CHAPTER 36-14.1
HOG CHOLERA

36-14.1-01. Definitions.

As used in this chapter:

1. "Board" means the state board of animal health.
2. "Commissioner" means the agriculture commissioner.
3. "Destroy" means to condemn because of hog cholera under state authority and slaughter or otherwise kill as a result of or pursuant to such condemnation.
4. "Hog cholera" means the contagious, infectious, and communicable disease of swine commonly known as hog cholera.

36-14.1-02. General authority.

The board or the state veterinarian may destroy or require the destruction of any swine that the board or the state veterinarian knows to be, or suspects is, infected with, affected with, or exposed to hog cholera, whenever destruction is necessary to prevent or reduce the danger of the spread of hog cholera.

36-14.1-03. Appraisal and indemnification.

The board or the state veterinarian shall appraise any swine destroyed or ordered destroyed pursuant to this chapter and shall indemnify the owner of such swine in an amount to be set by the board for either registered animals or grade animals.

36-14.1-04. Institution of indemnification.

It is hereby recognized and declared that indemnification for the destruction of swine infected with, exposed to, or suspected of being affected or exposed to hog cholera, is an expression of the public policy of this state to be employed only in the final phase of the official state-federal eradication program in the state, or as a means of preventing or minimizing its recurrence, as such may be determined by the board. Neither the board nor the state veterinarian may institute an initial program of indemnification until the state has been approved as meeting the requirements specified by the appropriate cooperating federal agency.

36-14.1-05. Cooperation with the United States.

The board may cooperate with the United States, or any department, agency, or officer thereof, in the control and eradication of hog cholera, including the sharing in the payment of indemnities for swine destroyed, but the state may only share in such payment of indemnities in the amounts or rates set by the board.

36-14.1-06. Rules and regulations.

The board may make, promulgate, amend, repeal, and enforce rules and regulations for implementing this chapter.

36-14.1-07. Review.

Any act or omission of the board or commissioner pursuant to or within the purview of this chapter is reviewable by the courts of this state as provided in chapter 28-32.