25

LC 1093

INTRODUCED BY Murphy 1 2 3 "AN ACT AMENDING A BILL FOR AN ACT ENTITLED: SECTION 4 46-203. R.C.M. 1947. TO PERMIT THE DEPARTMENT OF LIVESTOCK 5 TO CHARGE FOR LABORATORY TESTS AND OTHER MATERIALS RELATED 6 TO DISEASE CONTROL; AND PROVIDING AN IMMEDIATE EFFECTIVE 7 DATE." 3 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10

Section 1. Section 46-208, R.C.M. 1947, is amended to read as follows:

livestock is affected with, or has been exposed to disease

"46-208. Powers of department. The department may: 13 (1) Supervise the sanitary conditions of livestock in 14 this state, under the provisions of the constitution and 13 statutes of this state and the rules adopted by the 16 department. The department may quarantine a lot, yard, land, 17 building, room, premises, inclosure, or other place or 18 section in this state, which is or may be used or occupied 19 by livestock, and which, in the judgment of the department 20 is infected or contaminated with an infectious, contagious, 21 communicable, or dangerous disease, or disease-carrying 22 medium by which the disease may be communicated. The 23 department may quarantine livestock in this state, when the 24

INTRODUCED BILL

LC 1093

or disease-carrying medium. The department may prescribe
 treatments and enforce sanitary rules which are necessary
 and proper to circumscribe, extirpate, control, or prevent
 the diseases.

5 (2) Foster, promote, and protect the livestock industry 6 in this state by the investigation of diseases and other subjects related to ways and means of prevention, 7 extirpation, and control of diseases, or to the care of 8 9 livestock and its products; and to this end to establish and 10 maintain a laboratory, and to make, or cause to be made, 11 biologic products, curatives, and preventative agents; and 12 to do or perform any other acts and things as may be 13 necessary or proper in the fostering, promotion, or 14 protection of the livestock industry in this state. 15 (3) Impose and collect such fees as the department 16 considers appropriate for the tests and services performed 17 by the laboratory and for such biologic products, curatives 18 and preventative agents made or caused to be made by the department. In fixing such fees the department shall take 19 20 into consideration the costs, both direct and indirect, of

21 such tests, services, products, curatives and agents. All

22 fees shall be deposited in the earmarked revenue fund for

23 the use of the animal health functions of the department.

24 (3) (4) Adopt rules and orders which it considers
 25 necessary or proper to prevent the introduction or spreading

HB 336

of infectious, contagious, communicable, or dangerous 1 diseases affecting livestock in this state, and to this end 2 may adopt rules and orders necessary or proper governing ÷. inspections and tests of livestock intended for importation 4 into this state, before it may be imported into this state. 5 6 (+) (5) Adopt rules and orders which it considers necessary or proper for the inspection, testing, and 7 8 guarantine of all livestock imported into this state.

(5) (6) Adopt rules and orders which it considers 9 necessary or proper for the supervision, inspection, and 10 11 control of the standards and sanitary conditions of slaughterhouses, meat depots, meat and meat food products, 12 dairies, milk depots, milk and its by-products, barns, dairy 13 cows, factories, and other places and premises where meat, 14 15 or meat foods, milk or its products, or any thereof intended for sale or consumption as food are produced, kept, handled, 16 17 or stored. For the purposes of this act an authorized representative of the department, may take samples of a 18 product so produced, kept, handled, or stored, for analysis 19 20 or testing by the department's chemist, bacteriologist, or the state chemist, and the records of the samples and their 21 analysis and test, when identified, as to the sample by the 22 oath of the officer taking it, and verified, as to the 23 analysis or test, by the oath of the chemist or 24 bacteriologist making it, is prima facie evidence of the 25

1 facts set forth in it, when offered in evidence in a 2 prosecution or action at law or in equity for violation of 3 this act, or a rule or order of the board adopted under this 4 act. These standards, in so far as they relate to dairies or 5 milk and its by-products, may not include standards of 6 weight or measurement.

7 (6) (7) Adopt rules and orders which seem necessary or 8 proper for the supervision and control of manufactured and 9 refined foods for livestock, and the manufacture, 10 importation, sale, and method of using a biologic remedy or curative agent for the treatment of diseases of livestock. 11 12 However, as far as practicable the standards approved by the United States department of agriculture shall be adopted. 13 14 (7) (8) Install an adequate system of meat inspection 15 at any time and in such places as public welfare may demand under the rules which may provide fees for the maintenance 16 17 of such inspection, and which shall provide ways and means for shipping home-grown and home-killed meats into any city 18 in this state. As far as practicable, the rules shall 19 20 conform with the meat-inspection requirements of the United States bureau-of-animal-industry department of agriculture. 21 22 (9) Slaughter or cause to be slaughtered, any 23 livestock in this state known to be affected with, or which been exposed to, an infectious, 24 has contagious, 25 communicable, or dangerous disease, when such slaughter is

-4-

LC 1093

necessary for the protection of other livestock; and
 destroy, or cause to be destroyed, all barns, stables,
 sheds, out-buildings, fixtures, furniture, and personal
 property infected with any such infectious, contagious,
 communicable, or dangerous disease, when they cannot be
 thoroughly cleaned and disinfected and the destruction is
 necessary to prevent the spreading of the disease.

3' (9) (10) Indemnify the owner of any property destroyed
by order of the department under this act, or any rules or
10 orders adopted by the department under this act.

11 (10) (11) Require persons, firms, and corporations engaged in the production or handling of meat or meat food products, or dairy products or any thereof, to furnish statistics of the quantity and cost of the food and food products produced or handled, and the name and address of persons supplying them any of the products.\*

17 Section 2. This act is effective on its passage and18 approval.

-End-

H1333 4

-5-

., A

LC 1093

Approved by Committee on Agrigulture Livestock & Irrigation

Hause BILL NO. 336 1 INTRODUCED BY Musak 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 4 46-208. R.C.M. 1947, TO PERMIT THE DEPARTMENT OF LIVESTOCK 5 TO CHARGE FOR LABORATORY TESTS AND OTHER MATERIALS RELATED 6

TO DISEASE CONTROL; AND PROVIDING AN IMMEDIATE EFFECTIVE 7 DATE." 8

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10

Section 1. Section 46-208. R.C.M. 1947. is amended to 11 12 read as follows:

"46-208. Powers of department. The department may: 13 14 (1) Supervise the sanitary conditions of livestock in this state, under the provisions of the constitution and 15 statutes of this state and the rules adopted by the 16 department. The department may quarantine a lot, yard, land, 17 building, room, premises, inclosure, or other place or 18 19 section in this state, which is or may be used or occupied 20 by livestock, and which, in the judgment of the department is infected or contaminated with an infectious, contagious, 21 communicable, or dangerous disease, or disease-carrying 22 medium by which the disease may be communicated. The 23 department may guarantine livestock in this state, when the 24 25 livestock is affected with, or has been exposed to disease

SECOND READING

1 or disease-carrying medium. The department may prescribe treatments and enforce sanitary rules which are necessary 2 3 and proper to circumscribe, extirpate, control, or prevent the diseases.

(2) Foster, promote, and protect the livestock industry 5 in this state by the investigation of diseases and other 6 7 subjects related to ways and means of prevention, extirpation, and control of diseases, or to the care of 8 livestock and its products; and to this end to establish and 9 10 maintain a laboratory, and to make, or cause to be made, 11 biologic products, curatives, and preventative agents; and 12 to do or perform any other acts and things as may be 13 necessary or proper in the fostering, promotion, or 14 protection of the livestock industry in this state.

15 (3) Impose and collect such fees as the department considers appropriate for the tests and services performed 16 17 by the laboratory and for such biologic products, curatives 18 and preventative agents made or caused to be made by the department. In fixing such fees the department shall take 19 20 into consideration the costs, both direct and indirect, of 21 such tests, services, products, curatives and agents. A11 22 fees shall be deposited in the earmarked revenue fund for 23 the use of the animal health functions of the department. 24 (4) Adopt rules and orders which it considers necessary or proper to prevent the introduction or spreading 25 -- HB 336

1 of infectious, contagious, communicable, or dangerous 2 diseases affecting livestock in this state, and to this end 3 may adopt rules and orders necessary or proper governing inspections and tests of livestock intended for importation 4 5 into this state, before it may be imported into this state. (4) (5) Adopt rules and orders which it considers 6 7 necessary or proper for the inspection, testing, and quarantine of all livestock imported into this state. 8

9 (5) (6) Adopt rules and orders which it considers necessary or proper for the supervision. inspection, and 10 11 control of the standards and sanitary conditions of 12 slaughterhouses, meat depots, meat and meat food products, 13 dairies, milk depots, milk and its by-products, barns, dairy 14 cows, factories, and other places and premises where meat, 15 or meat foods, milk or its products, or any thereof intended 16 for sale or consumption as food are produced, kept, handled, 17 or stored. For the purposes of this act an authorized representative of the department, may take samples of a 18 product so produced, kept, handled, or stored, for analysis 19 or testing by the department's chemist, bacteriologist, or 20 21 the state chemist, and the records of the samples and their 22 analysis and test, when identified, as to the sample by the oath of the officer taking it, and verified, as to the 23 24 analysis or test, by the oath of the chemist or bacteriologist making it, is prima facie evidence of the 25

1 facts set forth in it, when offered in evidence in a 2 prosecution or action at law or in equity for violation of 3 this act, or a rule or order of the board adopted under this 4 act. These standards, in so far as they relate to dairies or 5 milk and its by-products, may not include standards of 6 weight or measurement.

7 (6) (7) Adopt rules and orders which seem necessary or 8 proper for the supervision and control of manufactured and 9 refined foods for livestock, and the manufacture, 10 importation, sale, and method of using a biologic remedy or 11 curative agent for the treatment of diseases of livestock. 12 However, as far as practicable the standards approved by the 13 United States department of agriculture shall be adopted.

14 (8) Install an adequate system of meat inspection 15 at any time and in such places as public welfare may demand 16 under the rules which may provide fees for the maintenance 17 of such inspection, and which shall provide ways and means 18 for shipping home-grown and home-killed meats into any city 19 in this state. As far as practicable, the rules shall conform with the meat-inspection requirements of the United 20 21 States bureau-of-animal-industry department of agriculture. 22 (9) Slaughter or cause to be slaughtered, any 23 livestock in this state known to be affected with, or which 24 has been exposed to, an infectious, contagious, 25 communicable, or dangerous disease, when such slaughter is

-4-

necessary for the protection of other livestock; and
 destroy, or cause to be destroyed, all barns, stables,
 sheds, out-buildings, fixtures, furniture, and personal
 property infected with any such infectious, contagious,
 communicable, or dangerous disease, when they cannot be
 thoroughly cleaned and disinfected and the destruction is
 necessary to prevent the spreading of the disease.

-

3 (9) (10) Indemnify the owner of any property destroyed
9 by order of the department under this act, or any rules or
10 orders adopted by the department under this act.

11 (10) (11) Require persons, firms, and corporations engaged in the production or handling of meat or meat food products, or dairy products or any thereof, to furnish statistics of the quantity and cost of the food and food products produced or handled, and the name and address of persons supplying them any of the products."

17 Section 2. This act is effective on its passage and18 approval.

-End-

HB 336

-5-

INTRODUCED BY Munphy 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 4 46-203. R.C.M. 1947, TO PERMIT THE DEPARTMENT OF LIVESTOCK 5 TO CHARGE FOR LABORATORY TESTS AND OTHER MATERIALS RELATED 6 TO DISEASE CONTROL; AND PROVIDING AN IMMEDIATE EFFECTIVE 7 DATE." з

9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 46-203, R.C.M. 1947, is amended to 12 read as follows:

13

"46-208. Powers of department. The department may:

(1) Supervise the sanitary conditions of livestock in 14 this state, under the provisions of the constitution and 15 statutes of this state and the rules adopted by the 16 department. The department may quarantine a lot, yard, land, 17 building, room, premises, inclosure, or other place or 18 section in this state, which is or may be used or occupied 19 by livestock, and which, in the judgment of the department 20 is infected or contaminated with an infectious, contagious, 21 communicable, or dangerous disease, or disease-carrying 22 medium by which the disease may be communicated. The 23 department may quarantine livestock in this state, when the 24 livestock is affected with, or has been exposed to disease 25 THIRD READING or disease-carrying medium. The department may prescribe
 treatments and enforce sanitary rules which are necessary
 and proper to circumscribe, extirpate, control, or prevent
 the diseases.

5 (2) Foster, promote, and protect the livestock industry in this state by the investigation of diseases and other 6 7 subjects related to ways and means of prevention, 8 extirpation, and control of diseases, or to the care of livestock and its products; and to this end to establish and G 10 maintain a laboratory, and to make, or cause to be made, 11 biologic products, curatives, and preventative agents; and to do or perform any other acts and things as may be 12 13 necessary or proper in the fostering, promotion, or 14 protection of the livestock industry in this state.

15 (3) Impose and collect such fees as the department considers appropriate for the tests and services performed 16 by the laboratory and for such biologic products, curatives 17 18 and preventative agents made or caused to be made by the 19 department. In fixing such fees the department shall take 20 into consideration the costs, both direct and indirect, of such tests, services, products, curatives and agents. All 21 fees shall be deposited in the earmarked revenue fund for 22 the use of the animal health functions of the department. 23 24 (3) (4) Adopt rules and orders which it considers 25 necessary or proper to prevent the introduction or spreading -2- HB 336

LC 1093

1 of infectious, contagious, communicable, or dangerous 2 diseases affecting livestock in this state. and to this end 3 may adopt rules and orders necessary or proper governing inspections and tests of livestock intended for importation 4 5 into this state, before it may be imported into this state. 6 (4) (5) Adopt rules and orders which it considers 7 necessary or proper for the inspection, testing, and 8 quarantine of all livestock imported into this state.

9 (5) (6) Adopt rules and orders which it considers 10 necessary or proper for the supervision, inspection, and 11 control of the standards and sanitary conditions of 12 slaughterhouses, meat depots, meat and meat food products, 13 dairies, milk depots, milk and its by-products, barns, dairy cows, factories, and other places and premises where meat, 14 or meat foods, milk or its products, or any thereof intended 15 for sale or consumption as food are produced, kept, handled, 16 17 or stored. For the purposes of this act an authorized representative of the department, may take samples of a 18 product so produced, kept, handled, or stored, for analysis 19 20 or testing by the department's chemist, bacteriologist, or the state chemist, and the records of the samples and their 21 analysis and test, when identified, as to the sample by the 22 oath of the officer taking it, and verified, as to the 23 24 analysis or test, by the oath of the chemist or 25 bacteriologist making it, is prima facie evidence of the

1 facts set forth in it, when offered in evidence in a 2 prosecution or action at law or in equity for violation of 3 this act, or a rule or order of the board adopted under this 4 act. These standards, in so far as they relate to dairies or 5 milk and its by-products, may not include standards of 6 weight or measurement.

7 (6) (7) Adopt rules and orders which seem necessary or
8 proper for the supervision and control of manufactured and
9 refined foods for livestock, and the manufacture,
10 importation, sale, and method of using a biologic remedy or
11 curative agent for the treatment of diseases of livestock.
12 However, as far as practicable the standards approved by the
13 United States department of agriculture shall be adopted.

(7) (8) Install an adequate system of meat inspection 14 15 at any time and in such places as public welfare may demand under the rules which may provide fees for the maintenance 1.6 of such inspection, and which shall provide ways and means 17 for shipping home-grown and home-killed meats into any city 18 19 in this state. As far as practicable, the rules shall conform with the meat-inspection requirements of the United 20 States bureau-of-animal-industry department of agriculture. 21 (9) Slaughter or cause to be slaughtered, any 22 livestock in this state known to be affected with, or which 23 exposed to, an infectious, contagious. 24 has been 25 communicable, or dangerous disease, when such slaughter is

LC 1093

-4-

-3-

necessary for the protection of other livestock; and
 destroy, or cause to be destroyed, all barns, stables,
 sheds, out-buildings, fixtures, furniture, and personal
 property infected with any such infectious, contagious,
 communicable, or dangerous disease, when they cannot be
 thoroughly cleaned and disinfected and the destruction is
 necessary to prevent the spreading of the disease.

.

3 (9) (10) Indemnify the owner of any property destroyed
3 by order of the department under this act, or any rules or
10 orders adopted by the department under this act.

11 (10) (11) Require persons, firms, and corporations 12 engaged in the production or handling of meat or meat food 13 products, or dairy products or any thereof, to furnish 14 statistics of the quantity and cost of the food and food 15 products produced or handled, and the name and address of 16 persons supplying them any of the products."

17 Section 2. This act is effective on its passage and 18 approval.

-End-

HB336

1

HB 0336/02

1

2

INTRODUCED BY MURPHY 2 3 "AN ACT AMENDING SECTION A BILL FOR AN ACT ENTITLED: 4 46-208, R.C.M. 1947, TO PERMIT THE DEPARTMENT OF LIVESTOCK 5 TO CHARGE FOR LABORATORY TESTS AND OTHER MATERIALS RELATED 6 TO DISEASE CONTROL: AND PROVIDING AN IMMEDIATE EFFECTIVE 7 DATE. " 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 46-208, R.C.M. 1947, is amended to 11 12 read as follows: "46-208. Powers of department. The department may: 13 (1) Supervise the sanitary conditions of livestock in 14 this state, under the provisions of the constitution and 15 statutes of this state and the rules adopted by the 16 17 department. The department may quarantine a lot, yard, land, building, room, premises, inclosure, or other place or 18 section in this state, which is or may be used or occupied 19 20 by livestock, and which, in the judgment of the department 21 is infected or contaminated with an infectious, contagious, 22 communicable, or dangerous disease, or disease-carrying 23 medium by which the disease may be communicated. The department may guarantine livestock in this state, when the 24 25 livestock is affected with, or has been exposed to disease

HOUSE BILL NO. 336

or disease-carrying medium. The department may prescribe treatments and enforce sanitary rules which are necessary

and proper to circumscribe, extirpate, control, or prevent 3 the diseases. 4

5 (2) Foster, promote, and protect the livestock industry 6 in this state by the investigation of diseases and other subjects related to ways and means of prevention, 7 8 extirpation, and control of diseases, or to the care of livestock and its products; and to this end to establish and 9 maintain a laboratory, and to make, or cause to be made, 10 11 biologic products, curatives, and preventative agents; and 12 to do or perform any other acts and things as may be 13 necessary or proper in the fostering, promotion, or 14 protection of the livestock industry in this state. (3) Impose and collect such fees as the department 15

- 16 considers appropriate for the tests and services performed 17 by the laboratory and for such biologic products, curatives
- 18 and preventative agents made or caused to be made by the
- department. In fixing such fees the department shall take 19
- into consideration the costs, both direct and indirect, of 20
- 21 such tests, services, products, curatives and agents. All
- 22 fees shall be deposited in the earmarked revenue fund for
- the use of the animal health functions of the department. 23
- (3) (4) Adopt rules and orders which it considers 24

25 necessary or proper to prevent the introduction or spreading -2-

REFERENCE BILL

нз 336

infectious, contagious, communicable, or dangerous 1 of 2 diseases affecting livestock in this state, and to this end 3 may adopt rules and orders necessary or proper governing 4 inspections and tests of livestock intended for importation 5 into this state, before it may be imported into this state. 6 (4) (5) Adopt rules and orders which it considers 7 necessary or proper for the inspection, testing, and 8 quarantine of all livestock imported into this state.

9 (5) (6) Adopt rules and orders which it considers 10 necessary or proper for the supervision, inspection, and 11 control of the standards and sanitary conditions of 12 slaughterhouses, meat depots, meat and meat food products, 13 dairies, milk depots, milk and its by-products, barns, dairy 14 cows, factories, and other places and premises where meat, 15 or meat foods, milk or its products, or any thereof intended 16 for sale or consumption as food are produced, kept, handled, 17 or stored. For the purposes of this act an authorized 18 representative of the department, may take samples of a 19 product so produced, kept, handled, or stored, for analysis 20 or testing by the department's chemist, bacteriologist, or 21 the state chemist, and the records of the samples and their 22 analysis and test, when identified, as to the sample by the 23 oath of the officer taking it, and verified, as to the 24 analysis or test, by the oath of the chemist or bacteriologist making it, is prima facie evidence of the 25 -3-НЗ 336

1 facts set forth in it, when offered in evidence in a 2 prosecution or action at law or in equity for violation of 3 this act, or a rule or order of the board adopted under this 4 act. These standards, in so far as they relate to dairies or 5 milk and its by-products, may not include standards of 6 weight or measurement.

7 (6) (7) Adopt rules and orders which seem necessary or 8 proper for the supervision and control of manufactured and 9 refined foods for livestock, and the manufacture, 10 importation, sale, and method of using a biologic remedy or 11 curative agent for the treatment of diseases of livestock. 12 However, as far as practicable the standards approved by the 13 United States department of agriculture shall be adopted.

14 (7) (8) Install an adequate system of meat inspection 15 at any time and in such places as public welfare may demand 16 under the rules which may provide fees for the maintenance 17 of such inspection, and which shall provide ways and means for shipping home-grown and home-killed meats into any city 18 in this state. As far as practicable, the rules shall 19 conform with the meat-inspection requirements of the United 20 21 States bureau-of-animal-industry department of agriculture. 22  $(\theta)$  (9) Slaughter or cause to be slaughtered, any livestock in this state known to be affected with, or which 23 24 has been exposed to, an infectious, contagious, communicable. or dangerous disease, when such slaughter is 25

-4-

H3 336

## IIB 0336/02

necessary for the protection of other livestock; and
 destroy, or cause to be destroyed, all barns, stables,
 sheds, out-buildings, fixtures, furniture, and personal
 property infected with any such infectious, contagious,
 communicable, or dangerous disease, when they cannot be
 thoroughly cleaned and disinfected and the destruction is
 necessary to prevent the spreading of the disease.

8 (9) (10) Indemnify the owner of any property destroyed
9 by order of the department under this act, or any rules or
10 orders adopted by the department under this act.

11 (10) (11) Require persons, firms, and corporations engaged in the production or handling of meat or meat food products, or dairy products or any thereof, to furnish statistics of the quantity and cost of the food and food products produced or handled, and the name and address of persons supplying them any of the products."

17 Section 2. This act is effective on its passage and 18 approval.

-End-

-5-