SERUMS, TOXINS, AND ANALOGOUS PRODUCTS OF NATURAL OR SYNTHETIC  
2 ORIGIN, OR PRODUCTS PREPARED FROM ANY TYPE OF GENETIC ENGINEERING,  
3 SUCH AS DIAGNOSTICS, ANTITOXINS, VACCINES, LIVE MICROORGANISMS,  
4 KILLED MICROORGANISMS, OR THE ANTIGENIC OR IMMUNIZING COMPONENTS OF  
5 MICROORGANISMS INTENDED FOR USE IN THE DIAGNOSIS, TREATMENT, OR  
6 PREVENTION OF DISEASES IN ANIMALS.

7 (AAAA) "WHOLE HERD" MEANS ANY ISOLATED GROUP OF LIVESTOCK  
8 MAINTAINED ON COMMON GROUND FOR ANY PURPOSE, OR 2 OR MORE GROUPS OF  
9 LIVESTOCK UNDER COMMON OWNERSHIP OR SUPERVISION THAT ARE  
10 GEOGRAPHICALLY SEPARATED BUT THAT HAVE AN INTERCHANGE OR MOVEMENT  
11 OF LIVESTOCK WITHOUT REGARD TO HEALTH STATUS AS DETERMINED BY THE  
12 DIRECTOR.

13 (BBBB) "WILD ANIMAL" MEANS THAT TERM AS DEFINED IN SECTION  
14 43508 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT,  
15 1994 PA 451, MCL 324.43508, OR ANY CROSS OF A WILD ANIMAL WITH A  
16 DOMESTICATED ANIMAL.

17 SEC. 3A. (1) IF THE DIRECTOR DETERMINES THAT A DISEASE OR  
18 CONDITION IN ANIMALS IN THIS STATE POSES AN EXTRAORDINARY EMERGENCY  
19 TO THE ANIMAL INDUSTRY, PUBLIC HEALTH, OR HUMAN FOOD CHAIN OF THIS  
20 STATE, THE DIRECTOR SHALL NOTIFY THE GOVERNOR OF THE DETERMINATION  
21 AND THE REASONS FOR THIS DETERMINATION. THE DIRECTOR SHALL  
22 RECOMMEND TO THE GOVERNOR THE PROCEDURES THE DIRECTOR CONSIDERS  
23 NECESSARY TO ELIMINATE THE THREAT.

24 (2) UPON BEING NOTIFIED, THE GOVERNOR MAY ISSUE A PROCLAMATION  
25 DECLARING A STATE OF EMERGENCY. AFTER PROCLAMATION OF A STATE OF  
26 EMERGENCY BY THE GOVERNOR, THE GOVERNOR MAY EXPEDITE NECESSARY  
27 PROCEDURES TO CONTROL THE SPREAD OF, OR TO ERADICATE, THE DISEASE

1 OR CONDITION.

2 (3) THE DIRECTOR MAY DEVELOP, IMPLEMENT, AND ENFORCE A  
3 SCIENTIFICALLY BASED EXTRAORDINARY EMERGENCY ORDER IF THE DIRECTOR  
4 DETERMINES THAT A DELAYED RESPONSE TO A SPECIFIC REPORTABLE ANIMAL  
5 DISEASE OR CONDITION IN ANIMALS WILL CAUSE A SIGNIFICANT IMPACT ON  
6 ANIMALS, AN ANIMAL INDUSTRY, OR PUBLIC HEALTH. THE EXTRAORDINARY  
7 EMERGENCY ORDER SHALL BE SPECIFIC AND SHALL CONSIDER THE IMPACT ON  
8 ANIMALS AND PRODUCT MOVEMENT. AN EXTRAORDINARY EMERGENCY ORDER  
9 SHALL NOT BE IN EFFECT FOR MORE THAN 72 HOURS WITHOUT THE APPROVAL  
10 OF THE DEPARTMENT AND THE IMPACTED ANIMAL INDUSTRY AND IN NO CASE  
11 SHALL REMAIN EFFECTIVE FOR LONGER THAN 6 MONTHS. THE DIRECTOR SHALL  
12 ACT IN CONSULTATION WITH THE DIRECTOR OF THE DEPARTMENT OF HEALTH  
13 AND HUMAN SERVICES IF THERE IS AN EXTRAORDINARY EMERGENCY CAUSING A  
14 SIGNIFICANT IMPACT ON PUBLIC HEALTH.

15 SEC. 3B. (1) THE DIRECTOR MAY DEVELOP, IMPLEMENT, AND ENFORCE  
16 SCIENTIFICALLY BASED ORDERS. THESE ORDERS MAY INCLUDE REQUIREMENTS  
17 FOR TESTING, ANIMAL OR PREMISES IDENTIFICATION, RECORD KEEPING OR  
18 REMOVAL DOCUMENTATION, OR ON-FARM MANAGEMENT PRACTICES THAT  
19 MUST BE COMPLETED BEFORE THE MOVEMENT OF ANIMALS FROM ANY PREMISES  
20 WITHIN THIS STATE, OR BETWEEN PREMISES WITHIN THIS STATE.

21 (2) BEFORE ISSUING AN ORDER DESCRIBED IN SUBSECTION (1), THE  
22 DEPARTMENT SHALL COMPLY WITH ALL OF THE FOLLOWING TO ENSURE PUBLIC  
23 NOTICE AND OPPORTUNITY FOR PUBLIC COMMENT:

24 (A) THE DEPARTMENT SHALL DEVELOP SCIENTIFICALLY BASED  
25 REQUIREMENTS WITH ADVICE AND CONSULTATION FROM THE IMPACTED ANIMAL  
26 INDUSTRY AND VETERINARY PROFESSIONALS.

27 (B) THE DEPARTMENT SHALL PLACE THE PROPOSED REQUIREMENTS ON

1 THE COMMISSION OF AGRICULTURE AND RURAL DEVELOPMENT AGENDA AT LEAST  
2 1 MONTH BEFORE FINAL REVIEW AND ISSUANCE OF THE ORDER BY THE  
3 DIRECTOR. DURING THE 1-MONTH PERIOD DESCRIBED IN THIS SUBDIVISION,  
4 WRITTEN COMMENTS MAY BE SUBMITTED TO THE DIRECTOR AND THE DIRECTOR  
5 SHALL HOLD AT LEAST 1 PUBLIC HEARING ON THE ORDER WITHIN THE  
6 AFFECTED AREAS.

7 (C) THE DEPARTMENT SHALL, AT LEAST 1 MONTH BEFORE  
8 IMPLEMENTATION OF THE ORDER, PLACE THE PROPOSED REQUIREMENTS IN A  
9 MEDIA CHANNEL IN EACH COUNTY WITHIN THE AREA SUBJECT TO THE  
10 PROPOSED REQUIREMENTS AND AT LEAST 1 MEDIA CHANNEL HAVING  
11 CIRCULATION OUTSIDE OF THE AREA.

12 (3) THE DIRECTOR MAY REVISE OR RESCIND AN ORDER DESCRIBED IN  
13 SUBSECTION (1). A REVISION OR RESCISSION DESCRIBED IN THIS  
14 SUBSECTION SHALL COMPLY WITH THE REQUIREMENTS OF SUBSECTION (2),  
15 UNLESS THE REVISION OR RESCISSION DOES NOT ALTER THE BOUNDARY OF A  
16 PREVIOUSLY ESTABLISHED ZONE.

17 (4) THE DIRECTOR MAY CREATE AN ORDER TO ESTABLISH HIGH-RISK  
18 AREAS, POTENTIAL HIGH-RISK AREAS, A DISEASE-FREE ZONE, AN INFECTED  
19 ZONE, OR A SURVEILLANCE ZONE BASED UPON THE FINDING OF A REPORTABLE  
20 ANIMAL DISEASE OR SCIENTIFICALLY BASED EPIDEMIOLOGY. THE DIRECTOR  
21 SHALL NOTIFY THE COMMISSION OF AGRICULTURE AND RURAL DEVELOPMENT  
22 AND THE IMPACTED ANIMAL INDUSTRY.

23 (5) THE DIRECTOR MAY CALL UPON A LAW ENFORCEMENT AGENCY TO  
24 ASSIST IN ENFORCING THE DIRECTOR'S QUARANTINES, ORDERS, OR ANY  
25 OTHER PROVISION OF THIS ACT.

26 (6) IF THE DIRECTOR CONSIDERS IT A BENEFIT TO THE HEALTH OR  
27 CONDITION OF THE ANIMAL INDUSTRY IN THIS STATE, THE DIRECTOR MAY

1 ENTER INTO AGREEMENTS WITH THE FEDERAL GOVERNMENT, OTHER STATE  
2 GOVERNMENTS, TRIBAL GOVERNMENTS, OR ANY OTHER PERSON TO PROTECT OR  
3 ENHANCE THE GROWTH OF THIS STATE'S ANIMAL INDUSTRY OR THE HUMAN  
4 FOOD CHAIN.

5 Sec. 7. (1) The director ~~shall~~**MUST** appoint an individual as  
6 state veterinarian who ~~shall~~**WILL** be the chief animal health  
7 official of ~~the~~**THIS** state. The appointment shall be made in  
8 accordance with the rules of the state civil service commission.  
9 The individual appointed as state veterinarian ~~shall~~**MUST** maintain  
10 a current license to practice veterinary medicine in this state and  
11 be federally accredited in this state by the United States  
12 ~~department~~**DEPARTMENT** of agriculture.**AGRICULTURE**. The state  
13 veterinarian ~~shall~~**MUST** be skilled in the diagnosis, treatment, and  
14 control of infectious, contagious, and toxicological diseases of  
15 livestock. The state veterinarian ~~shall~~**MUST** also be knowledgeable  
16 of state and federal laws as they relate to the intrastate,  
17 interstate, and international movement of animals.

18 (2) Office facilities and laboratory services for the  
19 investigation of infectious, contagious, or toxicological diseases  
20 of animals shall be made available for the state veterinarian's  
21 use.

22 (3) **UNDER THE DIRECTION OF THE DIRECTOR, THE STATE**  
23 **VETERINARIAN SHALL DO ALL OF THE FOLLOWING:**

24 (A) **DEVELOP AND ENFORCE POLICY AND SUPERVISE ACTIVITIES TO**  
25 **CARRY OUT THIS ACT AND OTHER STATE AND FEDERAL LAWS, RULES, AND**  
26 **REGULATIONS THAT PERTAIN TO THE HEALTH AND WELFARE OF ANIMALS IN**  
27 **THIS STATE ON PUBLIC OR PRIVATE PREMISES.**

1 (B) SERVE AS THE AUTHORITY FOR ANIMAL WELFARE OVERSIGHT ON  
2 LIVESTOCK-RELATED ISSUES.

3 (C) MAINTAIN A LIST OF REPORTABLE ANIMAL DISEASES. THE STATE  
4 VETERINARIAN SHALL REVIEW AND UPDATE THE LIST ANNUALLY AND MORE  
5 OFTEN IF NECESSARY. WHEN FEASIBLE AND PRACTICAL, THE STATE  
6 VETERINARIAN SHALL SEEK INPUT FROM STAKEHOLDERS FOR ANY CHANGES IN  
7 THE LIST OF REPORTABLE ANIMAL DISEASES.

8 (D) DEVELOP AND IMPLEMENT SCIENTIFICALLY BASED SURVEILLANCE  
9 AND MONITORING PROGRAMS FOR REPORTABLE ANIMAL DISEASES WHEN THE  
10 DIRECTOR DETERMINES, WITH ADVICE AND CONSULTATION FROM THE IMPACTED  
11 ANIMAL INDUSTRY AND VETERINARY PROFESSION, THAT THESE PROGRAMS  
12 WOULD AID IN THE CONTROL OR ERADICATION OF A SPECIFIC REPORTABLE  
13 ANIMAL DISEASE OR STRENGTHEN THE ECONOMIC VIABILITY OF THE  
14 INDUSTRY.

15 (E) MAINTAIN A LIST OF VETERINARY BIOLOGICALS WHOSE SALE,  
16 DISTRIBUTION, USE, OR ADMINISTRATION BY ANY PERSON IS REPORTED TO  
17 THE DIRECTOR WHEN REQUESTED BY THE DIRECTOR WITHIN 10 WORKING DAYS  
18 AFTER THE SALE, DISTRIBUTION, USE, OR ADMINISTRATION. THE STATE  
19 VETERINARIAN SHALL REVIEW AND UPDATE THE LIST ANNUALLY AND MORE  
20 OFTEN IF NECESSARY.

21 (F) PROMULGATE RULES UNDER THE ADMINISTRATIVE PROCEDURES ACT  
22 OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, FOR THE USE OF  
23 VETERINARY BIOLOGICALS, INCLUDING DIAGNOSTIC BIOLOGICAL AGENTS.

24 (4) UNLESS OTHERWISE PROHIBITED BY LAW, THE STATE VETERINARIAN  
25 MAY ENTER UPON ANY PUBLIC OR PRIVATE PREMISES TO ENFORCE THIS ACT.

26 (5) THE STATE VETERINARIAN SHALL MAINTAIN REQUIREMENTS FOR THE  
27 IMPORTATION OF ANIMALS INTO THIS STATE. WHEN FEASIBLE AND

1 PRACTICAL, THE STATE VETERINARIAN SHALL SEEK INPUT FROM  
2 STAKEHOLDERS FOR ANY CHANGES IN IMPORTATION REQUIREMENTS.

3 (6) THE DIRECTOR MAY WAIVE ANY TESTING REQUIREMENTS AFTER  
4 EPIDEMIOLOGIC REVIEW.

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

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

27 ~~(3) The director may call upon a law enforcement agency to~~

House Bill No. 6205 as amended December 4, 2018

1 ~~assist in enforcing the director's quarantines, orders, or any~~  
 2 ~~other provisions of this act.~~ ALL OF THE FOLLOWING APPLY TO ANY  
 3 MEDICAL OR EPIDEMIOLOGICAL INFORMATION THAT IDENTIFIES THE OWNER OF  
 4 AN ANIMAL AND IS GATHERED BY THE DEPARTMENT IN CONNECTION WITH THE  
 5 REPORTING OF A DISCOVERY, SUSPICION, OR REASON TO BELIEVE THAT AN  
 6 ANIMAL IS EITHER AFFECTED BY A SPECIFIC REPORTABLE ANIMAL DISEASE  
 7 OR CONTAMINATED WITH A TOXIC SUBSTANCE, OR INFORMATION GATHERED IN  
 8 CONNECTION WITH AN INVESTIGATION OF THE REPORTING OF A DISCOVERY,  
 9 SUSPICION, OR REASON TO BELIEVE THAT AN ANIMAL IS AFFECTED BY A  
 10 SPECIFIC REPORTABLE ANIMAL DISEASE OR CONTAMINATED WITH A TOXIC  
 11 SUBSTANCE:

12 (A) THE INFORMATION IS CONFIDENTIAL.

13 (B) THE INFORMATION IS EXEMPT FROM DISCLOSURE UNDER THE  
 14 FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

15 (C) STATE EMPLOYEES OR CONTRACTORS ARE BOUND BY SECTION 2 OF  
 16 1973 PA 196, MCL 15.342, WITH RESPECT TO THE INFORMATION.

17 (D) THE INFORMATION IS NOT OPEN TO PUBLIC INSPECTION WITHOUT  
 18 THE OWNER'S CONSENT UNLESS 1 OF THE FOLLOWING APPLIES:

19 (i) PUBLIC INSPECTION IS NECESSARY TO PROTECT THE PUBLIC  
 20 HEALTH OR ANIMAL HEALTH AS DETERMINED BY THE DIRECTOR.

21 (ii) PUBLIC INSPECTION IS NECESSARY TO PROTECT THE PUBLIC  
 22 HEALTH, AS DETERMINED BY THE DIRECTOR OF THE DEPARTMENT OF HEALTH  
 23 AND HUMAN SERVICES.

24 (E) IF THE INFORMATION IS RELEASED TO A LEGISLATIVE BODY, THE  
 25 INFORMATION SHALL NOT CONTAIN ANY INFORMATION THAT IDENTIFIES A  
 26 SPECIFIC OWNER OR LOCATION.

[ (4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, THE STATE  
 VETERINARIAN SHALL BE NOTIFIED OF A REPORTABLE DISEASE FOUND IN A WILD  
 BIRD, WILD ANIMAL, GAME, OR PROTECTED ANIMAL UNDER THE NATURAL RESOURCES  
 AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.101 TO 324.90106,  
 OR A STATE OR FEDERAL FISH HATCHERY. THE APPROPRIATE RESOURCE AGENCY,  
 INCLUDING, BUT NOT LIMITED TO, THE DEPARTMENT OF NATURAL RESOURCES AND  
 THE UNITED STATES FISH AND WILDLIFE SERVICE, SHALL RETAIN AUTHORITY OVER  
 THE WILD BIRD, WILD ANIMAL, GAME, PROTECTED ANIMAL, OR STATE OR FEDERAL  
 FISH HATCHERY.]

27 ~~(4) A person shall not remove or alter the official~~

1 ~~identification of an animal. A person shall not misrepresent an~~  
2 ~~animal's identity or the ownership of an animal. A person shall not~~  
3 ~~misrepresent the animal's health status to a potential buyer.~~

4 ~~—— (5) The director shall devise and implement a program to~~  
5 ~~compensate livestock owners for livestock that die, are injured, or~~  
6 ~~need to be destroyed for humane reasons due to injury occurring~~  
7 ~~while the livestock are undergoing mandatory or required testing~~  
8 ~~for a reportable disease.~~

9 ~~—— (6) Any medical or epidemiological information that identifies~~  
10 ~~the owners of animals and is gathered in connection with the~~  
11 ~~reporting of a discovery, suspicion, or reason to believe that an~~  
12 ~~animal is either affected by a reportable disease or contaminated~~  
13 ~~with a toxic substance, or information gathered in connection with~~  
14 ~~an investigation of the reporting of a discovery, suspicion, or~~  
15 ~~reason to believe that an animal is affected by a reportable~~  
16 ~~disease or contaminated with a toxic substance is confidential, is~~  
17 ~~exempt from disclosure under the freedom of information act, 1976~~  
18 ~~PA 442, MCL 15.231 to 15.246, and is not open to public inspection~~  
19 ~~without the individual's consent unless public inspection is~~  
20 ~~necessary to protect the public or animal health as determined by~~  
21 ~~the director. Such medical or epidemiological information that is~~  
22 ~~released to a legislative body shall not contain information that~~  
23 ~~identifies a specific owner.~~

24 ~~—— (7) As used in subsections (8) to (10):~~

25 ~~—— (a) "Disease free zone" means any area in the state with~~  
26 ~~defined dimensions determined by the department in consultation~~  
27 ~~with the United States department of agriculture to be free of~~

1 ~~bovine tuberculosis in livestock.~~

2 ~~—— (b) "Infected zone" means any area in the state with defined~~  
3 ~~dimensions in which bovine tuberculosis is present in livestock and~~  
4 ~~separated from the disease free zone by a surveillance zone as~~  
5 ~~determined by the department in consultation with the United States~~  
6 ~~department of agriculture.~~

7 ~~—— (c) "Official intrastate health certificate or official~~  
8 ~~intrastate certificate of veterinary inspection" means a printed~~  
9 ~~form adopted by the department and completed and issued by an~~  
10 ~~accredited veterinarian that documents an animal's point of origin,~~  
11 ~~point of destination, official identification, and any required~~  
12 ~~official test results.~~

13 ~~—— (d) "Prior movement permit" means prior documented permission~~  
14 ~~given by the director before movement of livestock.~~

15 ~~—— (e) "Surveillance zone" means any area in the state with~~  
16 ~~defined dimensions that is located adjacent and contiguous to an~~  
17 ~~infected zone as determined by the department in consultation with~~  
18 ~~the United States department of agriculture.~~

19 ~~—— (8) The director may develop, implement, and enforce~~  
20 ~~scientifically based movement restrictions and requirements~~  
21 ~~including official bovine tuberculosis test requirements, prior~~  
22 ~~movement permits, official intrastate health certificates or animal~~  
23 ~~movement certificates to accompany movement of animals, and~~  
24 ~~official identification of animals for movement between or within a~~  
25 ~~disease free zone, surveillance zone, and an infected zone, or any~~  
26 ~~combination of those zones.~~

27 ~~—— (9) The department shall comply with the following procedures~~

1 ~~before issuing zoning requirements described in subsection (8) that~~  
2 ~~assure public notice and opportunity for public comment:~~

3 ~~—— (a) Develop scientifically based zoning requirements with~~  
4 ~~advice and consultation from the livestock industry and veterinary~~  
5 ~~profession.~~

6 ~~—— (b) Place the proposed zoning requirements on the commission~~  
7 ~~of agriculture agenda at least 1 month before final review and~~  
8 ~~order by the director. During the 1-month period described in this~~  
9 ~~subdivision, written comments may be submitted to the director and~~  
10 ~~the director shall hold at least 1 public forum within the affected~~  
11 ~~areas.~~

12 ~~—— (c) Place the proposed zoning requirements at least 1 month~~  
13 ~~before implementation in a newspaper of each county within the~~  
14 ~~proposed zoning requirement area and at least 2 newspapers having~~  
15 ~~circulation outside of the proposed zoning requirement area.~~

16 ~~—— (10) The director may revise or rescind movement restrictions~~  
17 ~~and other requirements described in subsection (8), pursuant to~~  
18 ~~this section, and any revision or revocation of such movement~~  
19 ~~restrictions or other requirements shall comply with the procedure~~  
20 ~~set forth in subsection (9) unless the revision does not alter the~~  
21 ~~boundary of a previously established zone.~~

22 ~~—— (11) As used in subsections (12) to (32):~~

23 ~~—— (a) "High risk area" means an area designated by the director~~  
24 ~~where bovine tuberculosis has been diagnosed in livestock.~~

25 ~~—— (b) "Intrastate movement" means movement from 1 premises to~~  
26 ~~another within this state. Intrastate movement does not include the~~  
27 ~~movement of livestock from 1 premises within the state directly to~~

1 ~~another premises within the state when both premises are a part of~~  
2 ~~the same livestock operation under common ownership and both~~  
3 ~~premises are directly interrelated as part of the same livestock~~  
4 ~~operation. Except that when intrastate movement causes livestock to~~  
5 ~~cross from 1 zone into another zone, livestock must meet the~~  
6 ~~testing requirements for their zone of origin.~~

7 ~~—— (c) "Potential high-risk area" means an area determined by the~~  
8 ~~director in which bovine tuberculosis has been diagnosed in wild~~  
9 ~~animals only.~~

10 ~~—— (d) "Whole herd" means any isolated group of cattle, privately~~  
11 ~~owned cervids, or goats maintained on common ground for any~~  
12 ~~purpose, or 2 or more groups of cattle, privately owned cervids, or~~  
13 ~~goats under common ownership or supervision geographically~~  
14 ~~separated but that have an interchange or movement of cattle,~~  
15 ~~privately owned cervids, or goats without regard to health status~~  
16 ~~as determined by the director.~~

17 ~~—— (e) "Whole herd test" means a test of any isolated group of~~  
18 ~~cattle or privately owned cervids 12 months of age and older or~~  
19 ~~goats 6 months of age or older maintained on common ground for any~~  
20 ~~purpose; 2 or more groups of cattle, goats, or privately owned~~  
21 ~~cervids under common ownership or supervision geographically~~  
22 ~~separated but that have an interchange or movement of cattle,~~  
23 ~~goats, or privately owned cervids without regard to health status~~  
24 ~~as determined by the director; or any other test of an isolated~~  
25 ~~group of livestock considered a whole herd test by the director.~~

26 ~~—— (12) This section does not exempt dairy herds from being~~  
27 ~~tested in the manner provided for by grade "A" pasteurized milk~~

1 ~~ordinance, 2001 revision of the United States public health~~  
2 ~~service/food and drug administration, with administrative~~  
3 ~~procedures and appendices, set forth in the public health~~  
4 ~~service/food and drug administration publication no. 229, and the~~  
5 ~~provisions of the 1995 grade "A" condensed and dry milk products~~  
6 ~~and condensed and dry whey supplement I to the grade "A"~~  
7 ~~pasteurized milk ordinance, 2001 revisions, and all amendments to~~  
8 ~~those publications thereafter adopted pursuant to the rules that~~  
9 ~~the director may promulgate.~~

10 ~~—— (13) The director may establish high-risk areas and potential~~  
11 ~~high-risk areas based upon scientifically based epidemiology. The~~  
12 ~~director shall notify the commission of agriculture and publish~~  
13 ~~public notice in a newspaper of each county with general~~  
14 ~~circulation in any area designated as a high-risk or potential~~  
15 ~~high-risk area.~~

16 ~~—— (14) All cattle and goat herds located in high-risk areas~~  
17 ~~shall be whole herd bovine tuberculosis tested at least once per~~  
18 ~~year. After the first whole herd bovine tuberculosis test, testing~~  
19 ~~shall occur between 10 and 14 months from the anniversary date of~~  
20 ~~the first test. This section does not prevent whole herd testing by~~  
21 ~~the owner or by department mandate at shorter intervals. When 36~~  
22 ~~months of testing fails to disclose a newly affected herd within~~  
23 ~~the high-risk area or any portion of the high-risk area, the~~  
24 ~~director shall remove the high-risk area designation from all or~~  
25 ~~part of that area.~~

26 ~~—— (15) Terminal operations located in high-risk areas in this~~  
27 ~~state are exempt from the requirements of subsection (14) and shall~~

1 ~~be monitored by a written surveillance plan approved by the~~  
2 ~~director.~~

3 ~~—— (16) All cattle and goat herds located in potential high-risk~~  
4 ~~areas shall be whole herd bovine tuberculosis tested within 6~~  
5 ~~months after the director has established a potential high-risk~~  
6 ~~area or have a written herd plan with a targeted whole herd bovine~~  
7 ~~tuberculosis testing date. When all herds meet the testing~~  
8 ~~requirements imposed in this subsection, the director shall remove~~  
9 ~~the potential high-risk area designation.~~

10 ~~—— (17) Terminal operations located in potential high-risk areas~~  
11 ~~in this state are exempt from the requirements of subsection (16)~~  
12 ~~and may be monitored by a written surveillance plan approved by the~~  
13 ~~director.~~

14 ~~—— (18) Each owner of any privately owned cervid herd within a~~  
15 ~~high-risk area shall cause an annual whole herd bovine tuberculosis~~  
16 ~~test to be conducted on all privately owned cervids 12 months of~~  
17 ~~age and older within the herd and all cattle and goats 6 months of~~  
18 ~~age and older in contact with the cervids. Following the initial~~  
19 ~~annual whole herd test, subsequent whole herd tests shall be~~  
20 ~~completed at 9 to 15 month intervals. This section does not~~  
21 ~~prevent whole herd testing by the owner or by department mandate at~~  
22 ~~shorter intervals.~~

23 ~~—— (19) Each owner of any privately owned cervid ranch within a~~  
24 ~~high-risk area may elect to undergo a tuberculosis slaughter~~  
25 ~~surveillance plan approved by the director in lieu of the annual~~  
26 ~~whole herd testing. This slaughter surveillance plan must include~~  
27 ~~examination of animals removed from the herd for detection of~~

1 ~~tuberculosis. Examination must be performed by a state or federal~~  
2 ~~veterinarian or accredited veterinarian. The number to be examined~~  
3 ~~at each testing interval shall include adult animals and must be~~  
4 ~~equal to the amount necessary to establish an official tuberculosis~~  
5 ~~monitored herd as defined in the bovine tuberculosis eradication~~  
6 ~~uniform methods and rules, effective January 22, 1999, and all~~  
7 ~~amendments to those publications thereafter adopted pursuant to~~  
8 ~~rules that the director may promulgate.~~

9 ~~—— (20) All cattle and goat herds, except livestock assembled at~~  
10 ~~feedlots where all animals are fed for slaughter before 24 months~~  
11 ~~of age, that are located in any area outside a high-risk area or a~~  
12 ~~potential high-risk area in this state shall be whole herd bovine~~  
13 ~~tuberculosis tested between January 1, 2000 and December 31, 2003.~~  
14 ~~Privately owned cervid herds located in the non-high-risk areas or~~  
15 ~~potential high-risk areas shall be tested per sections 30e and 30d.~~  
16 ~~The director may order testing for any reportable disease in any~~  
17 ~~geographical area or in any herd to accomplish surveillance~~  
18 ~~necessary for the state of Michigan to participate in the national~~  
19 ~~tuberculosis eradication program, to complete epidemiologic~~  
20 ~~investigations for any reportable disease, or in any instance where~~  
21 ~~a reportable disease is suspected. The director may establish a~~  
22 ~~surveillance testing program for cattle and goats to replace the~~  
23 ~~testing protocol and meet the intrastate movement requirements~~  
24 ~~under subsections (22) and (23). A person shall not sell or offer~~  
25 ~~for sale, move, or transfer any livestock that originate from a~~  
26 ~~herd or area under order for testing by the director unless the~~  
27 ~~livestock have met the requirements of the order issued under this~~

1 ~~subsection. If a person does not cause a herd to be tested in~~  
2 ~~compliance with this order, the director shall notify the person~~  
3 ~~responsible for management of the herd of the necessity for testing~~  
4 ~~to occur and the deadline for testing to occur and shall quarantine~~  
5 ~~any herd that has not been tested until such time as the testing~~  
6 ~~can be completed by state or federal regulatory veterinarians or~~  
7 ~~accredited veterinarians.~~

8 ~~—— (21) Terminal operations and privately owned cervid premises~~  
9 ~~located in any area outside a high-risk area or a potential high-~~  
10 ~~risk area in this state may be exempted from subsection (18) and~~  
11 ~~may be monitored by a written surveillance plan approved by the~~  
12 ~~director.~~

13 ~~—— (22) Subject to subsection (24), cattle and goats originating~~  
14 ~~in an area not designated as a high-risk area moving intrastate~~  
15 ~~shall meet at least 1 of the following until the zone, area, or the~~  
16 ~~entirety of the state from which they originate receives~~  
17 ~~tuberculosis free status from the United States department of~~  
18 ~~agriculture or under other circumstances as approved by the~~  
19 ~~director:~~

20 ~~—— (a) Originate directly from a herd that has received an~~  
21 ~~official negative whole herd bovine tuberculosis test within the 24~~  
22 ~~months before the intrastate movement.~~

23 ~~—— (b) Has received an individual official negative bovine~~  
24 ~~tuberculosis test within 60 days before the intrastate movements.~~

25 ~~—— (c) Has originated directly from an accredited bovine~~  
26 ~~tuberculosis free herd as defined in title 9 of the code of federal~~  
27 ~~regulations and the bovine tuberculosis eradication: uniform~~

~~1 methods and rules, effective January 22, 1999, approved by  
2 veterinary services of the United States department of agriculture,  
3 and all amendments to those publications thereafter adopted  
4 pursuant to rules that the director may promulgate.~~

~~5 (23) Subject to subsection (24), cattle and goats originating  
6 in a high-risk area that move intrastate shall meet at least 1 of  
7 the following until the zone, area, or the entirety of the state  
8 from which they originate is no longer designated as a high-risk  
9 area by the director or under other circumstances as approved by  
10 the director:~~

~~11 (a) Originate directly from a herd that has received an  
12 official negative whole herd bovine tuberculosis test within the 12  
13 months before the intrastate movement.~~

~~14 (b) Has received an individual official negative bovine  
15 tuberculosis test within 60 days before the intrastate movements.~~

~~16 (c) Has originated directly from an accredited bovine  
17 tuberculosis free herd as defined in title 9 of the code of federal  
18 regulations and the bovine tuberculosis eradication: uniform  
19 methods and rules effective January 22, 1999, approved by  
20 veterinary services of the United States department of agriculture,  
21 and all amendments to those publications thereafter adopted  
22 pursuant to rules that the director may promulgate.~~

~~23 (24) Cattle and goats not meeting subsection (22) or (23) may  
24 be sold through a livestock auction market for slaughter only.  
25 Slaughter must occur within 5 days after the sale. The buyer of  
26 livestock sold for slaughter shall provide verification that the  
27 slaughter occurred within 5 days after sale upon request of the~~

1 ~~director. Failure of a buyer of livestock sold for slaughter to~~  
2 ~~comply with this subsection subjects that buyer to the penalties~~  
3 ~~and sanctions of this act.~~

4 ~~—— (25) Privately owned cervids moving intrastate shall meet~~  
5 ~~requirements under section 30b.~~

6 ~~—— (26) Bovine tuberculosis testing required under this section~~  
7 ~~shall be an official test. Accredited veterinarians under contract~~  
8 ~~and approved under this subsection may be paid by the department~~  
9 ~~for testing services. Approved veterinarians paid by the department~~  
10 ~~or the United States department of agriculture for bovine~~  
11 ~~tuberculosis testing required by this section must attend an~~  
12 ~~initial bovine tuberculosis educational seminar approved by the~~  
13 ~~director.~~

14 ~~—— (27) Bovine tuberculosis testing shall be conducted by the~~  
15 ~~department, United States department of agriculture, or accredited~~  
16 ~~veterinarians.~~

17 ~~—— (28) Individual livestock that have been injected and are~~  
18 ~~undergoing bovine tuberculosis testing shall not be removed from~~  
19 ~~the premises where the test is administered until the test is read~~  
20 ~~except as permitted by the director.~~

21 ~~—— (29) With advice and consultation from the livestock industry~~  
22 ~~and veterinary profession, the director shall pay to a producer for~~  
23 ~~assistance approved by the Michigan commission of agriculture for~~  
24 ~~whole herd bovine tuberculosis testing required in subsections~~  
25 ~~(14), (16), (18), and (20).~~

26 ~~—— (30) The director shall pay to an operator or owner of a~~  
27 ~~livestock auction market on a 50/50 cost share basis for chutes,~~

1 ~~gates, and remodeling to expedite identification of livestock for~~  
 2 ~~bovine tuberculosis surveillance and eradication.~~

3       Sec. 11b. (1) All cattle ~~, goats, sheep, and privately owned~~  
 4 ~~cervids shall~~ **MUST** bear official identification before they leave a  
 5 premises, **UNLESS THE FIRST POINT OF DESTINATION IS A TAGGING**  
 6 **AGREEMENT SITE APPROVED BY THE DIRECTOR. AS USED IN THIS**  
 7 **SUBSECTION, "OFFICIAL IDENTIFICATION" MEANS AN ELECTRONIC RADIO**  
 8 **FREQUENCY IDENTIFICATION OR OTHER FORMS OF OFFICIAL IDENTIFICATION**  
 9 **FOR CATTLE AS APPROVED BY THE DIRECTOR.**

10       (2) **SUBJECT TO SUBSECTION (3), ALL GOATS, SHEEP, AND PRIVATELY**  
 11 **OWNED CERVIDS SHALL BEAR OFFICIAL IDENTIFICATION BEFORE THEY LEAVE**  
 12 **A PREMISES.**

13       (3) **SHEEP AND SWINE PRESENTED FOR EXHIBITION OR EXPOSITION OR**  
 14 **AT FAIRS WITHIN THIS STATE SHALL BE INDIVIDUALLY IDENTIFIED WITH AN**  
 15 **OFFICIAL IDENTIFICATION TAG. FOR PURPOSES OF THIS SUBSECTION, A**  
 16 **TATTOO IS NOT AN OFFICIAL IDENTIFICATION TAG.**

17       (4) ~~(2)~~ Compliance with this section regarding official  
 18 identification is the responsibility of the owner.

19       (5) **A PERSON SHALL NOT DO EITHER OF THE FOLLOWING:**

20       **(A) REMOVE OR ALTER THE OFFICIAL IDENTIFICATION OF AN ANIMAL.**

21       **(B) MISREPRESENT AN ANIMAL'S IDENTITY OR THE OWNERSHIP OF AN**  
 22 **ANIMAL.**

23       (6) ~~(3)~~ Official identification ~~shall~~ **MAY** be supplied by the  
 24 department.

25       Sec. 12. (1) The director may issue a quarantine on animals,  
 26 equipment, vehicles, structures, premises, or any area in ~~the~~ **THIS**  
 27 state, including the entire state if necessary, for the purpose of

1 controlling or preventing the spread of a known or suspected  
2 infectious, contagious, or toxicological disease.

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

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

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

12 (5) A person shall not import into this state an animal  
13 species, including a genetically engineered organism that is a  
14 variant of that species, from an area under quarantine for that  
15 species for any infectious, contagious, or toxicological disease  
16 unless permission is granted from the director.

17 (6) The director may prescribe procedures for the  
18 identification, inventory, separation, mode of handling, testing,  
19 treatment, feeding, and caring for both quarantined animals and  
20 animals within a quarantined area to prevent the infection or  
21 exposure of nonquarantined or quarantined animals to infectious,  
22 contagious, or toxicological diseases.

23 (7) The director may prescribe procedures required before any  
24 animal, structure, premises, or area or zone in this state,  
25 including the entirety of ~~the~~**THIS** state if necessary, are released  
26 from quarantine.

27 (8) An animal found running at large in violation of a

1 quarantine may be killed by a law enforcement agency. The director  
2 may enlist the cooperation of a law enforcement agency to enforce  
3 the provisions of this quarantine. A law enforcement agency killing  
4 an animal due to a quarantine under this section is not subject to  
5 liability for the animal.

6       **SEC. 12A. (1) THE DIRECTOR MAY REQUIRE MOVEMENT CONTROLS FOR**  
7 **THE MOVEMENT OF ANIMALS WITHIN THIS STATE TO PREVENT OR CONTROL A**  
8 **SPECIFIC REPORTABLE ANIMAL DISEASE, AS PROVIDED IN SECTION 3B.**

9       **(2) THE DIRECTOR MAY REQUIRE AN OFFICIAL INTRASTATE HEALTH**  
10 **CERTIFICATE OR OFFICIAL INTRASTATE CERTIFICATE OF VETERINARY**  
11 **INSPECTION OR ANOTHER FORM APPROVED BY THE DIRECTOR TO BE PREPARED**  
12 **AND SIGNED BY AN ACCREDITED VETERINARIAN. THE FORMS DESCRIBED IN**  
13 **THIS SUBSECTION SHALL INCLUDE THE INFORMATION REQUIRED IN SECTION**  
14 **20(1) (A) TO (E) .**

15       **(3) ANIMALS SUBJECT TO MOVEMENT CONTROLS DESCRIBED IN**  
16 **SUBSECTION (1) SHALL BE ACCOMPANIED WITH A COPY OF AN OFFICIAL**  
17 **INTRASTATE HEALTH CERTIFICATE, OFFICIAL INTRASTATE CERTIFICATE OF**  
18 **VETERINARY INSPECTION, OR OTHER FORM APPROVED BY THE DIRECTOR. THE**  
19 **FORM DESCRIBED IN THIS SUBSECTION SHALL INCLUDE THE INFORMATION**  
20 **REQUIRED IN SECTION 20(1) (A) TO (E) .**

21       **(4) WHEN THE INTRASTATE MOVEMENT OF LIVESTOCK CAUSES LIVESTOCK**  
22 **TO CROSS FROM 1 ZONE INTO ANOTHER ZONE, THE LIVESTOCK SHALL MEET**  
23 **THE TESTING REQUIREMENTS FOR THEIR ZONE OF ORIGIN.**

24       **(5) IF LIVESTOCK ENTER A SLAUGHTER FACILITY PREMISES, THE**  
25 **LIVESTOCK AND OFFSPRING BORN ON THE PREMISES SHALL NOT LEAVE THE**  
26 **SLAUGHTER FACILITY PREMISES UNLESS PRIOR PERMISSION IS GRANTED BY**  
27 **THE DIRECTOR TO MOVE THE LIVESTOCK TO AN ALTERNATE PREMISES.**

1           SEC. 12B. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT  
2 TO THE CONTRARY, ALL LIVE PRIVATELY OWNED CERVIDS MOVING FROM 1  
3 PREMISES TO ANOTHER PREMISES WITHIN THIS STATE ARE SUBJECT TO ALL  
4 OF THE FOLLOWING REQUIREMENTS:

5           (A) THE OWNER SHALL NOTIFY THE DEPARTMENT WITHIN 5 BUSINESS  
6 DAYS OF THE MOVEMENT OF THE PRIVATELY OWNED CERVIDS OF THE  
7 INFORMATION DESCRIBED IN SECTION 20(1)(A) AND (B).

8           (B) THE CERVIDS SHALL BE IN COMPLIANCE WITH SECTION 11B AND  
9 ACCOMPANIED BY THE APPROPRIATE IDENTIFICATION.

10           (2) ALL LIVE PRIVATELY OWNED CERVIDS 6 MONTHS OF AGE OR OLDER  
11 MOVING FROM 1 PREMISES TO ANOTHER PREMISES WITHIN THIS STATE,  
12 EXCEPT THOSE CONSIGNED DIRECTLY TO A STATE OR FEDERALLY INSPECTED  
13 SLAUGHTER FACILITY PREMISES, SHALL COMPLY WITH 1 OF THE FOLLOWING:

14           (A) ORIGINATE DIRECTLY FROM AN OFFICIAL TUBERCULOSIS  
15 ACCREDITED, QUALIFIED, OR MONITORED HERD AS DEFINED BY THE UNITED  
16 STATES DEPARTMENT OF AGRICULTURE, AND BE ACCOMPANIED BY A COPY OF  
17 THE CURRENT OFFICIAL LETTER FROM THE DEPARTMENT VERIFYING HERD  
18 STATUS.

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

23           (C) RECEIVE AN INDIVIDUAL NEGATIVE OFFICIAL TEST FOR  
24 TUBERCULOSIS WITHIN 90 DAYS BEFORE MOVEMENT AND A NEGATIVE OFFICIAL  
25 WHOLE HERD TEST WITHIN THE 120 MONTHS BEFORE MOVEMENT, AND BE  
26 ACCOMPANIED BY A COPY OF THE OFFICIAL TESTS FOR TUBERCULOSIS  
27 VERIFYING THAT TESTING.

1 (D) BE ISOLATED FROM ALL OTHER ANIMALS UNTIL IT RECEIVES 2  
2 OFFICIAL NEGATIVE TUBERCULOSIS TESTS CONDUCTED NOT LESS THAN 90  
3 DAYS APART, WITH THE FIRST TEST CONDUCTED NOT MORE THAN 120 DAYS  
4 BEFORE MOVEMENT.

5 (3) ALL LIVE PRIVATELY OWNED CERVIDS LESS THAN 6 MONTHS OF AGE  
6 MOVING FROM 1 PREMISES TO ANOTHER PREMISES WITHIN THIS STATE,  
7 EXCEPT THOSE CONSIGNED DIRECTLY TO A STATE OR FEDERALLY INSPECTED  
8 SLAUGHTER FACILITY PREMISES, MUST COMPLY WITH 1 OF THE FOLLOWING:

9 (A) ORIGINATE DIRECTLY FROM AN OFFICIAL TUBERCULOSIS  
10 ACCREDITED, QUALIFIED, OR MONITORED HERD AS DEFINED BY THE UNITED  
11 STATES DEPARTMENT OF AGRICULTURE, AND BE ACCOMPANIED BY A COPY OF  
12 THE CURRENT OFFICIAL LETTER FROM THE DEPARTMENT VERIFYING THE HERD  
13 STATUS.

14 (B) ORIGINATE DIRECTLY FROM A HERD THAT HAS RECEIVED AN  
15 OFFICIAL NEGATIVE TUBERCULOSIS TEST OF ALL PRIVATELY OWNED CERVIDS  
16 12 MONTHS OF AGE OR OLDER AND ALL CATTLE AND GOATS 6 MONTHS OF AGE  
17 OR OLDER IN CONTACT WITH THE HERD WITHIN 24 MONTHS BEFORE MOVEMENT.

18 (C) ORIGINATE DIRECTLY FROM A HERD THAT HAS RECEIVED AN  
19 OFFICIAL NEGATIVE TUBERCULOSIS TEST OF ALL PRIVATELY OWNED CERVIDS  
20 12 MONTHS OF AGE OR OLDER AND ALL CATTLE AND GOATS 6 MONTHS OF AGE  
21 OR OLDER IN CONTACT WITH THE HERD WITHIN THE 120 MONTHS BEFORE  
22 MOVEMENT AND BE ACCOMPANIED BY AN OFFICIAL PERMIT FOR MOVEMENT OF  
23 PRIVATELY OWNED CERVIDS LESS THAN 6 MONTHS OF AGE WITHIN THIS STATE  
24 OR AN OFFICIAL INTERSTATE HEALTH CERTIFICATE ISSUED BY AN  
25 ACCREDITED VETERINARIAN, AND REMAIN AT THE DESTINATION STATED ON  
26 THE PERMIT OR OFFICIAL INTERSTATE HEALTH CERTIFICATE UNTIL IT  
27 RECEIVES AN OFFICIAL NEGATIVE TUBERCULOSIS TEST WHEN IT REACHES 6

1 MONTHS OF AGE, BUT NOT MORE THAN 8 MONTHS OF AGE. FOR PURPOSES OF  
2 THIS SECTION, THE AGE OF THE PRIVATELY OWNED CERVIDS SHALL BE  
3 DETERMINED BY THE AGE PLACED ON THE OFFICIAL PERMIT FOR MOVEMENT OF  
4 PRIVATELY OWNED CERVIDS LESS THAN 6 MONTHS OF AGE WITHIN THIS STATE  
5 OR THE OFFICIAL INTERSTATE HEALTH CERTIFICATE ISSUED BY THE  
6 ACCREDITED VETERINARIAN. A COPY OF THE OFFICIAL TEST FOR  
7 TUBERCULOSIS AND A COPY OF THE OFFICIAL PERMIT FOR MOVEMENT OF  
8 PRIVATELY OWNED CERVIDS LESS THAN 6 MONTHS OF AGE WITHIN THIS STATE  
9 OR THE OFFICIAL INTERSTATE HEALTH CERTIFICATE SHALL BE FORWARDED TO  
10 THE DEPARTMENT WITHIN 10 DAYS FOLLOWING COMPLETION OF THE TESTING.

11 (4) PRIVATELY OWNED CERVIDS WITH A RESPONSE OTHER THAN  
12 NEGATIVE TO ANY TUBERCULOSIS TEST ARE NOT ELIGIBLE FOR INTRASTATE  
13 MOVEMENT WITHOUT PERMISSION FROM THE DIRECTOR.

14 (5) PRIVATELY OWNED CERVIDS KNOWN TO BE AFFECTED WITH OR  
15 EXPOSED TO TUBERCULOSIS SHALL NOT BE MOVED INTRASTATE WITHOUT  
16 PERMISSION FROM THE DIRECTOR.

17 (6) THE DEPARTMENT SHALL KEEP A CURRENT DATABASE ON PRIVATELY  
18 OWNED CERVIDS PREMISES IN THIS STATE. THE DATABASE SHALL INCLUDE  
19 THE OWNER'S NAME, THE OWNER'S CURRENT ADDRESS, LOCATION OF  
20 PRIVATELY OWNED CERVIDS, SPECIES OF PRIVATELY OWNED CERVIDS AT THE  
21 PREMISES, AND THE APPROXIMATE NUMBER OF PRIVATELY OWNED CERVIDS AT  
22 THE PREMISES.

23 Sec. 14. (1) If the director determines that the control or  
24 eradication of a disease or condition of livestock warrants entry  
25 onto property where livestock or domestic animals are located, the  
26 director shall order the entry onto property where livestock or  
27 domestic animals are located and authorize seizure, slaughter,

1 destruction, or other disposition of individual livestock or  
2 domestic animals or the entire herd, flock, or school. If the  
3 director has signed an order for the slaughter, destruction, or  
4 other disposition of livestock or domestic animals, the director  
5 shall notify the attorney general and the house and senate  
6 appropriations committees and the department of management and  
7 budget on the issue of indemnity under this section. The director  
8 may approve facilities and procedures for the orderly disposal of  
9 animals, animal products, and animal feeds for the purpose of  
10 controlling or preventing the spread of an infectious, contagious,  
11 or toxicological disease. The director may select a site or method  
12 for the disposal with the advice of the director of the department  
13 of environmental quality. **AQUACULTURE LOT.**

14 ——— (2) The director may, under rules promulgated by the  
15 department, allow indemnification for the slaughter, destruction,  
16 or other disposition of livestock or domestic animals due to  
17 livestock diseases or toxicological contamination. If the director  
18 has signed an order for the slaughter, destruction, or other  
19 disposition of livestock or domestic animals, the owner may apply  
20 for indemnification. The director shall appraise and inventory the  
21 condemned livestock or domestic animals. The appraisals and  
22 inventories shall be on forms approved by the director. The  
23 director shall use agricultural pricing information from commercial  
24 livestock or domestic animal auction markets and other livestock or  
25 domestic animal market information as determined by the director to  
26 determine the value of condemned livestock or domestic animals.

27 ——— (3) Except as otherwise provided in subsection (5),

1 ~~indemnification for individual livestock or domestic animals within~~  
2 ~~a herd, flock, or school shall be based upon 100% of the fair~~  
3 ~~market value of that type of livestock or domestic animal on the~~  
4 ~~date of the appraisal and marketable for the purpose for which the~~  
5 ~~livestock or domestic animal was intended, not to exceed \$4,000.00~~  
6 ~~for each livestock or domestic animal. The appraisal determination~~  
7 ~~shall not delay the slaughter, destruction, or disposition of the~~  
8 ~~livestock or domestic animals. The indemnification amount under~~  
9 ~~this subsection shall include a deduction for any compensation~~  
10 ~~received, or to be received, from any other source including, but~~  
11 ~~not limited to, indemnification by the United States department of~~  
12 ~~agriculture, insurance, salvage value, or any monetary value~~  
13 ~~obtained to encourage disposal of infected or exposed livestock or~~  
14 ~~domestic animals in accordance with a disease control or~~  
15 ~~eradication program. The owner shall furnish to the department all~~  
16 ~~records indicating other sources of indemnity. An affidavit signed~~  
17 ~~by the owner attesting to the amount of compensation for the~~  
18 ~~livestock received or to be received from any other source shall~~  
19 ~~accompany the appraisal certificate before indemnification under~~  
20 ~~this section.~~

21 ~~—— (4) Except as otherwise provided in subsection (5),~~  
22 ~~indemnification for entire herd, flock, or school depopulations of~~  
23 ~~livestock or domestic animals shall be based upon 100% of the fair~~  
24 ~~market value of that type of animal on the date of the appraisal~~  
25 ~~and marketable for the purpose for which the livestock or domestic~~  
26 ~~animal was intended, not to exceed an average of \$4,000.00 per~~  
27 ~~animal in the flock, herd, or school. The appraisal determination~~

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

14 ~~—— (5) The department may provide for indemnity pursuant to this~~  
15 ~~section not to exceed \$100,000.00 per order, from any line item in~~  
16 ~~the annual budget for the department in the applicable fiscal year.~~  
17 ~~Any agreement greater than \$100,000.00 entered into between the~~  
18 ~~department and an owner of livestock shall contain a provision~~  
19 ~~indicating that, notwithstanding the terms of the agreement,~~  
20 ~~indemnification shall be subject to specific appropriations by the~~  
21 ~~legislature and not be paid from department funds.~~

22 ~~—— (6) Acceptance of compensation under this act constitutes a~~  
23 ~~full and complete release of any claim the owner has against the~~  
24 ~~state of Michigan, its departments, agencies, officers, employees,~~  
25 ~~agents, and contractors to the extent these persons were acting on~~  
26 ~~behalf of the state, within the scope of their employment with the~~  
27 ~~state or under the direction of the state, its departments,~~

1 ~~agencies, officers, or employees, arising out of testing, purchase,~~  
2 ~~removal, slaughter, destruction, and other disposition of the~~  
3 ~~owner's animals.~~

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

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

25 ~~—— (9) Repopulation of the premises, except as approved by the~~  
26 ~~director, shall not confer eligibility for future indemnity under~~  
27 ~~this section.~~

1 ~~—— (10) The department may cooperate and coordinate with the~~  
2 ~~secretary of the United States department of agriculture or the~~  
3 ~~secretary's authorized representative or other governmental~~  
4 ~~departments or agencies regarding indemnification under this~~  
5 ~~section.~~

6 ~~—— (11) Not less than annually, within 60 days after the close of~~  
7 ~~the fiscal year, the director shall make a written report to the~~  
8 ~~standing committees of the house of representatives and senate~~  
9 ~~having jurisdiction on agricultural and farming issues. The report~~  
10 ~~will include the following:~~

11 ~~—— (a) The amount expended by the department for bovine~~  
12 ~~tuberculosis eradication during the preceding fiscal year.~~

13 ~~—— (b) An explanation of the expenditures made by the department~~  
14 ~~for bovine tuberculosis eradication during the preceding fiscal~~  
15 ~~year.~~

16 ~~—— (c) The status of bovine tuberculosis eradication efforts in~~  
17 ~~Michigan.~~

18 ~~—— (12) Not less than annually, within 60 days after the close of~~  
19 ~~the fiscal year, the director of the department of natural~~  
20 ~~resources shall make a written report to the standing committees of~~  
21 ~~the house of representatives and senate having jurisdiction on~~  
22 ~~agricultural and farming issues. The report will include the~~  
23 ~~following:~~

24 ~~—— (a) The amount expended by the department of natural resources~~  
25 ~~for bovine tuberculosis eradication during the preceding fiscal~~  
26 ~~year.~~

27 ~~—— (b) An explanation of the expenditures made by the department~~

1 ~~of natural resources for bovine tuberculosis eradication during the~~  
2 ~~preceding fiscal year.~~

3 (2) ANIMALS ORDERED TO BE SLAUGHTERED, DESTROYED, OR OTHERWISE  
4 DISPOSED OF FOR INFECTIOUS, CONTAGIOUS, OR TOXICOLOGICAL DISEASE  
5 SHALL BE IDENTIFIED AND SLAUGHTERED, DESTROYED, OR OTHERWISE  
6 DISPOSED OF IN A MANNER APPROVED BY THE DIRECTOR.

7 (3) THE DIRECTOR MAY APPROVE FACILITIES AND PROCEDURES FOR THE  
8 ORDERLY DISPOSAL OF ANIMALS, ANIMAL PRODUCTS, AND ANIMAL FEEDS TO  
9 CONTROL OR PREVENT THE SPREAD OF AN INFECTIOUS, CONTAGIOUS, OR  
10 TOXICOLOGICAL DISEASE.

11 (4) THE DIRECTOR MAY SELECT A SITE OR METHOD FOR THE DISPOSAL  
12 DESCRIBED IN SUBSECTION (3) WITH THE ADVICE OF THE DIRECTOR OF THE  
13 DEPARTMENT OF ENVIRONMENTAL QUALITY IN COMPLIANCE WITH 1982 PA 239,  
14 MCL 287.651 TO 287.683.

15 (5) A PREMISES THAT HAS BEEN DEPOPULATED SHALL BE CLEANED AND  
16 DISINFECTED AS PRESCRIBED BY THE DIRECTOR.

17 (6) REPOPULATION OF A PREMISES, EXCEPT AS APPROVED BY THE  
18 DIRECTOR, DOES NOT CONFER ELIGIBILITY FOR FUTURE INDEMNITY UNDER  
19 SECTION 14A.

20 (7) THE DIRECTOR MAY REQUIRE ADDITIONAL BIOSECURITY AND  
21 WILDLIFE RISK MITIGATION MEASURES, AS DETERMINED BY THE DIRECTOR IN  
22 AN ORDER UNDER THIS ACT, BEFORE ALLOWING REPOPULATION OF A  
23 PREMISES.

24 SEC. 14A. (1) THE DIRECTOR MAY ALLOW INDEMNIFICATION FOR THE  
25 SLAUGHTER OR DESTRUCTION OF LIVESTOCK DUE TO A REPORTABLE ANIMAL  
26 DISEASE OR TOXICOLOGICAL CONTAMINATION. IF THE DIRECTOR HAS SIGNED  
27 AN ORDER FOR THE SLAUGHTER OR DESTRUCTION OF LIVESTOCK, THE OWNER

1 MAY APPLY FOR INDEMNIFICATION. TO BE ELIGIBLE FOR INDEMNIFICATION  
2 IN AN AREA OF THIS STATE WHERE A REPORTABLE ANIMAL DISEASE IS  
3 PREVALENT AND AN ORDER OF THE DIRECTOR IS IN PLACE, A DEFINED  
4 MANAGEMENT PLAN FOR THE AREA SHALL BE IN PLACE. THE DIRECTOR SHALL  
5 APPRAISE AND INVENTORY THE CONDEMNED LIVESTOCK. THE APPRAISALS AND  
6 INVENTORIES SHALL BE ON FORMS APPROVED BY THE DIRECTOR. THE  
7 DIRECTOR SHALL USE AGRICULTURAL PRICING INFORMATION FROM COMMERCIAL  
8 LIVESTOCK AUCTION MARKETS AND OTHER LIVESTOCK MARKET INFORMATION AS  
9 DETERMINED BY THE DIRECTOR TO DETERMINE THE VALUE OF CONDEMNED  
10 LIVESTOCK.

11 (2) THE DIRECTOR MAY ALLOW INDEMNIFICATION FOR THE SLAUGHTER  
12 OR DESTRUCTION OF DOMESTIC ANIMALS OTHER THAN LIVESTOCK DUE TO  
13 REPORTABLE ANIMAL DISEASES OR TOXICOLOGICAL CONTAMINATION. THE  
14 DIRECTOR SHALL APPRAISE AND INVENTORY THE CONDEMNED DOMESTIC  
15 ANIMALS. THE APPRAISALS AND INVENTORIES SHALL BE ON FORMS APPROVED  
16 BY THE DIRECTOR. THE DIRECTOR SHALL USE PRICING INFORMATION FROM  
17 DOMESTIC ANIMAL AUCTIONS AND OTHER DOMESTIC ANIMAL MARKET  
18 INFORMATION AS DETERMINED BY THE DIRECTOR TO DETERMINE THE VALUE OF  
19 CONDEMNED DOMESTIC ANIMALS.

20 (3) INDEMNIFICATION FOR INDIVIDUAL OR ENTIRE HERD, FLOCK, OR  
21 AQUACULTURE LOT DEPOPULATIONS OF LIVESTOCK SHALL BE BASED UPON 100%  
22 OF THE FAIR MARKET VALUE OF THAT TYPE OF ANIMAL ON THE DATE OF THE  
23 APPRAISAL AND MARKETABLE FOR THE PURPOSE FOR WHICH THE LIVESTOCK  
24 WAS INTENDED, NOT TO EXCEED \$10,000.00 FOR EACH LIVESTOCK OR AN  
25 AVERAGE OF \$5,000.00 PER ANIMAL IN THE FLOCK, HERD, OR AQUACULTURE  
26 LOT. THE APPRAISAL DETERMINATION SHALL NOT DELAY DEPOPULATION. THE  
27 INDEMNIFICATION AMOUNT UNDER THIS SECTION SHALL INCLUDE A DEDUCTION

1 FOR ANY COMPENSATION RECEIVED, OR TO BE RECEIVED, FROM ANY OTHER  
2 SOURCE, INCLUDING, BUT NOT LIMITED TO, INDEMNIFICATION BY THE  
3 UNITED STATES DEPARTMENT OF AGRICULTURE, INSURANCE, SALVAGE VALUE,  
4 OR ANY MONETARY VALUE OBTAINED TO ENCOURAGE DISPOSAL OF INFECTED OR  
5 EXPOSED LIVESTOCK IN ACCORDANCE WITH A DISEASE CONTROL OR  
6 ERADICATION PROGRAM. THE OWNER SHALL FURNISH TO THE DEPARTMENT ALL  
7 RECORDS INDICATING OTHER SOURCES OF INDEMNITY. AN AFFIDAVIT SIGNED  
8 BY THE OWNER ATTESTING TO THE AMOUNT OF COMPENSATION FOR THE  
9 LIVESTOCK RECEIVED, OR TO BE RECEIVED, FROM ANY OTHER SOURCE SHALL  
10 ACCOMPANY THE APPRAISAL CERTIFICATE BEFORE INDEMNIFICATION UNDER  
11 THIS SECTION.

12 (4) INDEMNIFICATION FOR INDIVIDUAL OR ENTIRE GROUP  
13 DEPOPULATIONS OF DOMESTIC ANIMALS SHALL BE BASED UPON 100% OF THE  
14 FAIR MARKET VALUE OF THAT TYPE OF ANIMAL ON THE DATE OF THE  
15 APPRAISAL AND MARKETABLE FOR THE PURPOSE FOR WHICH THE DOMESTIC  
16 ANIMAL WAS INTENDED, NOT TO EXCEED \$4,000.00 FOR EACH DOMESTIC  
17 ANIMAL OR AN AVERAGE OF \$500.00 PER ANIMAL IN THE GROUP. THE  
18 APPRAISAL DETERMINATION SHALL NOT DELAY DEPOPULATION. THE  
19 INDEMNIFICATION AMOUNT UNDER THIS SECTION SHALL INCLUDE A DEDUCTION  
20 FOR ANY COMPENSATION RECEIVED, OR TO BE RECEIVED, FROM ANY OTHER  
21 SOURCE, INCLUDING, BUT NOT LIMITED TO, INDEMNIFICATION BY THE  
22 UNITED STATES DEPARTMENT OF AGRICULTURE, INSURANCE, SALVAGE VALUE,  
23 OR ANY MONETARY VALUE OBTAINED TO ENCOURAGE DISPOSAL OF INFECTED OR  
24 EXPOSED DOMESTIC ANIMALS IN ACCORDANCE WITH A DISEASE CONTROL OR  
25 ERADICATION PROGRAM. THE OWNER SHALL FURNISH TO THE DEPARTMENT ALL  
26 RECORDS INDICATING OTHER SOURCES OF INDEMNITY. AN AFFIDAVIT SIGNED  
27 BY THE OWNER ATTESTING TO THE AMOUNT OF COMPENSATION FOR THE

1 DOMESTIC ANIMALS RECEIVED, OR TO BE RECEIVED, FROM ANY OTHER SOURCE  
2 SHALL ACCOMPANY THE APPRAISAL CERTIFICATE BEFORE INDEMNIFICATION  
3 UNDER THIS SECTION.

4 (5) ACCEPTANCE OF COMPENSATION UNDER THIS ACT CONSTITUTES A  
5 FULL AND COMPLETE RELEASE OF ANY CLAIM THE OWNER HAS AGAINST THIS  
6 STATE AND ITS DEPARTMENTS, AGENCIES, OFFICERS, EMPLOYEES, AGENTS,  
7 AND CONTRACTORS TO THE EXTENT THESE PERSONS WERE ACTING ON BEHALF  
8 OF THIS STATE, WITHIN THE SCOPE OF THEIR EMPLOYMENT WITH THIS STATE  
9 OR UNDER THE DIRECTION OF THIS STATE, ITS DEPARTMENTS, AGENCIES,  
10 OFFICERS, OR EMPLOYEES, ARISING OUT OF TESTING, PURCHASE, REMOVAL,  
11 SLAUGHTER, DESTRUCTION, AND OTHER DISPOSITION OF THE OWNER'S  
12 LIVESTOCK OR DOMESTIC ANIMALS.

13 (6) THE RIGHT TO INDEMNITY FROM THIS STATE FOR LIVESTOCK OR  
14 DOMESTIC ANIMALS CONDEMNED AND ORDERED SLAUGHTERED, DESTROYED, OR  
15 OTHERWISE DISPOSED OF BY THE DIRECTOR APPLIES ONLY TO NATIVE  
16 LIVESTOCK AND NATIVE DOMESTIC ANIMALS. INDEMNIFICATION IS NOT  
17 AVAILABLE FOR LIVESTOCK OR DOMESTIC ANIMALS DETERMINED BY THE  
18 DEPARTMENT TO BE IMPORTED OR TO BE MOVED WITHIN THIS STATE WITHOUT  
19 MEETING IMPORT OR MOVEMENT REQUIREMENTS, INCLUDING, BUT NOT LIMITED  
20 TO, AN OFFICIAL INTERSTATE HEALTH CERTIFICATE OR OFFICIAL  
21 INTERSTATE CERTIFICATE OF VETERINARY INSPECTION, REQUIRED TESTING,  
22 REQUIRED VACCINATION, OR FOR LIVESTOCK OR DOMESTIC ANIMALS  
23 DETERMINED BY THE DEPARTMENT TO HAVE BEEN ILLEGALLY MOVED INTO OR  
24 WITHIN THIS STATE. AN OWNER IS NOT ENTITLED TO INDEMNITY FROM THIS  
25 STATE FOR LIVESTOCK OR A DOMESTIC ANIMAL THAT COMES INTO THE  
26 POSSESSION OF THE OWNER WITH THE OWNER'S KNOWLEDGE THAT THE  
27 LIVESTOCK OR DOMESTIC ANIMAL IS DISEASED OR IS SUSPECTED OF HAVING

1 BEEN EXPOSED TO AN INFECTIOUS, CONTAGIOUS, OR TOXICOLOGICAL  
2 DISEASE. THE DIRECTOR SHALL NOT INDEMNIFY AN OWNER FOR LIVESTOCK OR  
3 DOMESTIC ANIMALS THAT HAVE BEEN EXPOSED TO LIVESTOCK OR A DOMESTIC  
4 ANIMAL THAT COMES INTO THE POSSESSION OF THE OWNER WITH THE OWNER'S  
5 KNOWLEDGE THAT THE LIVESTOCK OR DOMESTIC ANIMAL IS DISEASED OR IS  
6 SUSPECTED OF HAVING BEEN EXPOSED TO AN INFECTIOUS, CONTAGIOUS, OR  
7 TOXICOLOGICAL DISEASE, OR THAT ARE IN VIOLATION OF AN ORDER OF THE  
8 DIRECTOR.

9 (7) THIS STATE SHALL NOT INDEMNIFY AN OWNER OF LIVESTOCK OR  
10 DOMESTIC ANIMALS FOR THE LOSS OF THE LIVESTOCK OR DOMESTIC ANIMALS  
11 DUE TO AN INFECTIOUS, CONTAGIOUS, OR TOXICOLOGICAL DISEASE UNTIL  
12 THE OWNER EXECUTES AND SIGNS A SUBROGATION AGREEMENT ASSIGNING TO  
13 THIS STATE THE RIGHTS OF THE OWNER TO A CAUSE OF ACTION TO RECOVER  
14 DAMAGES FOR THE LOSS UP TO THE AMOUNT OF INDEMNIFICATION PAID TO  
15 THE OWNER UNDER THIS ACT, AND PRESENTS ALL NECESSARY DOCUMENTS,  
16 INCLUDING REGISTRATION PAPERS, A STATEMENT OF NAMES AND ADDRESSES  
17 OF ALL PERSONS TO WHOM OR FROM WHOM THE OWNER HAS TRANSFERRED  
18 LIVESTOCK OR DOMESTIC ANIMALS WITHIN A TIME PERIOD DETERMINED BY  
19 THE DIRECTOR, AND SIGNED PERMISSION ALLOWING THE BREED ASSOCIATION  
20 TO DISCLOSE INFORMATION REQUESTED BY THE DIRECTOR.

21 (8) THE DIRECTOR MAY REQUIRE ADDITIONAL BIOSECURITY AND  
22 WILDLIFE RISK MITIGATION MEASURES, AS DETERMINED BY THE DIRECTOR IN  
23 AN ORDER UNDER THIS ACT, FOR FUTURE INDEMNIFICATION ELIGIBILITY  
24 UNDER THIS ACT.

25 (9) THE DEPARTMENT MAY COOPERATE AND COORDINATE WITH THE  
26 UNITED STATES SECRETARY OF AGRICULTURE OR THE SECRETARY'S  
27 AUTHORIZED REPRESENTATIVE OR OTHER GOVERNMENTAL DEPARTMENTS OR

1 AGENCIES REGARDING INDEMNIFICATION UNDER THIS SECTION.

2 (10) A LIVESTOCK OWNER SHALL BE COMPENSATED FOR LIVESTOCK THAT  
3 DIES, IS INJURED, OR NEEDS TO BE DESTROYED FOR HUMANE REASONS DUE  
4 TO AN INJURY OCCURRING WHILE THE LIVESTOCK IS UNDERGOING MANDATORY  
5 TESTING FOR A REPORTABLE ANIMAL DISEASE.

6 SEC. 17B. (1) THE DIRECTOR MAY ORDER SURVEILLANCE TESTING OF  
7 ANIMALS FOR A SPECIFIC REPORTABLE ANIMAL DISEASE IN THIS STATE WITH  
8 A DEFINED DIMENSION AS DETERMINED BY THE DIRECTOR. THE DIRECTOR MAY  
9 ALSO ORDER SURVEILLANCE TESTING OF ANIMALS FOR EITHER OF THE  
10 FOLLOWING PURPOSES:

11 (A) TO ACCOMPLISH SURVEILLANCE NECESSARY FOR THIS STATE TO BE  
12 IN COMPLIANCE WITH RULES AND REGULATIONS ADOPTED BY THE UNITED  
13 STATES SECRETARY OF AGRICULTURE UNDER ANY ACT OF CONGRESS PROVIDING  
14 FOR THE PREVENTION, CONTROL, OR ERADICATION OF A REPORTABLE ANIMAL  
15 DISEASE.

16 (B) TO COMPLETE EPIDEMIOLOGIC INVESTIGATIONS FOR A SPECIFIC  
17 REPORTABLE ANIMAL DISEASE, OR IN ANY INSTANCE WHERE A REPORTABLE  
18 ANIMAL DISEASE IS SUSPECTED.

19 (2) THE DIRECTOR MAY ESTABLISH A SURVEILLANCE TESTING PROGRAM  
20 FOR THE INTRASTATE MOVEMENT OF ANIMALS.

21 (3) THE DIRECTOR MAY DESIGNATE THE STATUS OF CERTAIN HERDS,  
22 FLOCKS, OR AQUACULTURE LOTS AS CERTIFIED, ACCREDITED, VALIDATED,  
23 QUALIFIED, MONITORED, CLEAN, OR FREE OF A SPECIFIC DISEASE WHEN THE  
24 HERD, FLOCK, OR AQUACULTURE LOT HAS MET THE DIRECTOR'S REQUIREMENTS  
25 FOR THAT STATUS.

26 (4) INDIVIDUAL LIVESTOCK THAT IS UNDERGOING AN OFFICIAL TEST  
27 SHALL NOT BE REMOVED FROM THE PREMISES UNTIL THE TEST RESULTS ARE

1 AVAILABLE, EXCEPT AS PERMITTED BY THE DIRECTOR.

2 SEC. 17C. (1) AS USED IN THIS SECTION:

3 (A) "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  
7 LABORATORY TESTS FOR A SPECIFIC REPORTABLE ANIMAL DISEASE.

8 (B) "CHANGE OF OWNERSHIP AND LOCATION" MEANS A TRANSFER OF  
9 OWNERSHIP OF EQUIDAE FROM 1 PERSON TO ANOTHER PERSON THROUGH  
10 SELLING, BARTERING, TRADING, LEASING, OR DONATING THE EQUIDAE ALONG  
11 WITH A CHANGE OF LOCATION OF THE EQUIDAE.

12 (C) "EQUINE HERD" MEANS ANY OF THE FOLLOWING:

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

16 (ii) ALL ANIMALS OF THE FAMILY EQUIDAE UNDER COMMON OWNERSHIP  
17 OR SUPERVISION ON 2 OR MORE PREMISES THAT ARE GEOGRAPHICALLY  
18 SEPARATED BUT IN WHICH EITHER OR BOTH OF THE FOLLOWING HAVE  
19 OCCURRED:

20 (A) THE EQUIDAE HAVE BEEN INTERCHANGED.

21 (B) EQUIDAE FROM 1 OF THE PREMISES HAVE HAD CONTACT WITH  
22 EQUIDAE FROM A DIFFERENT PREMISES.

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

26 (D) "EQUINE INFECTIOUS ANEMIA" MEANS AN INFECTIOUS DISEASE OF  
27 EQUIDAE CAUSED BY A LENTIVIRUS, EQUINE INFECTIOUS ANEMIA VIRUS.

1 (E) "EQUINE INFECTIOUS ANEMIA LABORATORY TEST FORM" MEANS THE  
2 OFFICIAL FEDERAL GOVERNMENT FORM, VETERINARY SERVICES FORM 10-11,  
3 REQUIRED TO SUBMIT BLOOD SAMPLES TO AN APPROVED LABORATORY FOR  
4 EQUINE INFECTIOUS ANEMIA TESTING OR OTHER FORM APPROVED BY THE  
5 DIRECTOR.

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

10 (G) "EXPOSED EQUINE" OR "EXPOSED EQUIDAE" MEANS ANIMALS IN THE  
11 FAMILY EQUIDAE THAT HAVE BEEN EXPOSED TO EQUINE INFECTIOUS ANEMIA  
12 BY ASSOCIATING WITH EQUIDAE KNOWN OR LATER FOUND TO BE AFFECTED  
13 WITH EQUINE INFECTIOUS ANEMIA.

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

17 (i) PRODUCED UNDER LICENSE FROM THE SECRETARY OF AGRICULTURE  
18 OF THE UNITED STATES DEPARTMENT OF AGRICULTURE OR THE SECRETARY'S  
19 AUTHORIZED REPRESENTATIVE, UNDER THE VIRUS-SERUM-TOXIN ACT, 21 USC  
20 151 TO 159.

21 (ii) CONDUCTED IN AN APPROVED LABORATORY.

22 (I) "PERMIT" MEANS AN OFFICIAL DOCUMENT, VS FORM 1-27 OR  
23 COMPARABLE STATE FORM, THAT IS ISSUED BY A STATE OR FEDERAL  
24 REPRESENTATIVE OR BY AN ACCREDITED VETERINARIAN, REQUIRED TO  
25 ACCOMPANY ALL EQUINE INFECTIOUS ANEMIA TEST-POSITIVE EQUIDAE AND  
26 THOSE EXPOSED EQUIDAE THAT ARE BEING MOVED UNDER OFFICIAL SEAL  
27 DURING THEIR MOVEMENT TO THE SPECIFIED DESTINATION.

1 (J) "RESTRICTED EQUIDAE" MEANS EQUINE INFECTIOUS ANEMIA TEST-  
2 POSITIVE EQUIDAE OR EXPOSED EQUIDAE.

3 (2) BEFORE AN EQUIDAE OTHER THAN AN EQUIDAE THAT IS BOTH 6  
4 MONTHS OR YOUNGER AND NURSING MAY PARTICIPATE IN ANY OF THE  
5 FOLLOWING ACTIVITIES, IT SHALL HAVE AN OFFICIAL EQUINE INFECTIOUS  
6 ANEMIA TEST WITH A NEGATIVE RESULT WITHIN THE PREVIOUS 12 MONTHS OF  
7 ENTRY DOCUMENTED ON AN EQUINE INFECTIOUS ANEMIA LABORATORY TEST  
8 FORM:

9 (A) FOR EXHIBITIONS, EXPOSITIONS, OR FAIRS.

10 (B) AT A TIME OF CHANGE OF OWNERSHIP AND LOCATION WITHIN THIS  
11 STATE.

12 (C) TO ENTER, REMAIN AT, OR BE PRESENT ON THE PREMISES OF  
13 HORSE AUCTIONS OR SALES MARKETS WHETHER OR NOT LICENSED UNDER 1974  
14 PA 93, MCL 287.111 TO 287.119, AND 1937 PA 284, MCL 287.121 TO  
15 287.131. IF AN EQUINE INFECTIOUS ANEMIA TEST IS NOT POSSIBLE BEFORE  
16 EACH SALE, THEN THE EQUIDAE MUST BE HELD ON THE SALE PREMISES UNTIL  
17 THE TEST RESULTS ARE KNOWN.

18 (3) EQUIDAE MOVED INTO THIS STATE FROM ANOTHER STATE MUST HAVE  
19 AN OFFICIAL EQUINE INFECTIOUS ANEMIA TEST WITH A NEGATIVE RESULT  
20 WITHIN THE PREVIOUS 12 MONTHS OF ENTRY. THE PERSON IN CONTROL OF  
21 THE EQUIDAE SHALL BE IN POSSESSION OF AN OFFICIAL INTERSTATE HEALTH  
22 CERTIFICATE OR INTERSTATE CERTIFICATE OF VETERINARY INSPECTION  
23 DOCUMENTING THE DATE, LABORATORY, ACCESSION NUMBER, AND RESULTS OF  
24 THE LATEST EQUINE INFECTIOUS ANEMIA TEST, SIGNED BY AN ACCREDITED  
25 VETERINARIAN.

26 (4) AN EQUINE INFECTIOUS ANEMIA LABORATORY TEST FORM SHALL  
27 CONTAIN, AT A MINIMUM, THE COLOR, BREED, SEX, AGE, MARKINGS, NAME

1 OF OWNER, AND LOCATION OR ADDRESS OF THE EQUINE. A PHOTOGRAPHIC OR  
2 GRAPHIC LIKENESS MAY ALSO BE USED TO DEMONSTRATE THE COLOR AND  
3 MARKINGS OF THE EQUINE.

4 (5) AN OWNER OF EQUIDAE OR AN ORGANIZATION SPONSORING AN EVENT  
5 INVOLVING EQUIDAE MAY REQUIRE AN OFFICIAL EQUINE INFECTIOUS ANEMIA  
6 TEST FOR EQUIDAE INVOLVED IN ANY EQUIDAE GROUP ACTIVITY OR THAT ARE  
7 COMMINGLING WITH OR IN PROXIMITY TO OTHER EQUIDAE.

8 (6) THE DEPARTMENT SHALL TEST ALL EQUIDAE LOCATED WITHIN A  
9 1/4-MILE RADIUS OF THE PERIMETER OF THE AREA IN WHICH THE EQUINE  
10 INFECTIOUS ANEMIA TEST-POSITIVE EQUINE IS OR HAS BEEN CONTAINED AT  
11 THE EXPENSE OF THE DEPARTMENT. IF THE DIRECTOR DETERMINES THAT A  
12 LARGE NUMBER OF EQUIDAE ARE EQUINE INFECTIOUS ANEMIA TEST-POSITIVE,  
13 THE DIRECTOR MAY REQUIRE TESTING OF ALL EQUIDAE WITHIN AN AREA  
14 LARGER THAN THE 1/4-MILE RADIUS DESCRIBED IN THIS SUBSECTION AT THE  
15 EXPENSE OF THE DEPARTMENT.

16 (7) THE DIRECTOR SHALL QUARANTINE EQUIDAE THAT TEST POSITIVE  
17 TO AN OFFICIAL EQUINE INFECTIOUS ANEMIA TEST AND THEIR HERD OF  
18 ORIGIN. EQUIDAE THAT TEST POSITIVE TO AN OFFICIAL EQUINE INFECTIOUS  
19 ANEMIA TEST MAY, WITH APPROVAL FROM THE DIRECTOR, BE MOVED OR  
20 QUARANTINED TO A PREMISES THAT CONFINES THEM A MINIMUM OF 1/4 MILE  
21 AWAY FROM ANY OTHER EQUINE. EQUIDAE THAT TEST POSITIVE TO AN  
22 OFFICIAL EQUINE INFECTIOUS ANEMIA TEST MAY, WITH APPROVAL FROM THE  
23 DIRECTOR, BE SEGREGATED AND QUARANTINED IN AN INSECT-FREE ENCLOSURE  
24 AS DETERMINED BY THE DIRECTOR.

25 (8) THE OWNER OR AGENT OF AN EQUINE HERD THAT IS THE SOURCE OF  
26 AN EQUINE INFECTIOUS ANEMIA TEST-POSITIVE EQUINE SHALL ALLOW THE  
27 DIRECTOR TO TEST, IN ACCORDANCE WITH THE FOLLOWING SCHEDULE, THE

1 COMPLETE SOURCE HERD WITH AN OFFICIAL EQUINE INFECTIOUS ANEMIA TEST  
2 AFTER THE OFFICIAL EQUINE INFECTIOUS ANEMIA TEST-POSITIVE EQUIDAE  
3 HAVE BEEN REMOVED OR SEGREGATED FROM THE HERD IN A MANNER APPROVED  
4 BY THE DIRECTOR:

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

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

14 (9) TO THE BEST OF HIS OR HER KNOWLEDGE, THE OWNER OF AN  
15 EQUINE INFECTIOUS ANEMIA TEST-POSITIVE EQUINE SHALL PROVIDE TO THE  
16 DEPARTMENT RECORDS REFLECTING THE TIME PERIOD DURING WHICH THE  
17 EQUINE INFECTIOUS ANEMIA TEST-POSITIVE EQUINE BOTH HAD BEEN ON THE  
18 PREMISES AND HAD BEEN A MEMBER OF THE EQUINE HERD THAT INCLUDE AT  
19 LEAST THE FOLLOWING INFORMATION:

20 (A) THE NAME AND ADDRESS OF THE PREVIOUS OWNER.

21 (B) THE LOCATION OF OTHER EQUIDAE THAT WERE POTENTIALLY  
22 EXPOSED TO THE EQUINE INFECTIOUS ANEMIA TEST-POSITIVE EQUINE.

23 (10) WITHIN 30 DAYS AFTER POSITIVE TEST RESULTS ARE REPORTED  
24 TO AN OWNER OF AN EQUINE INFECTIOUS ANEMIA TEST-POSITIVE EQUINE OR  
25 AT A DIFFERENT TIME PERIOD AGREED TO BY THE DIRECTOR, THE OWNER OF  
26 AN EQUINE INFECTIOUS ANEMIA TEST-POSITIVE EQUINE SHALL PROVIDE TO  
27 THE DEPARTMENT THE RECORDS DESCRIBED IN SUBSECTION (9).

1           (11) THE DIRECTOR MAY CONDUCT EPIDEMIOLOGICAL INVESTIGATIONS  
2 ON ALL EQUIDAE THAT HAVE POSSIBLE EXPOSURE TO OFFICIAL EQUINE  
3 INFECTIOUS ANEMIA TEST-POSITIVE EQUIDAE TO DETERMINE THE NEED FOR  
4 ADDITIONAL QUARANTINING AND OFFICIAL EQUINE INFECTIOUS ANEMIA  
5 TESTING.

6           (12) A PERSON SHALL NOT DESTROY OR REMOVE OFFICIAL EQUINE  
7 INFECTIOUS ANEMIA TEST-POSITIVE EQUIDAE FROM THE ORIGINAL TEST  
8 LOCATION OR PREMISES WITHOUT PRIOR PERMISSION FROM THE DIRECTOR.

9           (13) THE OWNER SHALL NOT DESTROY AN OFFICIAL EQUINE INFECTIOUS  
10 ANEMIA TEST-POSITIVE EQUINE WITHOUT PERMISSION FROM THE DIRECTOR.  
11 THE DIRECTOR SHALL ISSUE A QUARANTINE RELEASE AND BE PRESENT WHEN  
12 THE EQUINE IS DESTROYED OR AN ACCREDITED VETERINARIAN MAY DOCUMENT  
13 AND CERTIFY THAT THE OFFICIAL EQUINE INFECTIOUS ANEMIA TEST-  
14 POSITIVE EQUINE HAS BEEN DESTROYED.

15           (14) UNLESS IMMEDIATELY DESTROYED, OFFICIAL EQUINE INFECTIOUS  
16 ANEMIA TEST-POSITIVE EQUIDAE SHALL BE IDENTIFIED BY THE DIRECTOR  
17 WITH THE FREEZE BRAND 34A, WHICH SHALL BE IN CHARACTERS NOT LESS  
18 THAN 2 INCHES IN HEIGHT AND PLACED ON THE LEFT CERVICAL AREA OF THE  
19 NECK OR SHALL BE IDENTIFIED IN ANOTHER MANNER APPROVED BY THE  
20 DIRECTOR.

21           (15) RESTRICTED EQUIDAE MAY MOVE INTERSTATE ONLY IF  
22 ACCOMPANIED BY A PERMIT LISTING THE OWNER'S NAME AND ADDRESS,  
23 POINTS OF ORIGIN AND DESTINATION, NUMBER OF EQUIDAE INCLUDED,  
24 PURPOSE OF THE MOVEMENT, AND AT LEAST EITHER THE INDIVIDUAL EQUINE  
25 REGISTERED BREED ASSOCIATION REGISTRATION TATTOO OR THE INDIVIDUAL  
26 EQUINE REGISTERED BREED ASSOCIATION REGISTRATION NUMBER, OR OTHER  
27 UNIQUE OFFICIAL IDENTIFICATION. THE PERMIT SHALL ALSO LIST THE

1 EQUINE'S NAME, AGE, SEX, BREED, COLOR, AND MARKINGS.

2 (16) EQUINE INFECTIOUS ANEMIA TEST-POSITIVE EQUIDAE MAY ONLY  
3 MOVE INTERSTATE UNDER PERMIT TO THE FOLLOWING LOCATIONS:

4 (A) A FEDERALLY INSPECTED SLAUGHTER FACILITY.

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

6 (C) A HERD OR FARM OF ORIGIN.

7 (17) THE INDIVIDUAL ISSUING THE PERMIT SHALL CONSULT WITH THE  
8 STATE ANIMAL HEALTH OFFICIAL IN THE STATE OF DESTINATION FOR  
9 APPROVAL AND SHALL DETERMINE THAT THE EQUINE INFECTIOUS ANEMIA  
10 TEST-POSITIVE EQUINE TO BE MOVED INTERSTATE WILL BE MAINTAINED IN  
11 ISOLATION SUFFICIENT TO PREVENT THE TRANSMISSION OF EQUINE  
12 INFECTIOUS ANEMIA TO OTHER EQUIDAE. THE EQUINE INFECTIOUS ANEMIA  
13 TEST-POSITIVE EQUINE SHALL REMAIN QUARANTINED UNDER STATE AUTHORITY  
14 AT THE LOCATIONS DESCRIBED IN SUBSECTION (16) UNTIL NATURAL DEATH,  
15 SLAUGHTER, OR EUTHANASIA. THE CARCASS SHALL BE DISPOSED OF AS  
16 PROVIDED IN 1982 PA 239, MCL 287.651 TO 287.683.

17 (18) INDIVIDUAL EXPOSED EQUIDAE MAY BE ALLOWED TO MOVE FROM A  
18 QUARANTINED AREA FOR SPECIFIC PURPOSES IF THEY HAVE A NEGATIVE TEST  
19 AT THE TIME OF MOVEMENT. THE EQUIDAE SHALL BE MOVED UNDER  
20 QUARANTINE AND MAINTAINED UNDER QUARANTINE AT THE NEW PREMISES  
21 UNTIL TESTED NEGATIVE TO AN OFFICIAL EQUINE INFECTIOUS ANEMIA TEST  
22 AT LEAST 45 DAYS AFTER THE LAST KNOWN EXPOSURE TO AN EQUINE  
23 INFECTIOUS ANEMIA TEST-POSITIVE EQUINE.

24 (19) THIS SECTION DOES NOT EXEMPT DAIRY HERDS FROM BEING  
25 TESTED IN THE MANNER PROVIDED FOR BY GRADE "A" PASTEURIZED MILK  
26 ORDINANCE, 2001 REVISION OF THE UNITED STATES PUBLIC HEALTH  
27 SERVICE/FOOD AND DRUG ADMINISTRATION, WITH ADMINISTRATIVE

1 PROCEDURES AND APPENDICES, SET FORTH IN THE PUBLIC HEALTH  
2 SERVICE/FOOD AND DRUG ADMINISTRATION PUBLICATION NO. 229, AND THE  
3 PROVISIONS OF THE 1995 GRADE "A" CONDENSED AND DRY MILK PRODUCTS  
4 AND CONDENSED AND DRY WHEY-SUPPLEMENT TO THE GRADE "A" PASTEURIZED  
5 MILK ORDINANCE, 2001 REVISIONS, AND ALL SUBSEQUENTLY ADOPTED  
6 AMENDMENTS TO THOSE PUBLICATIONS ADOPTED UNDER RULES PROMULGATED BY  
7 THE DIRECTOR.

8 SEC. 17D. (1) THE OWNER OF ANY NEWLY ESTABLISHED PRIVATELY  
9 OWNED CERVID OPERATION SHALL INITIATE TESTING FOR TUBERCULOSIS  
10 WITHIN 18 MONTHS FOLLOWING ASSEMBLY OF THE HERD. THE TESTING  
11 REQUIRED BY THIS SUBSECTION SHALL BE CONDUCTED BY AN ACCREDITED  
12 VETERINARIAN. THIS SUBSECTION DOES NOT APPLY TO AN OWNER WHO  
13 FOLLOWS A BOVINE TUBERCULOSIS ACCREDITATION PROGRAM OR AN OWNER WHO  
14 ACQUIRED THE CERVIDS FROM A HERD THAT WAS SUBJECT TO BOVINE  
15 TUBERCULOSIS ACCREDITATION PROGRAM REQUIREMENTS.

16 (2) PRIVATELY OWNED CERVID PREMISES SHALL MEET MINIMUM  
17 REQUIREMENTS FOR CHRONIC WASTING DISEASE TESTING AS REQUIRED BY THE  
18 DIRECTOR. THE OWNER OF A PRIVATELY OWNED CERVID OPERATION SHALL  
19 SUBMIT SAMPLES TO AN APPROVED LABORATORY.

20 (3) A PRIVATELY OWNED CERVID PREMISES THAT IS LICENSED AS A  
21 FULL FACILITY UNDER THE PRIVATELY OWNED CERVIDAE PRODUCERS  
22 MARKETING ACT, 2000 PA 190, MCL 287.951 TO 287.969, SHALL  
23 PARTICIPATE IN THE CHRONIC WASTING DISEASE HERD CERTIFICATION  
24 PROGRAM.

25 Sec. 19. (1) ~~Livestock~~ **ANIMALS** imported into this state shall  
26 meet any and all requirements under appropriate provisions of this  
27 act and, **NOTWITHSTANDING THE PROVISIONS OF ANY OTHER ACT**, shall be

1 accompanied by 1 of the following:

2 (a) An official interstate health certificate ~~or~~

3 ~~or~~ ~~(b) An~~ **OR AN** official interstate certificate of veterinary  
4 inspection.

5 (B) ~~(c) An~~ owner-shipper statement or sales invoice if  
6 **IMPORTED AND** consigned directly to slaughter ~~or if nonnative~~  
7 ~~neutered cattle imported directly to a cattle importation~~  
8 ~~lot.~~ **THROUGH A LIVESTOCK AUCTION MARKET AND THEN DIRECTLY TO**  
9 **SLAUGHTER.**

10 (C) ~~(d) A~~ "report of sales of hatching eggs, chicks, and  
11 poult" (vs form 9-3) for participants in the ~~national poultry~~  
12 ~~improvement plan.~~ **NATIONAL POULTRY IMPROVEMENT PLAN.**

13 (D) ~~(e) A~~ "permit for movement of restricted animals" (vs form  
14 1-27), if prior approval is granted by the director.

15 (E) ~~(f) A~~ fish disease inspection report for aquaculture only.

16 (F) ~~(g) Permission~~ from the director.

17 (2) **ALL LIVESTOCK IMPORTED INTO THIS STATE SHALL MEET FEDERAL**  
18 **REGULATIONS FOR OFFICIAL IDENTIFICATION UNDER 9 CFR PART 86, UNLESS**  
19 **OTHERWISE AUTHORIZED BY THE DIRECTOR.**

20 (3) ~~(2) Brucellosis~~ or tuberculosis officially classified  
21 suspect or reactor cattle shall not be imported into this state.

22 (4) ~~(3) A~~ person shall not import or move intrastate livestock  
23 known to be affected with or exposed to chronic wasting disease,  
24 tuberculosis, ~~or~~ brucellosis, **OR ANY OTHER DISEASE IDENTIFIED BY**  
25 **THE DIRECTOR**, as determined by an official test, without permission  
26 of the director.

27 (5) ~~(4) The~~ director may require that a prior entry permit be

1 obtained for certain classifications of livestock.

2       (6) ~~(5)~~ Any person, consignee, dealer, or livestock market  
 3 operator must ensure that any testing required under this act, any  
 4 official identification required under this act, and any  
 5 ~~requirements for official interstate or intrastate health~~  
 6 ~~certificate, official interstate or intrastate certificate of~~  
 7 ~~veterinary inspection, animal movement certificate, owner-shipper~~  
 8 ~~statement, sales invoice, "report of sales of hatching eggs,~~  
 9 ~~chicks, and poults" (vs form 9-3), "permit for movement of~~  
 10 ~~restricted animals" (vs form 1-27), or prior entry permit have been~~  
 11 ~~fulfilled before accepting any animals on such a certificate and~~  
 12 ~~that a true copy is provided to the director upon request.~~**THE**  
 13 **APPROPRIATE DOCUMENTATION ACCOMPANIES THE ANIMAL AS PROVIDED IN**  
 14 **SUBSECTION (1) .**

15       (7) ~~(6)~~ Livestock **ANIMALS** shall not be diverted to premises  
 16 other than the destination site named on the ~~official interstate or~~  
 17 ~~intrastate health certificate, official interstate or intrastate~~  
 18 ~~certificate of veterinary inspection, owner-shipper statement, sale~~  
 19 ~~invoice, entry authorization form, exit authorization form, prior~~  
 20 ~~movement form, vs form 9-3, or vs form 1-27.~~**DOCUMENTATION DESCRIBED**  
 21 **IN SUBSECTION (1) THAT ACCOMPANIES THE ANIMAL.**

22       (8) ~~(7)~~ Livestock **ANIMALS** imported for exhibition shall meet  
 23 the requirements ~~prescribed by~~ **OF** this act for importation of  
 24 ~~breeding animals of that~~ **SUCH** species and shall be accompanied by a  
 25 copy of an official interstate health certificate or an official  
 26 interstate certificate of veterinary inspection issued by an  
 27 accredited veterinarian from the state of origin.

1           **(9)** ~~(8)~~—The director may refuse entry into this state of  
 2 ~~livestock~~ **ANIMALS** that the director has reason to believe may pose  
 3 a threat to the public health or health of ~~livestock~~. ~~Livestock~~  
 4 **ANIMALS. ANIMALS** imported into this state shall not originate from  
 5 a herd under quarantine unless accompanied by permission issued by  
 6 the director. The director may waive specific requirements if ~~it is~~  
 7 ~~determined~~ **HE OR SHE DETERMINES** that ~~livestock~~ **ANIMALS** imported  
 8 from a certain area or state are not a threat to the public health  
 9 or health of ~~livestock~~ **ANIMALS**.

10           **(10)** ~~(9)~~—If the director determines that there is a threat to  
 11 public health or a threat to the health of animals in this state,  
 12 ~~the director~~ **HE OR SHE** may require additional testing and  
 13 vaccination requirements for animals imported or to be imported  
 14 into this state.

15           **(11) UPON REQUEST OF THE DIRECTOR, A PERSON TRANSPORTING**  
 16 **ANIMALS SHALL PRODUCE THE DOCUMENTATION REQUIRED IN SUBSECTION (1).**

17           **(12) THE DIRECTOR MAY WAIVE ANY TESTING REQUIREMENTS FOR**  
 18 **IMPORTATION OF ANIMALS INTO THIS STATE BASED UPON EPIDEMIOLOGIC**  
 19 **REVIEW.**

20           Sec. 20. (1) An official interstate ~~or intrastate~~ health  
 21 certificate or official interstate ~~or intrastate~~ certificate of  
 22 veterinary inspection shall be prepared and signed by an accredited  
 23 veterinarian ~~in the state of origin~~ for animals requiring such a  
 24 certificate and being imported into this state. ~~or being moved from~~  
 25 ~~premises to another premises within this state.~~ An official  
 26 interstate ~~or intrastate~~ health certificate or official interstate  
 27 ~~or intrastate~~ certificate of veterinary inspection for animals

1 being imported to or exported from this state ~~or being moved from~~  
2 ~~premises to another premises within this state~~ when required shall  
3 include all of the following:

4 (a) The complete names, **TELEPHONE NUMBERS**, and **PHYSICAL**  
5 addresses of the consignor and consignee, **THE ADDRESS OF THE**  
6 **PREMISES OF THE ANIMALS TO BE MOVED**, and the **PHYSICAL** destination  
7 address if different from the consignee address.

8 (b) A description of the animals by breed, sex, ~~and age~~, and a  
9 ~~signed certification by the consignor that the animals in the~~  
10 ~~shipment are those described on the certificate. The~~ **INDIVIDUAL**  
11 **OFFICIAL IDENTIFICATION NUMBER BY SPECIES, AS DETERMINED BY THE**  
12 director. ~~may require that certain classifications of animals be~~  
13 ~~individually officially identified by ear tag, tattoo, brand, or~~  
14 ~~registration number.~~

15 (c) The date of examination of the animals by the accredited  
16 veterinarian preparing the certificate, **AND THE DATE THE**  
17 **CERTIFICATE WAS ISSUED.**

18 (d) The intended use of the ~~livestock,~~ **ANIMAL**, including, **BUT**  
19 **NOT LIMITED TO**, use for **SALE**, dairy, breeding, feeding or grazing,  
20 ~~or~~ **EXHIBITION**, immediate slaughter, **OR OTHER.**

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

27 (f) The prior entry permit **NUMBER** issued by the director, if a

1 prior entry permit is required.

2 (2) A copy of the official interstate ~~or intrastate~~ health  
3 certificate or official interstate ~~or intrastate~~ certificate of  
4 veterinary inspection for ~~livestock~~ **ANIMALS** being exported from  
5 this state ~~or for livestock being moved from 1 premises to another~~  
6 ~~premises within this state~~ shall be forwarded by the issuing  
7 accredited veterinarian to the state veterinarian within ~~10~~ **7**  
8 working days after the date of issuance.

9 (3) Livestock delivered directly to a slaughter plant shall be  
10 slaughtered within 5 days except for swine, which shall be  
11 slaughtered within 48 hours. Livestock for slaughter delivered to a  
12 livestock auction market as defined in 1937 PA 284, MCL 287.121 to  
13 287.131, shall be slaughtered within ~~10~~ **5** days.

14 Sec. 22. (1) If an animal is imported into this state without  
15 the required official tests, **OFFICIAL IDENTIFICATION**, or documents,  
16 the director may do any or all of the following:

17 (a) Quarantine the animal **OR THE PREMISES, OR BOTH.**

18 (b) Require that the required tests, **OFFICIAL IDENTIFICATION**,  
19 or documents be performed or obtained at the owner's expense.

20 (c) Require the animal be returned to the state of origin  
21 ~~within 10 days after such notification~~ **THAT THE ANIMAL WAS IMPORTED**  
22 **INTO THIS STATE WITHOUT THE REQUIRED OFFICIAL TESTS, OFFICIAL**  
23 **IDENTIFICATION, OR DOCUMENTS.**

24 (d) Order the slaughter, destruction, or other disposition of  
25 the livestock, if ~~it is determined by the director~~ **DETERMINES** that  
26 the control or eradication of a disease or condition of the  
27 livestock is warranted. Livestock determined to be imported without

1 meeting import requirements are not eligible for indemnity.

2 (e) Allow a direct movement of the animal or animals to  
3 slaughter by permit.

4 (f) Allow legal importation into another state.

5 (2) If the official test result, **PROOF OF IDENTIFICATION**, or  
6 proof of shipment of the animal back to the state of origin has not  
7 been received within 15 days after notification, the director may  
8 order that the required tests **OR OFFICIAL IDENTIFICATION** be  
9 performed by a department veterinarian, at the owner's or  
10 importer's expense.

11 Sec. 31. (1) **THE DIRECTOR MAY CREATE AN ORDER AS PROVIDED IN**  
12 **THIS SECTION.**

13 (2) Any species having the potential to spread serious  
14 diseases or parasites, to cause serious physical harm, or to  
15 otherwise endanger native ~~wildlife,~~ **WILD ANIMALS**, human life,  
16 livestock, domestic animals, or property, as determined by the  
17 director, shall not be imported into this state, **EXCEPT AS**  
18 **DETERMINED BY THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES**  
19 **UNDER SECTION 40107 OF THE NATURAL RESOURCES AND ENVIRONMENTAL**  
20 **PROTECTION ACT, 1994 PA 451, MCL 324.40107.** An order of the  
21 director under this subsection applies to a ~~genetically engineered~~  
22 ~~variant of the species identified in the order, unless the order~~  
23 ~~expressly provides otherwise. An order of the director under this~~  
24 ~~subsection may be limited to a genetically engineered organism.~~

25 (3) ~~(2)~~ The director may require compliance with any or all of  
26 the following before the importation of a wild animal or an exotic  
27 animal species not regulated by the ~~fish~~ **FISH** and ~~wildlife service~~

1 **WILDLIFE SERVICE** of the United States ~~department~~ **DEPARTMENT** of  
2 ~~interior~~ **INTERIOR** or the department of natural resources of this  
3 state:

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

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

11 (c) Identification prior to importation in a manner approved  
12 by the director.

13 **(D) A PRIOR ENTRY PERMIT.**

14 **(4)** ~~(3)~~—An order of the director under subsection ~~(2)~~ **(3)**  
15 applies to a ~~genetically engineered variant of the species~~  
16 identified in the order, unless the order expressly provides  
17 otherwise. ~~An order of the director under subsection (2) may be~~  
18 ~~limited to a genetically engineered organism.~~

19 **(5)** ~~(4)~~—An official interstate health certificate or official  
20 interstate certificate of veterinary inspection signed by an  
21 accredited veterinarian from the state of origin shall accompany  
22 all wild animal or exotic animal species imported into this state.  
23 The official interstate health certificate or official interstate  
24 certificate of veterinary inspection shall comply with all the  
25 requirements of section 20 ~~(1) (a), (b), (c), (d), (e), and~~  
26 ~~(f)~~ **(1)**.

27 **(6)** ~~(5)~~—A wild animal or exotic animal species permitted to

1 enter this state shall receive housing, feeding, restraining, and  
2 care that is approved by the director.

3 (7) ~~(6)~~—A person shall not import or release live feral swine  
4 or any crosses of feral swine in this state for any purpose without  
5 permission from the director.

6 (8) EXCEPT AS PROVIDED IN SECTION 22 OF THE LARGE CARNIVORE  
7 ACT, 2000 PA 274, MCL 287.1122, A PERSON SHALL NOT IMPORT A LARGE  
8 CARNIVORE INTO THIS STATE.

9 (9) EXCEPT AS PROVIDED IN SECTION 8 OF THE WOLF-DOG CROSS ACT,  
10 2000 PA 246, MCL 287.1008, A PERSON SHALL NOT IMPORT A WOLF-DOG  
11 CROSS INTO THIS STATE.

12 Sec. 39. (1) Unless otherwise approved or waived by the  
13 director, **ALL OF** the following ~~shall~~ apply to exhibition  
14 facilities:

15 (a) A facility for exhibition of ~~livestock~~ **ANIMALS** shall be  
16 constructed **IN A MANNER** to allow sufficient separation of each  
17 exhibitor's ~~livestock~~ **ANIMALS** and to allow for sufficient  
18 separation of species. The facility shall be constructed of a  
19 material that can be adequately cleaned and disinfected.

20 (B) **ANIMAL HOUSING SHALL BE CONSTRUCTED AND PLACED TO PROVIDE**  
21 **ADEQUATE LIGHT AND VENTILATION.**

22 (C) ~~(b)~~—An exhibition ~~building or yarding~~ facility **AND**  
23 **ASSOCIATED BUILDINGS** shall be cleaned and disinfected with ~~USDA-~~  
24 ~~approved~~ **A STATE VETERINARIAN-APPROVED** disinfectant used in  
25 accordance with label instructions before ~~livestock~~ **ANIMALS** are  
26 admitted. ~~by removing from the premises all manure, litter, hay,~~  
27 ~~straw, and forage from pens, runways, and show rings, and~~

1 ~~thoroughly disinfecting walls, partitions, floors, mangers, yarding~~  
 2 ~~facilities, and runways before each use in a manner approved by the~~  
 3 ~~director.~~

4 (D) ACCESS TO HAND-CLEANSING FACILITIES OR HAND-SANITIZING  
 5 METHODS SHALL BE AVAILABLE IN CLOSE PROXIMITY TO EACH BUILDING THAT  
 6 HOUSES ANIMALS.

7 (E) BEDDING USED BY LIVESTOCK, FEED WASTE, SHIPPING  
 8 CONTAINERS, AND OTHER ANIMAL-ASSOCIATED WASTE SHALL BE REMOVED FROM  
 9 THE ANIMAL AREA AND DISPOSED OF IN A TIMELY AND RESPONSIBLE MANNER.

10 (F) ANIMALS SHALL NOT BE USED AS PRIZES AT CARNIVALS OR MIDWAY  
 11 ACTIVITIES UNLESS APPROVED BY THE DIRECTOR.

12 (2) AS USED IN THIS SECTION:

13 (A) "CARNIVAL" MEANS A TRAVELING CARNIVAL, CHARITY FUND-  
 14 RAISER, AMUSEMENT ARCADE, AMUSEMENT PARK, OR A STATE OR COUNTY FAIR  
 15 OR SIMILAR EVENT.

16 (B) "MIDWAY ACTIVITIES" MEANS ANY GAME OF CHANCE, GAME OF  
 17 SKILL, OR ANY OTHER GAME FOR AMUSEMENT OR ENTERTAINMENT AT A  
 18 CARNIVAL.

19 Sec. 40. (1) A fair, **EXHIBITION, OR EXPOSITION** shall have an  
 20 accredited veterinarian on call whenever there are animals on the  
 21 premises during the ~~fair~~-**EVENT**.

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

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

26 (b) Examine and approve required health certificates, reports,  
 27 test charts, certificates, or other required documentation before

1 displaying, exhibiting, or stabling the animals in the exhibition  
2 area or before commingling with other animals.

3 (c) Provide shipping arrangements for all ~~swine~~**LIVESTOCK**  
4 exhibited that are to be removed from the fair, exhibition,  
5 exposition, or show facility for direct movement to slaughter or a  
6 livestock auction market as defined in 1937 PA 284, MCL 287.121 to  
7 287.131.

8 (d) Notify exhibitors whether or not poultry vaccinated  
9 against infectious laryngotracheitis are allowed in the fair,  
10 exhibition, or exposition.

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

14 (4) ~~Livestock~~**ANIMALS** with clinical signs of infectious,  
15 contagious, or toxicological disease **OBSERVED AT CHECK-IN OR DURING**  
16 **THE EVENT** shall be removed from the fair, exhibition, or exposition  
17 or, by permission of the director, shall be isolated on the  
18 premises. **AN ACCREDITED VETERINARIAN'S KNOWLEDGE AND ADVICE MAY BE**  
19 **SOUGHT BY AN EXHIBITOR OR EXHIBITION STAFF TO ASSESS FOR CLINICAL**  
20 **SIGNS OF AN INFECTIOUS, CONTAGIOUS, OR TOXICOLOGICAL DISEASE.**

21 (5) It is the responsibility of the exhibitor to ensure that  
22 ~~all requirements for testing,~~**ALL REPORTS, TEST CHARTS, OFFICIAL**  
23 identification, and official interstate health certificate or  
24 official interstate certificate of veterinary inspection ~~are~~  
25 ~~fulfilled before importation~~**REQUIRED BY THIS ACT ACCOMPANY THE**  
26 **ANIMALS** and that proof of fulfilling these requirements is provided  
27 to the director, fair, exhibition, exposition, or show authority

1 upon request.

2 ~~—— (6) Swine for exhibition within this state shall be~~  
3 ~~individually identified by official identification.~~

4 (6) ~~(7)~~ Swine shall not enter any fair, exhibition,  
5 exposition, or show facility unless it can be demonstrated that the  
6 swine presented for exhibition or exposition meet 1 or more of the  
7 following conditions:

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

11 (b) Originate directly from a pseudorabies qualified-negative  
12 herd as defined in title ~~9 C.F.R. part 85,~~ **9 CFR PART 85**, which  
13 ~~proof~~ may consist of a copy of a valid certificate issued by the  
14 department stating that the herd meets the requirements for a  
15 pseudorabies qualified-negative herd.

16 (c) Unless the swine are piglets nursing a pseudorabies-  
17 negative sow, present an official swine test report that indicates  
18 the swine have been tested for pseudorabies within 45 days before  
19 exhibition and have tested negative.

20 ~~—— (8) All swine removed from any exhibition facility shall be~~  
21 ~~moved directly to a livestock auction market or slaughter facility~~  
22 ~~premises for disposition in accordance with applicable laws~~  
23 ~~concerning movement of swine to slaughter unless all swine present~~  
24 ~~at the exhibition or exposition at any time for any reason have~~  
25 ~~entered the exhibition facility according to the provisions of~~  
26 ~~subsection (7) (b) or (c).~~

27 ~~—— (9) Upon request, a person who exhibits livestock shall~~

1 ~~present for inspection all reports, test charts, and appropriate~~  
2 ~~health certificates required by this act to accompany the~~  
3 ~~livestock.~~

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

9           **(7) THE EXHIBITION OR EXPOSITION OF POULTRY IS SUBJECT TO ALL**  
10 **OF THE FOLLOWING REQUIREMENTS:**

11           **(A) ALL POULTRY, EXCEPT FOR WATERFOWL, PIGEONS, AND DOVES,**  
12 **SHOWN AT A PUBLIC EXHIBITION OR EXPOSITION IN THIS STATE SHALL MEET**  
13 **1 OR MORE OF THE FOLLOWING REQUIREMENTS:**

14           **(i) ORIGINATE DIRECTLY FROM A U.S. PULLORUM-TYPHOID CLEAN**  
15 **FLOCK AS DEFINED IN 9 CFR PART 145 AND ALL AMENDMENTS TO THAT**  
16 **PUBLICATION ADOPTED IN RULES PROMULGATED BY THE DIRECTOR.**

17           **(ii) HAVE A NEGATIVE OFFICIAL TEST FOR SALMONELLA PULLORUM-**  
18 **TYPHOID WITHIN THE 90 DAYS BEFORE THE EXHIBITION OR EXPOSITION AND**  
19 **REMAIN SEGREGATED FROM ALL POULTRY OF UNKNOWN OR POSITIVE**  
20 **SALMONELLA PULLORUM-TYPHOID TEST STATUS.**

21           **(B) A SHIPPING CRATE USED IN THE SHIPMENT OF BIRDS BY COMMON**  
22 **CARRIER SHALL NOT BE USED AS AN EXHIBITION COOP. A SHIPPING CRATE**  
23 **SHALL BE CLEANED AND DISINFECTED ON THE DAY OF ARRIVAL AFTER THE**  
24 **BIRDS HAVE BEEN REMOVED FOR EXHIBITION OR EXPOSITION AND BEFORE**  
25 **BEING USED AGAIN. UNLESS OTHERWISE NECESSARY, A SHIPPING CRATE**  
26 **SHALL NOT BE STORED IN THE EXHIBITION OR EXPOSITION AREA.**

27           **(8) EXHIBITORS SHALL PROVIDE ADEQUATE FEED AND WATER TO**

1 ANIMALS BEING EXHIBITED.

2 (9) EXHIBITORS SHALL CLEAN AND REPLACE BEDDING MATERIAL AS  
3 OFTEN AS NECESSARY TO MAINTAIN HEALTH.

4 SEC. 40A. (1) A LIVE BIRD MARKET SHALL BE LICENSED BY THE  
5 DEPARTMENT UNDER THE FOOD LAW, 2000 PA 92, MCL 289.1101 TO  
6 289.8111.

7 (2) THIS ACT APPLIES TO POULTRY IMPORTED TO AND HOUSED AT A  
8 LIVE BIRD MARKET.

9 (3) A TRANSPORTER BRINGING POULTRY TO A LIVE BIRD MARKET SHALL  
10 COMPLY WITH THIS ACT AND 1937 PA 284, MCL 287.121 TO 287.131.

11 (4) A PERSON OPERATING A LIVE BIRD MARKET SHALL DO ALL OF THE  
12 FOLLOWING:

13 (A) HOUSE LIVE POULTRY IN ROOMS THAT CAN BE CLEANED AND  
14 DISINFECTED.

15 (B) HOUSE WATERFOWL AND GAME BIRDS SEPARATELY FROM CHICKENS.

16 (C) REMOVE POULTRY FROM TRANSPORT CRATES NO LATER THAN 8 HOURS  
17 AFTER ARRIVAL AT THE FACILITY.

18 (D) STORE TRANSPORT CRATES IN A SEPARATE AREA, AND CLEAN AND  
19 DISINFECT TRANSPORT CRATES BEFORE REUSE.

20 (E) WHEN POULTRY ARE HOUSED IN CAGES, DO ALL OF THE FOLLOWING:

21 (i) USE CAGES CONSTRUCTED OF A MATERIAL THAT CAN BE CLEANED  
22 AND DISINFECTED.

23 (ii) PROVIDE BIRDS WITH ROOM TO STAND UP, LIE DOWN, TURN  
24 AROUND, AND GROOM WITHOUT TOUCHING OTHER BIRDS OR A SURFACE OF THE  
25 CAGE.

26 (iii) REFRAIN FROM STACKING CAGES, UNLESS THERE ARE PROVISIONS  
27 TO ALLOW MANURE TO BE REMOVED AND TO PREVENT MANURE, FEED, AND

1 WATER FROM SOILING OTHER CAGES OR BIRDS IN OTHER CAGES.

2 (F) PROVIDE WATER TO BIRDS UP TO THE TIME OF SLAUGHTER.

3 (G) PROVIDE NUTRITIONALLY ADEQUATE FOOD TO BIRDS UP TO AT  
4 LEAST 12 HOURS BEFORE SLAUGHTER.

5 (H) ENSURE THAT THERE IS AT LEAST ONE 24-HOUR PERIOD EACH WEEK  
6 DURING WHICH THERE ARE NO BIRDS IN THE FACILITY AND AREAS WHERE  
7 BIRDS AS HOUSED AND ANY CAGES OR PENS HOLDING BIRDS ARE CLEANED AND  
8 DISINFECTED.

9 (I) ENSURE THAT SLAUGHTER IS PERFORMED USING 1 OF THE  
10 FOLLOWING METHODS:

11 (i) A METHOD IN WHICH THE BIRD IS RENDERED INSENSIBLE TO PAIN  
12 BY MECHANICAL, ELECTRICAL, CHEMICAL, OR OTHER MEANS THAT IS RAPID  
13 AND EFFECTIVE BEFORE THE BIRD IS SHACKLED, HOISTED, THROWN, CAST,  
14 OR CUT.

15 (ii) A METHOD IN ACCORDANCE WITH THE RITUAL REQUIREMENTS OF A  
16 RELIGIOUS FAITH IN WHICH THE BIRD SUFFERS LOSS OF CONSCIOUSNESS BY  
17 ANEMIA OF THE BRAIN CAUSED BY THE SIMULTANEOUS AND INSTANTANEOUS  
18 SEVERANCE OF THE CAROTID ARTERIES WITH A SHARP INSTRUMENT.

19 (5) AS USED IN THIS SECTION, "LIVE BIRD MARKET" MEANS A  
20 FACILITY THAT SELLS LIVE POULTRY FOR SLAUGHTER.

21 SEC. 40B. (1) A PERSON HOUSING BABY POULTRY FOR SALE TO  
22 INDIVIDUALS FOR THE PRIMARY PURPOSE OF MAINTAINING, FOR PERSONAL  
23 USE, AN INDIVIDUAL BIRD OR A FLOCK AND IS NOT PART OF THE NATIONAL  
24 POULTRY IMPROVEMENT PROGRAM SHALL DO ALL OF THE FOLLOWING:

25 (A) KEEP HAND-CLEANSING STATIONS OR FACILITIES AVAILABLE IN  
26 CLOSE PROXIMITY TO THE AREA WHERE BABY POULTRY ARE HOUSED.

27 (B) CONSTRUCT A BABY POULTRY HOUSING AREA AND ENCLOSURES

1 CONTAINING BABY POULTRY WITH A MATERIAL THAT CAN BE ADEQUATELY  
2 CLEANED AND DISINFECTED.

3 (C) PROVIDE ADEQUATE SPACE AND VENTILATION IN ENCLOSURES WHERE  
4 BABY POULTRY ARE HOUSED.

5 (D) CLEAN AND DISINFECT THE BABY POULTRY AREA AND ENCLOSURES  
6 AT LEAST ONCE DAILY WITH UNITED STATES DEPARTMENT OF AGRICULTURE-  
7 APPROVED DISINFECTANT USED IN ACCORDANCE WITH LABEL INSTRUCTIONS.

8 (E) REMOVE BEDDING USED BY BABY POULTRY, FEED WASTE, SHIPPING  
9 CONTAINERS, AND OTHER ANIMAL-ASSOCIATED WASTE FROM THE BABY POULTRY  
10 AREA AND DISPOSE OF IT IN AN AREA NOT ACCESSIBLE TO THE PUBLIC.

11 (F) PROVIDE WATER TO BABY POULTRY UP TO THE TIME OF SALE.

12 (G) PROVIDE NUTRITIONALLY ADEQUATE FOOD TO BABY POULTRY UP TO  
13 THE TIME OF SALE.

14 (H) MAINTAIN AND KEEP RECORDS OF PURCHASE AND SALE OF BABY  
15 POULTRY FOR A PERIOD OF 2 YEARS AFTER THE DATE OF PURCHASE OR SALE.  
16 THE RECORDS REQUIRED BY THIS SUBDIVISION SHALL INCLUDE THE NAME AND  
17 ADDRESS OF THE PERSON PURCHASING OR SELLING THE BABY POULTRY AND  
18 THE DATE OF EACH PURCHASE OR SALE.

19 (2) AS USED IN THIS SECTION, "BABY POULTRY" MEANS POULTRY  
20 UNDER THE AGE OF 3 WEEKS.

21 Sec. 43. (1) THE STATE VETERINARIAN MAY REQUIRE THAT THE  
22 IMPORTATION AND USE OF VETERINARY BIOLOGICALS OR BIOLOGICAL AGENTS  
23 BE REPORTED TO THE DEPARTMENT, AND MAY RESTRICT THE USE OF CERTAIN  
24 VETERINARY BIOLOGICALS TO VETERINARIANS WHEN THE DISEASE OR  
25 VETERINARY BIOLOGICAL INVOLVED HAS A SUBSTANTIAL IMPACT ON PUBLIC  
26 HEALTH, ANIMAL HEALTH, OR THE ANIMAL INDUSTRY.

27 (2) ~~(1)~~-A company, manufacturer, firm, mail or telephone order

1 company, establishment, outlet, or mobile distributor in another  
 2 state shall not export any **AUTOGENOUS** veterinary biologicals for  
 3 distribution or sale into this state unless notification prior to  
 4 sale or distribution is given to the director and any stipulations  
 5 set forth in or ~~pursuant to title 9 of the code of federal~~  
 6 ~~regulations under "licenses for biological products"~~ **UNDER 9 CFR**  
 7 **PART 102** and all amendments to that publication ~~thereafter~~ adopted  
 8 ~~pursuant to~~ **IN** rules that **PROMULGATED BY** the director ~~may~~  
 9 ~~promulgate~~ are met.

10 (3) ~~(2)~~ A company or manufacturer manufacturing a ~~an~~  
 11 **AUTOGENOUS** veterinary biological within this state shall not  
 12 distribute or sell any veterinary biological within this state  
 13 unless notification ~~prior to~~ **BEFORE** distribution or sale is given  
 14 to the director and any stipulations ~~set forth in or pursuant to~~  
 15 ~~title 9 of the code of federal regulations under "licenses for~~  
 16 ~~biological products"~~ **UNDER 9 CFR PART 102** and all amendments to  
 17 that publication ~~thereafter~~ adopted ~~pursuant to~~ **IN** rules that  
 18 **PROMULGATED BY** the director ~~may promulgate~~ are met.

19 (4) ~~(3)~~ The director shall pursue restrictions on the  
 20 distribution and use of **AUTOGENOUS** veterinary biologicals when the  
 21 director determines that ~~such~~ **THOSE** restrictions are necessary for  
 22 the protection of domestic animals or the public health, interest,  
 23 or safety, ~~or both,~~ as set forth in ~~title 9 of the code of federal~~  
 24 ~~regulations under "licenses for biological products"~~ **9 CFR PART 102**  
 25 and all amendments to that publication ~~thereafter~~ adopted ~~pursuant~~  
 26 ~~to~~ **IN** rules that **PROMULGATED BY** the director. ~~may promulgate.~~

27 (5) ~~(4)~~ Veterinary biologicals shall be administered only by a

1 licensed veterinarian or under the supervision of a licensed  
2 veterinarian unless used in compliance with section 18814 of the  
3 public health code, ~~Act No. 368 of the Public Acts of 1978, being~~  
4 ~~section 333.18814 of the Michigan Compiled Laws.~~ **1978 PA 368, MCL**  
5 **333.18814.**

6 (6) ~~(5)~~—A veterinary biological required in ~~title 9 of the~~  
7 ~~code of federal regulations under "licenses for biological~~  
8 ~~products"~~ **9 CFR PART 102** and all amendments to that publication  
9 ~~thereafter adopted pursuant to~~ **IN** rules that **PROMULGATED BY** the  
10 director ~~may promulgate~~ to be administered by, on the order of, or  
11 under the supervision of a veterinarian shall be distributed only  
12 to veterinarians, distributors who distribute the veterinary  
13 biological only to veterinarians, or pharmacies and other  
14 appropriate retail outlets to be sold only on the prescription or  
15 order of a veterinarian.

16 (7) ~~(6)~~—When the director determines with advice and  
17 consultation from the livestock industry involved and the  
18 veterinary profession that the protection of domestic animals or  
19 the public health, interest, or safety, or both, or that a control  
20 or eradication program for a disease or condition necessitates the  
21 report of the sale, use, distribution, or administration of a  
22 veterinary biological or diagnostic test, the director may require  
23 that any person who sells, uses, distributes, or administers a  
24 veterinary biological or diagnostic test report that information to  
25 the department within 10 working days. If a form is required, the  
26 form shall be supplied by the department.

27 (8) **A PERSON WHO DESIRES TO IMPORT INTO THIS STATE OR TO**

1 DISTRIBUTE INTRASTATE, FOR EXPERIMENTAL OR FIELD TRIAL USE, A  
2 VETERINARY BIOLOGICAL THAT IS NOT CONDITIONALLY OR UNCONDITIONALLY  
3 LICENSED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE SHALL  
4 REQUEST AND OBTAIN PERMISSION FROM THE DIRECTOR BEFORE IMPORTING  
5 THAT VETERINARY BIOLOGICAL INTO THIS STATE.

6 (9) A PERSON WHO REQUESTS PERMISSION TO DISTRIBUTE IN THIS  
7 STATE VETERINARY BIOLOGICALS THAT ARE CONDITIONALLY OR  
8 UNCONDITIONALLY LICENSED BY THE UNITED STATES DEPARTMENT OF  
9 AGRICULTURE OR THAT ARE SUBJECT TO IMPORT PERMITS FOR DISTRIBUTION  
10 AND SALE ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE  
11 SHALL SUBMIT ALL OF THE FOLLOWING INFORMATION TO THE DEPARTMENT:

12 (A) A COPY OF THE CURRENT UNITED STATES DEPARTMENT OF  
13 AGRICULTURE LICENSE.

14 (B) ANY RESTRICTIONS SET FORTH BY THE UNITED STATES DEPARTMENT  
15 OF AGRICULTURE.

16 (C) A COMPLETE NAME OF THE PRODUCT, INCLUDING THE GENERIC AND  
17 TRADE NAME.

18 (D) PRODUCT INFORMATION, INCLUDING DIRECTIONS FOR USE.

19 (E) SLAUGHTER WITHDRAWAL TIMES, IF APPLICABLE.

20 (10) A VETERINARY BIOLOGICAL FOR EXPERIMENTAL OR FIELD TRIAL  
21 PURPOSES SHALL BE SHIPPED ONLY TO A VETERINARIAN AND SHALL ONLY BE  
22 USED BY THE VETERINARIAN TO WHOM THE PRODUCT IS SHIPPED OR BY AN  
23 INDIVIDUAL WHO IS UNDER THE DIRECT SUPERVISION OF THE VETERINARIAN  
24 TO WHOM THE PRODUCT IS SHIPPED.

25 (11) A PERSON WHO CONSIGNS, SHIPS, OR TRANSPORTS A VETERINARY  
26 BIOLOGICAL FOR EXPERIMENTAL OR FIELD TRIAL PURPOSES INTO OR WITHIN  
27 THIS STATE SHALL FILE A REPORT OF EACH REQUESTED SHIPMENT WITH THE

1 DEPARTMENT WITHIN 5 BUSINESS DAYS OF THE SHIPMENT. THE REPORT  
2 REQUIRED BY THIS SUBSECTION SHALL CONTAIN ALL OF THE FOLLOWING  
3 INFORMATION:

4 (A) THE QUANTITY CONSIGNED, SHIPPED, OR TRANSPORTED.

5 (B) THE EXPIRATION DATE OF THE PRODUCT.

6 (C) THE COMPLETE NAME OF THE VETERINARY BIOLOGICAL.

7 (D) THE NAME AND ADDRESS OF THE VETERINARIAN RECEIVING THE  
8 VETERINARY BIOLOGICAL.

9 (12) A PERSON WHO REQUESTS PERMISSION TO IMPORT OR DISTRIBUTE  
10 INTRASTATE A VETERINARY BIOLOGICAL TO BE ADMINISTERED TO ANIMALS  
11 OWNED BY THE PUBLIC FOR EXPERIMENTAL OR FIELD TRIAL PURPOSES SHALL  
12 SUBMIT A WRITTEN STATEMENT TO THE DEPARTMENT, WHICH SHALL BE GIVEN  
13 TO THE OWNER OF THE ANIMALS BEFORE THE ADMINISTRATION,  
14 PRESCRIPTION, OR DISTRIBUTION OF THE VETERINARY BIOLOGICAL. THE  
15 WRITTEN STATEMENT REQUIRED BY THIS SUBSECTION SHALL STATE ALL OF  
16 THE FOLLOWING:

17 (A) THAT THE VETERINARY BIOLOGICAL TO BE ADMINISTERED,  
18 PRESCRIBED, OR DISPENSED TO AN ANIMAL IS AN EXPERIMENTAL OR FIELD  
19 TRIAL VETERINARY BIOLOGICAL.

20 (B) THAT THE VETERINARY BIOLOGICAL HAS NOT BEEN APPROVED BY  
21 THE UNITED STATES DEPARTMENT OF AGRICULTURE OR THE DEPARTMENT FOR  
22 UNCONDITIONAL USE.

23 (13) THE DEPARTMENT IS NOT LIABLE TO A PERSON THAT REQUESTS  
24 PERMISSION TO IMPORT OR DISTRIBUTE INTRASTATE A VETERINARY  
25 BIOLOGICAL FOR EXPERIMENTAL OR FIELD TRIAL PURPOSES FOR ANY INJURY  
26 TO HUMANS OR ANIMALS OR FOR THE LOSS OF ANY ANIMALS.

27 (14) A PERSON WHO REQUESTS PERMISSION TO IMPORT OR DISTRIBUTE

1 INTRASTATE A VETERINARY BIOLOGICAL FOR EXPERIMENTAL OR FIELD TRIAL  
2 PURPOSES SHALL REPORT AN ADVERSE REACTION TO THE DEPARTMENT WITHIN  
3 5 BUSINESS DAYS AFTER THE REACTION.

4 (15) A DETERMINATION OF WHETHER TO ALLOW THE DISTRIBUTION OF A  
5 VETERINARY BIOLOGICAL FOR EXPERIMENTAL OR FIELD TRIAL PURPOSES  
6 SHALL BE BASED UPON, BUT NOT LIMITED TO, ALL OF THE FOLLOWING:

7 (A) NEED FOR THE PRODUCT BY THE ANIMAL INDUSTRY.

8 (B) SAFETY OF THE PRODUCT FOR THE TARGET ANIMAL SPECIES.

9 (C) SAFETY OF THE PRODUCT FOR A PERSON WHO ADMINISTERS THE  
10 BIOLOGICAL.

11 (D) SAFETY OF THE HUMAN FOOD CHAIN, IF THE VETERINARY  
12 BIOLOGICAL IS USED IN FOOD-PRODUCING ANIMALS.

13 (16) THE DIRECTOR MAY LIMIT THE DISTRIBUTION OF A VETERINARY  
14 BIOLOGICAL FOR EXPERIMENTAL OR FIELD TRIAL PURPOSES TO CERTAIN  
15 GEOGRAPHICAL AREAS WITHIN THIS STATE AND FOR SPECIFIC TIME PERIODS.

16 (17) THE DIRECTOR MAY AT ANY TIME REVOKE PERMISSION TO  
17 DISTRIBUTE A VETERINARY BIOLOGICAL FOR EXPERIMENTAL OR FIELD TRIAL  
18 PURPOSES.

19 SEC. 43A. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), AN ANIMAL  
20 BEING EUTHANIZED IN THIS STATE SHALL BE HUMANELY EUTHANIZED IN A  
21 MANNER OUTLINED AS ACCEPTABLE OR ACCEPTABLE WITH CONDITIONS UNDER  
22 THE AMERICAN VETERINARY MEDICAL ASSOCIATION'S GUIDELINES ON  
23 EUTHANASIA AND ALL SUBSEQUENT AMENDMENTS TO THAT PUBLICATION, OR AS  
24 APPROVED BY THE DIRECTOR.

25 (2) SUBSECTION (1) DOES NOT APPLY TO AN ANIMAL THAT IS BEING  
26 SLAUGHTERED FOR HUMAN CONSUMPTION OR PET FOOD.

27 (3) THE DIRECTOR MAY DESIGNATE AN APPROPRIATE EUTHANASIA

1 PROCEDURE IN AN EXTRAORDINARY EMERGENCY.

2 SEC. 43B. (1) AS USED IN THIS SECTION:

3 (A) "CALF RAISED FOR VEAL" MEANS ANY CALF OF THE BOVINE  
4 SPECIES KEPT FOR THE PURPOSE OF PRODUCING THE FOOD PRODUCT  
5 DESCRIBED AS VEAL.

6 (B) "COVERED ANIMAL" MEANS ANY GESTATING SOW, CALF RAISED FOR  
7 VEAL, OR EGG-LAYING HEN THAT IS KEPT ON A FARM.

8 (C) "EGG-LAYING HEN" MEANS ANY FEMALE DOMESTICATED CHICKEN,  
9 TURKEY, DUCK, GOOSE, OR GUINEA FOWL KEPT FOR THE PURPOSE OF EGG  
10 PRODUCTION.

11 (D) "ENCLOSURE" MEANS ANY CAGE, CRATE, OR OTHER STRUCTURE USED  
12 TO CONFINE A COVERED ANIMAL. ENCLOSURE INCLUDES, BUT IS NOT LIMITED  
13 TO, A GESTATION CRATE OR STALL FOR GESTATING SOWS, A VEAL CRATE FOR  
14 CALVES RAISED FOR VEAL, OR A BATTERY CAGE FOR EGG-LAYING HENS.

15 (E) "FARM" MEANS THE LAND, BUILDING, SUPPORT FACILITIES, AND  
16 OTHER EQUIPMENT THAT ARE WHOLLY OR PARTIALLY USED FOR THE  
17 COMMERCIAL PRODUCTION OF ANIMALS OR ANIMAL PRODUCTS USED FOR FOOD  
18 OR FIBER. FARM DOES NOT INCLUDE LIVE ANIMAL MARKETS.

19 (F) "FARM OWNER OR OPERATOR" MEANS ANY PERSON WHO OWNS OR  
20 CONTROLS THE OPERATION OF A FARM.

21 (G) "FULLY EXTENDING ITS LIMBS" MEANS FULLY EXTENDING ALL  
22 LIMBS WITHOUT TOUCHING THE SIDE OF AN ENCLOSURE. IN THE CASE OF  
23 EGG-LAYING HENS, FULLY EXTENDING ITS LIMBS MEANS FULLY SPREADING  
24 BOTH WINGS WITHOUT TOUCHING THE SIDE OF AN ENCLOSURE OR OTHER EGG-  
25 LAYING HENS AND HAVING ACCESS TO AT LEAST 1.0 SQUARE FOOT OF USABLE  
26 FLOOR SPACE PER HEN.

27 (H) "GESTATING SOW" MEANS ANY CONFIRMED PREGNANT SOW OF THE

1 PORCINE SPECIES KEPT FOR THE PRIMARY PURPOSE OF BREEDING.

2 (I) "PERSON" MEANS ANY INDIVIDUAL, FIRM, PARTNERSHIP, JOINT  
3 VENTURE, ASSOCIATION, LIMITED LIABILITY COMPANY, CORPORATION,  
4 ESTATE, TRUST, RECEIVER, OR SYNDICATE.

5 (J) "TURNING AROUND FREELY" MEANS TURNING IN A COMPLETE CIRCLE  
6 WITHOUT ANY IMPEDIMENT, INCLUDING A TETHER, AND WITHOUT TOUCHING  
7 THE SIDE OF AN ENCLOSURE OR ANOTHER ANIMAL.

8 (2) SUBJECT TO SUBSECTIONS (3) AND (6), NOTWITHSTANDING ANY  
9 OTHER PROVISION OF LAW, A FARM OWNER OR OPERATOR SHALL NOT TETHER  
10 OR CONFINE ANY COVERED ANIMAL ON A FARM FOR ALL OR THE MAJORITY OF  
11 ANY DAY, IN A MANNER THAT PREVENTS THE ANIMAL FROM DOING ANY OF THE  
12 FOLLOWING:

13 (A) LYING DOWN, STANDING UP, OR FULLY EXTENDING ITS LIMBS.

14 (B) TURNING AROUND FREELY.

15 (3) SUBSECTION (2) DOES NOT APPLY TO A COVERED ANIMAL DURING  
16 ANY OF THE FOLLOWING:

17 (A) SCIENTIFIC OR AGRICULTURAL RESEARCH.

18 (B) EXAMINATION, TESTING, INDIVIDUAL TREATMENT, OR OPERATION  
19 FOR VETERINARY PURPOSES, BY A PERSON LICENSED TO PRACTICE  
20 VETERINARY MEDICINE UNDER PART 188 OF THE PUBLIC HEALTH CODE, 1978  
21 PA 368, MCL 333.18801 TO 333.18838.

22 (C) TRANSPORTATION, UNLESS OTHERWISE IN VIOLATION OF SECTION  
23 51 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.51, RELATING TO  
24 CONFINING ANIMALS ON RAILROAD CARS.

25 (D) RODEO EXHIBITIONS, STATE OR COUNTY FAIR EXHIBITIONS, 4-H  
26 PROGRAMS, OR SIMILAR EXHIBITIONS.

27 (E) THE SLAUGHTER OF A COVERED ANIMAL AS PROVIDED BY 1962 PA

1 163, MCL 287.551 TO 287.556, AND OTHER APPLICABLE LAW AND RULES.

2 (F) IN THE CASE OF A GESTATING SOW, THE PERIOD BEGINNING 7  
3 DAYS BEFORE THE GESTATING SOW'S EXPECTED DATE OF GIVING BIRTH.

4 (4) THE DEPARTMENT OR THE ATTORNEY GENERAL MAY BRING A CIVIL  
5 ACTION TO RESTRAIN, BY TEMPORARY OR PERMANENT INJUNCTION, ANY ACT  
6 OR PRACTICE IN VIOLATION OF THIS SECTION. THE ACTION MAY BE BROUGHT  
7 IN THE CIRCUIT COURT FOR THE COUNTY WHERE THE DEFENDANT RESIDES OR  
8 CONDUCTS BUSINESS. THE COURT MAY ISSUE A TEMPORARY OR PERMANENT  
9 INJUNCTION AND ISSUE OTHER EQUITABLE ORDERS OR JUDGMENTS. A DEFENSE  
10 DESCRIBED AND MADE AVAILABLE RELATING TO CUSTOMARY ANIMAL HUSBANDRY  
11 OR FARMING PRACTICES INVOLVING LIVESTOCK, UNDER SECTIONS 50(11)(F)  
12 AND 50B(8) OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.50 AND  
13 750.50B, OR SIMILAR PROVISIONS, IS NOT A DEFENSE TO AN ACTION  
14 BROUGHT FOR THE VIOLATION OF THIS SECTION INVOLVING A COVERED  
15 ANIMAL. IN ADDITION, THE CRIMINAL PENALTIES PROVIDED IN SECTION 44  
16 ARE NOT APPLICABLE TO VIOLATIONS OF THIS SECTION.

17 (5) THIS SECTION IS IN ADDITION TO, AND NOT IN LIEU OF, ANY  
18 OTHER LAWS PROTECTING ANIMAL WELFARE. THIS SECTION DOES NOT LIMIT  
19 ANY OTHER STATE LAW PROTECTING THE WELFARE OF ANIMALS.

20 (6) THIS SECTION DOES NOT APPLY TO EGG-LAYING HENS AND  
21 GESTATING SOWS UNTIL APRIL 1, 2020.

22 Sec. 44. (1) THE DIRECTOR MAY CALL UPON A LAW ENFORCEMENT  
23 AGENCY TO ASSIST IN ENFORCING THIS ACT.

24 (2) THE ATTORNEY GENERAL MAY BRING A CRIMINAL OR CIVIL ACTION  
25 AGAINST A PERSON RESPONSIBLE FOR UNLAWFULLY INTRODUCING AN  
26 INFECTIOUS, CONTAGIOUS, OR TOXICOLOGICAL DISEASE INTO ANIMALS,  
27 ANIMAL PRODUCTS, OR ANIMAL FEEDS IN THIS STATE.

1           (3) A PERSON SHALL NOT KNOWINGLY GIVE FALSE INFORMATION IN A  
2 MATTER PERTAINING TO THIS ACT AND SHALL NOT IMPEDE OR HINDER THE  
3 DIRECTOR IN THE DISCHARGE OF HIS OR HER DUTIES UNDER THIS ACT.

4           (4) IF A PERSON DOES NOT CAUSE AN ANIMAL OR A HERD, FLOCK, OR  
5 AQUACULTURE LOT TO BE TESTED IN COMPLIANCE WITH THIS ACT, THE  
6 DIRECTOR SHALL NOTIFY THE PERSON RESPONSIBLE FOR MANAGEMENT OF THE  
7 ANIMAL OR HERD OF THE NECESSITY FOR TESTING TO OCCUR AND THE  
8 DEADLINE FOR TESTING TO OCCUR AND SHALL QUARANTINE ANY ANIMAL OR  
9 HERD THAT HAS NOT BEEN TESTED UNTIL THE TESTING CAN BE COMPLETED BY  
10 STATE OR FEDERAL REGULATORY VETERINARIANS OR ACCREDITED  
11 VETERINARIANS, AT THE OWNER'S EXPENSE.

12           (5) AN ANIMAL PURCHASED AT A LICENSED LIVESTOCK MARKET,  
13 COLLECTION POINT, OR BUYING STATION OR BY A DEALER LICENSED UNDER  
14 1937 PA 284, MCL 287.121 TO 287.131, FOR THE PURPOSE OF SLAUGHTER  
15 MUST BE SLAUGHTERED WITHIN 5 DAYS AFTER THE PURCHASE. THE BUYER OF  
16 LIVESTOCK SOLD FOR SLAUGHTER SHALL PROVIDE VERIFICATION THAT THE  
17 SLAUGHTER OCCURRED WITHIN 5 DAYS AFTER PURCHASE UPON REQUEST OF THE  
18 DIRECTOR. FAILURE OF A BUYER OF LIVESTOCK SOLD FOR SLAUGHTER TO  
19 COMPLY WITH THIS SUBSECTION SUBJECTS THAT BUYER TO THE PENALTIES  
20 AND SANCTIONS OF THIS ACT.

21           (6) A PERSON SHALL NOT EXPOSE SWINE TO GARBAGE.

22           (7) A PERSON SHALL NOT USE GARBAGE, OFFAL, OR CARCASSES,  
23 EXCEPT IN A DISEASE OUTBREAK AND WITH THE APPROVAL OF THE DIRECTOR,  
24 AS FEED FOR SWINE.

25           (8) THE DIRECTOR HAS FULL ACCESS TO INSPECT ANY PREMISES OR  
26 CONVEYANCE UPON REASONABLE GROUNDS TO BELIEVE OR SUSPECT THAT  
27 GARBAGE, OFFAL, OR CARCASSES ARE BEING USED AS FEED FOR SWINE OR

1 THAT GARBAGE, OFFAL, OR CARCASSES MAY EXPOSE SWINE TO A  
2 COMMUNICABLE DISEASE.

3 (9) THE DIRECTOR SHALL QUARANTINE SWINE DETERMINED TO HAVE  
4 BEEN EXPOSED TO, IN CONTACT WITH, OR FED GARBAGE, OFFAL, OR  
5 CARCASSES. THE QUARANTINE SHALL CONTINUE UNTIL SUCH TIME AS THE  
6 DIRECTOR DETERMINES THAT THE SWINE ARE NOT A THREAT TO ANIMAL OR  
7 PUBLIC HEALTH.

8 (10) ~~(1)~~—A person who commits 1 or more of the following is  
9 guilty of a felony punishable by a fine of not less than \$1,000.00  
10 and not more than \$50,000.00, or imprisonment of not more than 5  
11 years, or both, and shall not receive any indemnification payments  
12 at the discretion of the director:

13 (a) Intentionally contaminating or exposing livestock to an  
14 infectious, contagious, or toxicological disease for the purpose of  
15 receiving indemnification from ~~the~~**THIS** state or causing ~~the~~**THIS**  
16 state to destroy affected livestock.

17 (b) Intentionally making a false statement on an application  
18 for indemnification or reimbursement from ~~the~~**THIS** state.

19 (c) Intentionally violating a condition of quarantine  
20 authorized under section 12 or movement restrictions and other  
21 requirements authorized under section ~~9-3B~~.

22 (d) Intentionally importing into this state, without  
23 permission from the director, diseased livestock or livestock  
24 exposed to an infectious, contagious, or toxicological disease.

25 (e) Intentionally misrepresenting the health, medical status,  
26 or prior treatment for an infectious, contagious, or toxicological  
27 disease of livestock to facilitate movement or transfer of

1 ownership to another person.

2 (f) Intentionally infecting or contaminating an animal with,  
3 or intentionally exposing an animal to, a reportable disease other  
4 than for bona fide research as approved by a research institution  
5 licensed by ~~the~~**THIS** state ~~of Michigan~~ or a federal agency.

6 **(11)** ~~(2)~~ Except as otherwise provided under ~~subsections (1)~~  
7 ~~and (2)~~, **SUBSECTION (10)**, a person who violates this act, a rule  
8 promulgated under this act, a quarantine authorized under section  
9 12, or movement restrictions and other requirements authorized  
10 under section ~~9~~**3B** is guilty of a misdemeanor ~~and~~ punishable by a  
11 fine of not less than \$300.00 or imprisonment of not less than 30  
12 days, or both.

13 **(12)** ~~(3)~~ The court may allow the department to recover  
14 reasonable costs and attorney fees incurred in a prosecution  
15 resulting in a conviction for a violation of ~~subsections (1) and~~  
16 ~~(2)~~. **SUBSECTION (10)**. Costs assessed and recovered under this  
17 subsection shall be paid to the state treasury and credited to the  
18 department for the enforcement of this act.

19 **(13)** ~~(4)~~ Except as otherwise provided in subsection ~~(1)~~, **(10)**,  
20 the director, upon finding that a person has violated this act, a  
21 rule promulgated under this act, a quarantine authorized under  
22 section 12, or movement restrictions and other requirements  
23 authorized under section ~~9~~, **3B**, may do the following:

24 (a) Issue a warning.

25 (b) Impose an administrative fine of not more than \$1,000.00  
26 for each violation after notice and an opportunity for a hearing  
27 ~~pursuant to~~ **UNDER** the administrative procedures act of 1969, 1969

1 PA 306, MCL 24.201 to 24.328.

2 (c) Issue an appearance ticket as described and authorized by  
3 sections 9a to 9g of chapter 4 of the code of criminal procedure,  
4 1927 PA 175, MCL 764.9a to 764.9g, with a fine of not less than  
5 \$300.00 or imprisonment of not less than 30 days, or both.

6 **(14)** ~~(5)~~—The director shall advise the attorney general of the  
7 failure of any person to pay an administrative or civil fine  
8 imposed under this section. The attorney general shall bring a  
9 civil action in a court of competent jurisdiction to recover the  
10 fine and costs and fees including attorney fees. Civil penalties  
11 and administrative fines collected shall be paid to the state  
12 treasury.

13 **(15)** ~~(6)~~—The remedies and sanctions under this act are  
14 independent and cumulative. The use of a remedy or sanction under  
15 this act does not bar other lawful remedies and sanctions and does  
16 not limit criminal or civil liability. Notwithstanding the  
17 provisions of this act, the department may bring an action to do 1  
18 or more of the following:

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

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

24 Enacting section 1. Sections 4, 5, 6, 8, 10, 13, 13a, 15, 16,  
25 17a, 23, 24, 24a, 26a, 27, 28, 29, 29a, 30, 30a, 30b, 30c, 30d, 32,  
26 33, 35, 41, and 46 of the animal industry act, 1988 PA 466, MCL  
27 287.704, 287.705, 287.706, 287.708, 287.710, 287.713, 287.713a,

1 287.715, 287.716, 287.717a, 287.723, 287.724, 287.724a, 287.726a,  
2 287.727, 287.728, 287.729, 287.729a, 287.730, 287.730a, 287.730b,  
3 287.730c, 287.730d, 287.732, 287.733, 287.735, 287.741, and  
4 287.746, are repealed.

5 Enacting section 2. This amendatory act takes effect 90 days  
6 after the date it is enacted into law.