

ANIMALS

CHAPTER 16

H. B. No. 294—(Haugland, Anderson, Hofstrand)

BANG'S TESTS IN TOWNSHIPS

An Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five per cent of the Freeholders or Livestock Owners in such Townships, and providing for the compulsory Bang's testing of townships in Counties in which seventy-five per cent of the townships are completely Bang's tested.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 1 of Chapter 11, Session Laws of 1939, is hereby amended and re-enacted to read as follows:

§ 1. Upon receipt of a petition signed by not less than seventy-five per cent of the resident freeholders or livestock owners of any township in any county in North Dakota petitioning for the application of the Bang's test to all cattle within such township, the North Dakota Livestock Sanitary Board is authorized and empowered to enforce the Bang's testing of all such cattle in such township, in accordance with the laws providing for the eradication of Bang's disease and reimbursement of owners of cattle slaughtered on account of Bang's disease and the regulations of the North Dakota Livestock Sanitary Board.

Provided, that in any circumscribed area as established by the North Dakota Livestock Sanitary Board, where all the cattle in said area are to be Bang's tested and said Bang's test is undertaken under the direction of the North Dakota Livestock Sanitary Board, no other cattle shall enter said area unless Bang's tested under the direction of the North Dakota Livestock Sanitary Board or are accompanied by a proper Bang's test health certificate, except under special permit and restrictions provided by the North Dakota Livestock Sanitary Board.

Provided further, that when seventy-five per cent or more of the townships in any county in North Dakota are completely Bang's tested it becomes mandatory on the part of the remaining freeholders or livestock owners in said area to submit their herds of cattle to the Bang's test.

Approved March 7, 1941.

CHAPTER 17

H. B. No. 189—(Drovdal and Anderson)

HERD LAW SUSPENSION

An Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, being Section 2618 of the Supplement to the Compiled Laws of 1913, as amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 1 of Chapter 140 of the Session Laws of 1919, being Section 2618 of the Supplement to the Compiled Laws of 1913 as amended by Chapter 4 of the 1931 Session Laws be, and the same is, hereby amended and re-enacted to read as follows:

§ 2618. HERD LAW: HOW AND WHEN SUSPENDED.] The board of county commissioners of each county in the state shall establish stock districts including all territory within the county for the purposes hereinafter provided. The boundaries of districts so established shall follow township lines or cooperative grazing district boundaries. A district may consist of one or more congressional townships or the entire county may be made to comprise one district and all district shall be subject to the jurisdiction of the board of county commissioners for the purposes of this act. Upon petition of sixty per cent of the electors of any such district as determined by the whole of the number of votes polled at the general election last held therein excluding those votes cast within the corporate limits of any city, town or village, or within the boundaries of any irrigation district organized pursuant to the irrigation laws of the state of North Dakota within such district, being filed in the office of the county auditor asking that stock be permitted to run at large between certain dates specified in such petition, it shall be the duty of the board of county commissioners of such county, within ten days thereafter, at a regular or special meeting to declare by resolution that stock may run at large within the limits of said district between the dates named in said petition, except within the corporate limits of any city, town or village, but no stallion, jack, boar, ram, bull or any animal known to be vicious shall be permitted to run at large at any time. Said resolution shall state the date of its taking effect and the date of its discontinuance, which dates shall correspond to those found in the petition hereinbefore provided for, and said resolution shall be effective to permit stock to run at large between said dates of the year or years named only. Provided that if sixty per cent of the electors of any district as determined by the whole number of the votes polled at the general election last held therein,

excluding those votes cast within the corporate limits of any city, town or village therein, shall file a petition in the office of the county auditor asking that such resolution be revoked, it shall be the duty of the board of county commissioners of said county, within ten days thereafter at any regular or special meeting, to revoke the previous resolution declaring that stock may run at large, and said board shall not thereafter within one year from the date of such revocation declare it lawful for stock to run at large within said district or any part thereof.

Approved March 7, 1941.

CHAPTER 18

S. B. No. 90—(Guenther and Morgan of Richland by Request)

PREDATORY ANIMALS

An Act to appropriate seven thousand, five hundred (\$7,500.00) dollars for the biennium to provide for the control of predatory animals such as wolves, coyotes, bobcats and other predatory animals which are injurious to livestock, poultry and game animals and birds; to authorize cooperation with the United States in the control of such predatory animals; and to provide for funds to enable the Department of Agriculture and Labor to carry out the provisions of this act; repealing all acts or parts of acts in conflict herewith and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. The Department of Agriculture and Labor is hereby authorized and directed to cooperate with the United States Department of the Interior, Fish and Wildlife Service, in the control and destruction of coyotes, wolves, bobcats and other predatory animals in this state that are injurious to livestock, poultry and game animals and birds in accordance with organized and systematic plans of the Department of Agriculture for the destruction of such predatory animals; and for this purpose to enter into written agreements with the Fish and Wildlife Service covering the methods and procedure to be followed in the control and destruction of such predatory animals, the extent of supervision to be exercised by either or both the Department of Agriculture and Labor and the Fish and Wildlife Service, and the use and expenditure of the funds hereinafter appropriated: Provided, that the Department of Agriculture and Labor, in cooperation with the agreements with other governmental agencies, and counties, associations, corporations, or individuals when such cooperation is deemed to be necessary to promote the control and destruction of predatory animals.

§ 2. (a) The Department of Agriculture and Labor is hereby authorized to make such expenditures for equipment, supplies and other expenses, including expenditures for personal services of hunters and trappers, as may be necessary to execute the functions imposed upon it by this act and as may be provided for by the State Legislature from time to time; provided, that hunters and trappers employed under the provisions of this act shall be residents of the State of North Dakota, but shall not be entitled to the bounty provided by the laws of this State for the killing or extermination of predatory animals; and further provided, that all vouchers for such expenditures made by the Department of Agriculture and Labor shall be approved as to correctness by the duly authorized agent of the Fish and Wildlife Service.

(b) For such expenditures there is hereby appropriated out of money in the State Treasury not otherwise appropriated the sum of seven thousand, five hundred (\$7,500.00) dollars, which appropriation shall be available until expended.

§ 3. All furs, skins and specimens taken by hunters whose salaries are paid out of funds hereinbefore appropriated shall be disposed of in such manner as the Department of Agriculture and Labor shall determine to be in the best interests of the State: provided, that if such furs, skins or specimens are sold, the net proceeds of such sales shall be available and are hereby appropriated for expenditure by the Department of Agriculture and Labor in the same manner as herein provided for the expenditure of funds appropriated pursuant to Section 2 of this act.

§ 4. Should the courts declare any section, provision, paragraph, clause, sentence, phrase or part thereof of this Act invalid, then such decision shall affect only the section, provision, paragraph, clause, sentence, phrase or part thereof so declared invalid and shall not affect any other part of this Act.

§ 5. REPEAL.] All acts or parts of acts in conflict herewith are hereby repealed.

§ 6. EMERGENCY.] This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 14, 1941.

CHAPTER 19

H. B. No. 273—(Benno, Haugland and Smart)

RENDERING PLANTS, REGULATIONS

An Act for the Licensing, Regulating, Establishing and Inspecting of Rendering Plants or Establishments, and Providing Punishment for Violation Thereof; Exempting Certain Plants; Providing an Appropriation; Declaring an Emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. No person, firm or corporation shall operate any rendering plant or establishment using the carcasses of domestic animals and wild animals which are not intended for human consumption, without first filing an application with the North Dakota Livestock Sanitary Board for a license to do so, subject to the provisions of this Chapter and the regulations of said Board.

§ 2. Upon the receipt of said application, the North Dakota Livestock Sanitary Board shall cause an inspection to be made of any establishment for which a license is requested, including its equipment, vehicles, and manner of conduct of its business, with reference and due regard of danger of disease transmission and dissemination.

If said inspection fails to reveal any danger of disease transmission, said Board shall issue the license applied for upon payment of a fee of fifty dollars (\$50.00). Such license shall remain valid for a period of one year from the date of issuance or until revoked for cause by said Board.

§ 3. No rendering establishment or plant shall be deemed sanitary unless it conforms to the following specifications. All floors must be made of concrete. All openings must be screened to prevent the entrance of flies and insects. The building must be provided with good drainage and be thoroughly sanitary in every respect. All collecting vats or tanks shall be air tight, except for proper escape for live steam for cooking. Such steam shall be reverted into a tank of water or firebox so as not to become an unnecessary annoyance or nuisance.

§ 4. All rendering plants and establishments shall be situated and conducted in such a manner as not to interfere with the comfort or property of the citizens of this state. No liquid wastes, either from the rendering process or from washing shall be discharged into any stream, water place, or on the surface of the ground nor shall such be discharged so as to contaminate or make unfit for human or livestock use any water supply. All sewage from washing floors, and vehicles and liquid wastes from the rendering process shall be

disposed of in a manner satisfactory to the North Dakota Livestock Sanitary Board. However, rendering establishments that are situated so that all waste can be disposed of into the city's disposal plant, may do so if permission is granted by the city, provided, however, that no permit shall be granted to any such plant or establishment which comes into existence after this act becomes effective unless the same is equipped for dry rendering.

§ 5. Vehicles for transporting carcasses of dead animals to rendering establishments must be provided with a watertight bed or tank, not less than fifty inches in width, all metal or metal-lined or watertight for at least six inches above the floor of the box or bed, and the endgate must be metal lined and hinged at the bottom of the box or bed, and fastened firmly to the top when closed. The sides, top and endgate must be so constructed as to prevent flies and insects from entering. All vehicles used for the purpose of collecting dead animals must carry a tank filled with a 4% solution of creosol to be used as a disinfectant, or other disinfectant as prescribed by the Board. All unloading places or chutes must be on cement floors which can be cleaned and disinfected. All vehicles after collecting dead animals at farms and before entering upon any of the public highways of the state shall be disinfected with the above described solution, giving special attention to all those parts of the vehicles which come in contact with the ground while upon the premises. The same shall be required of the operator of such vehicle, with special reference to his footwear and hands. After unloading the vehicle or tank at the rendering plant, it shall be thoroughly washed and disinfected with the same strength of solution as required above, or with live steam or both.

§ 6. No carcasses collected at farms in this state shall be removed from the vehicle except at the rendering plant for final disposal.

§ 7. Anyone operating a vehicle for a licensed rendering establishment must first have an authorized certificate from the rendering establishment which has been approved by the North Dakota Livestock Sanitary Board, and if this certificate is not in his possession, he shall not be considered an agent of such rendering establishment.

§ 8. It shall be the duty of the operator of any rendering establishment to permit for inspection thereof, at any time, by any official authorized by the North Dakota Livestock Sanitary Board, or by any health officer.

§ 9. Provided that any rendering done in connection with regular packing plant operations under Federal Inspection will be exempt from the provisions of this act.

§ 10. Money collected under this act shall be deposited with

the State Treasurer to the credit of the North Dakota Livestock Sanitary Board, and there shall be appropriated to the North Dakota Livestock Sanitary Board the sum of four hundred dollars for the biennium period.

§ 11. No plant now in existence, if located within three miles of any city, village, or town shall be rebuilt. Hereafter, no rendering plant shall be constructed within three miles of the limits of any city, village, or town, nor within one mile of any farmstead.

§ 12. PUNISHMENT.] Any person, firm or corporation or any employee of each thereof, violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and shall upon conviction be fined in the sum of not exceeding \$100.00, or by imprisonment in the County Jail for not more than ninety days, or both such fine and imprisonment, in the discretion of the Court.

§ 13. This Act is hereby declared to be an emergency measure and shall be in full force and effect, from and after its passage and approval.

Approved March 17, 1941.

CHAPTER 20

S. B. No. 91—(Guenther and Morgan of Richland by Request)

WOLF AND COYOTE BOUNTY

An Act to amend and re-enact Chapter 7 of the Session Laws of 1935, relating to wolf and coyote bounty.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

That Chapter 7 of the Session Laws be amended and re-enacted to read as follows:

§ 2645. STATE BOUNTY FOR WOLVES AND COYOTES.] For the purpose of encouraging the destruction of wolves and coyotes, a bounty shall be paid by the State of North Dakota for each wolf and coyote killed, as follows:

That there shall be paid for each mature wolf and mature coyote killed between the first day of April and the first day of October of each year, the sum of Two Dollars and fifty cents (\$2.50), and One Dollar (\$1.00) for each wolf or coyote pup killed between the first day of April and the first day of October of the year of the whelping of such wolf and coyote pup, provided that no bounty shall be paid for wolves and coyotes killed between the first day of October and the first day of April of each year; provided

further, that no bounty shall be paid on wolves or coyotes killed by the Extension Division of the North Dakota Agricultural College through the directors thereof cooperating with the Fish and Wildlife Service of the United States Department of the Interior.

Approved March 17, 1941.

APPROPRIATIONS

CHAPTER 21

H. B. No. 16—(Committee on Appropriations)

ATTORNEY GENERAL—LICENSING DEPT.

An Act Making an appropriation for the enforcement and administration of the Attorney General Licensing Department.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. APPROPRIATION.] There is hereby appropriated out of the Attorney General License Fund in the State Treasury, the sum of \$24,240.00, or so much thereof as may be necessary for salaries and general expenses for the Attorney General Licensing Department as provided for in Sec. 11, Chap. 258, S. L. 1939, for the biennium beginning July 1st, 1941, and ending June 30th, 1943, to-wit:

Clerkhire:

Chief Inspector	\$ 3,600.00
Deputy Inspectors—Three	9,000.00
Chief Clerk	2,640.00
Postage	1,000.00
Printing	500.00
Miscellaneous	500.00
Travel Expense	7,000.00

Total\$24,240.00

§ 2. In addition to the sums above appropriated, there is hereby appropriated, for the purpose of administration of the affairs of said Licensing Department, out of the Attorney General's Inspection Fund, the proceeds of the sales of property seized and confiscated by inspectors of the State Licensing Department, and sold under order of the District Court, as provided by Chapter 227, Session Laws of 1929.

Approved March 21, 1941.