

LIVESTOCK

CHAPTER 222

H. B. No. 637

(State and Federal Government Committee)

REGISTRATION OF STALLIONS; REPEAL

AN ACT

To repeal chapter 36-03 of the North Dakota Revised Code of 1943, relating to the registration of stallions.

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

§ 1. Repeal.) Chapter 36-03 of the North Dakota Revised Code of 1943 is hereby repealed.

Approved February 26, 1955.

CHAPTER 223

S. B. No. 179

(Freed)

DEALERS IN LIVESTOCK, POULTRY OR WOOL—DEFINITIONS

AN ACT

To amend and reenact section 36-0401 of the 1953 Supplement to the North Dakota Revised Code of 1943 defining livestock, poultry and wool dealers, and declaring an emergency.

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

§ 1. Amendment.) Section 36-0401 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

36-0401. "Dealer" Defined.) In this chapter unless the context or subject matter otherwise requires:

1. "Dealer" shall mean any person, copartnership, association, or corporation engaged in the business of buying, selling and dealing in horses, mules, cattle, hogs, sheep,

poultry, or wool from the producer or livestock sales ring for resale or shipment within or without the state, and also resale in the local market.

2. "Commission" shall mean the public service commission.

§ 2. **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 2, 1955.

CHAPTER 224

H. B. No. 788

(Snow, Gress, and Knudson of Morton)

LIVESTOCK DISTRICT TERMINATION

AN ACT

Providing for the termination of stock districts established under the herd law.

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

§ 1.) All stock districts heretofore created under the herd law permitting stock to run at large shall terminate on June 30, 1955, upon the date of termination expressed in the resolution creating a district, or upon revocation of the resolution creating a district as provided by section 36-1105 of the North Dakota Revised Code of 1943, whichever first occurs.

Approved March 2, 1955.

CHAPTER 225

H. B. No. 855

(Delayed Bills Committee)

BRUCELLOSIS VACCINATION OF CALVES

AN ACT

Relating to brucellosis vaccination of calves.

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

§ 1.) The livestock sanitary board may enforce the vaccination of all female calves with suitable brucellosis vaccine in any organized or unorganized township whenever the board is petitioned to conduct such vaccination program by a petition signed by not less than seventy-five percent of the resident freeholders or livestock owners within such township. All vaccinated calves shall be properly tagged and marked in the manner prescribed by the livestock sanitary board and the agricultural research service. Such vaccinations shall be performed by licensed veterinarians or by trained technicians authorized to perform such vaccinations by the livestock sanitary board. The owners of all female calves required to be vaccinated under the provisions of this Act shall list such calves by age, by number of calves, and by dairy or beef type, with the county agent of the county in which the township is located before such calves reach four months of age. The owner of a calf which will be permanently removed from the township prior to its reaching eighteen months of age shall not be required to have the calf vaccinated.

Approved March 10, 1955.

CHAPTER 226

H. B. No. 658

(Rose, Hofstrand, Fleenor and Schuler)

HOG CHOLERA VIRUS—PROHIBITION

AN ACT

To amend and reenact section 36-1409 of the North Dakota Revised Code of 1943, relating to hog cholera virus.

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

§ 1. Amendment.) Section 36-1409 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

36-1409. Hog Cholera Virus: Purchase, Possession and Use Prohibited; Misdemeanor.) The purchase, possession or use of hog cholera virus by any person including all licensed veterinarians, is hereby prohibited and made unlawful. This is not to be construed as in any way affecting the use either by farmers or veterinarians of any of the modified live virus vaccines available for the vaccination of hogs against hog cholera.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not to exceed two hundred dollars or imprisonment in the county jail for not to exceed thirty days, or by both such fine and imprisonment.

Approved March 11, 1955.

CHAPTER 227

H. B. No. 707
(Hofstrand)

DISEASED ANIMALS—VALUATION

AN ACT

To amend and reenact sections 36-1505, 36-1508 and 36-1509 of the North Dakota Revised Code of 1943, relating to diseased animals.

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

§ 1. **Amendment.)** Section 36-1505 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

36-1505. Maximum Valuations of Diseased Animals.) The appraised value of diseased animals shall not exceed the following amounts:

1. A grade animal shall not be valued at more than one hundred fifty dollars; and
2. A purebred animal shall not be valued at more than three hundred dollars.

Before any animal can be appraised as a purebred animal, it must be accompanied by a certificate of registration in a recognized herd book.

§ 2. **Amendment.)** Section 36-1508 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

36-1508. Owner Entitled To Compensation For Animal Infected With Tuberculosis Or With Paratuberculosis; Livestock Sanitary Board May Make Regulations Governing Payments.) The owner of an animal adjudged by the board to be infected with tuberculosis or with paratuberculosis and appraised in accordance with the provisions of this chapter shall be entitled to the amount specified in this chapter. The board may make reasonable rules and regulations governing the payment of such compensation within the limitations prescribed in this chapter.

§ 3. **Amendment.)** Section 36-1509 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

36-1509. Return of Appraisalment; Payment of Claims For Diseased Animals.) The return of an appraisalment made under

the provisions of this chapter shall be in writing and signed by the board or by the agent thereof which made the appraisal, or by the members of the board of appraisers if a reappraisal is made after a protest, and by the owner of the condemned animal. The return shall be certified by the executive officer of the board to the state auditor, who shall draw a warrant upon the state treasurer in favor of the owner of the animal. The amount of indemnity paid by this state, however, shall not exceed:

1. In the case of an animal condemned because it is infected with tuberculosis or paratuberculosis, one-third of the difference between the appraised value of the animal and the net value of the salvage received by the owner unless the federal government fails to provide an amount of indemnity equal to that provided by the state, in which case the owner shall be paid one-half of the difference between the appraised value of the animal and the net value of the salvage thereof;
2. This state shall not be liable for indemnity under the provisions of this chapter in excess of the amount appropriated for the payment of such indemnity by the legislative assembly, and the state shall not be liable for indemnity for any animal killed during a biennium after the appropriation for such biennium has been exhausted.

Approved March 11, 1955.

CHAPTER 228

H. B. No. 558
(Rose)

GARBAGE FEED REGULATION

AN ACT

To prohibit the feeding of raw garbage to swine in North Dakota and to provide for the licensing and regulation of garbage feeders and to provide minimum standards for the operation of garbage feeding establishments and providing a penalty.

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

§ 1. Definitions.) For the purpose of this Act, the following words shall have the meanings as defined in this section:

1. "Garbage" means animal and vegetable waste matter resulting from the handling, preparation, cooking and

consumption of foods including animal carcasses or parts thereof, except that dairy products from a licensed creamery or dairy shall not be considered garbage under the definitions of this section.

2. "Person" means the state, any municipality, political subdivision, institution, public or private corporation, individual, partnership, or other entity.

§ 2. Permit For Feeding Garbage To Swine.)

1. No person shall feed garbage to swine without first securing a permit from the livestock sanitary board. Such permits shall be secured within 30 days after the effective date of this Act and shall be renewed on the first of July of each year.
2. This order shall not apply to any person who feeds only his own household garbage.

§ 3. Application For Permit.) Any person desiring to obtain a permit to feed garbage to swine shall make written application therefor to the North Dakota livestock sanitary board in accordance with the requirements of this Act.

§ 4. Revocation of Permits.) Upon determining that any person having had a permit hereunder, has violated or failed to comply with any of the provisions of this Act, or any of the other rules or regulations of the livestock sanitary board, shall have his license revoked or refuse to issue a permit to an applicant therefor.

§ 5. Cooking Or Other Treatment.) All garbage, regardless of previous processing shall, before being fed to swine, be thoroughly heated to at least 212 degrees Fahrenheit for at least 30 minutes.

§ 6. Inspection and Investigation; Maintenance of Records.)

1. Any authorized representative of the North Dakota livestock sanitary board shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the treating of garbage to be fed to swine as required by this Act.
2. In addition to the inspection of the proper sterilization of the garbage by agents of the livestock sanitary board, the garbage feeding plant must be kept in a reasonably sanitary condition and any animals which may die and all garbage which is not consumed must be cleaned up and the place kept in as sanitary condition as is possible under the circumstances so as not to become a public nuisance.

3. Any authorized representative of the North Dakota livestock sanitary board may examine any records pertaining to the feeding of garbage to swine and the livestock sanitary board can require maintenance of records relating to the operation of equipment for and procedure of treating garbage to be fed to swine. Such copies to be submitted to the North Dakota livestock sanitary board.

§ 7. Enforcement of the Act.) The livestock sanitary board is hereby charged with the administration and enforcement of the provisions of this Act. The state veterinarian, by and with the consent of the livestock sanitary board, shall have full power to cooperate with the United States department of agriculture, agricultural research service, in the control and eradication of vesicular exanthema. The state veterinarian, by and with the consent of the livestock board, shall have full power to promulgate and enforce such rules and regulations that may hereafter be necessary to carry out the provisions of this Act.

§ 8. Penalties.) Any person, firm or corporation who shall knowingly violate any provision set forth in this Act or any rule or regulation duly established by the livestock sanitary board, or any officer or inspector who shall willfully fail to comply with any provisions of this Act shall be guilty of a misdemeanor and shall be fined or imprisoned, or both, in the discretion of the court.

Approved March 10, 1955.

CHAPTER 229

H. B. No. 612
(Scott, Sortland, McLain)

LIVESTOCK SANITARY BOARD—INSPECTION

AN ACT

To amend and reenact section 36-2301 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to inspections by the livestock sanitary board.

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

§ 1. Amendment.) Section 36-2301 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

36-2301. State Livestock Sanitary Board To Inspect.) The state livestock sanitary board is hereby authorized and required to inspect all slaughtering and manufacturing establishments engaged in the production of meat and meat products for human consumption and delivering such products for use in the course of trade or business in various municipalities in the state of North Dakota, and in addition shall furnish veterinary supervision of poultry processing plants participating in the state inspection for wholesomeness program.

Approved February 26, 1955.