

HOUSE BILL No. 5168

December 16, 2015, Introduced by Reps. Cole, McBroom, Lauwers and Brett Roberts and referred to the Committee on Agriculture.

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending section 3 (MCL 287.703), as amended by 2002 PA 458.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) "Accredited veterinarian" means a veterinarian
2 approved by the administrator of the United States ~~department of~~
3 ~~agriculture, animal and plant health inspection service~~ **DEPARTMENT**
4 **OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION SERVICE** in
5 accordance with ~~provisions of 9 C.F.R.~~ **CFR** part 161, and considered
6 preapproved to perform ~~certain functions of federal and cooperative~~
7 ~~state/federal programs.~~ **DESCRIBED IN 9 CFR PART 161.**

8 (2) "Animal" means mollusks, crustaceans, and vertebrates
9 other than human beings including, but not limited to, livestock,

1 exotic animals, aquaculture, and domestic animals.

2 (3) "Animal movement certificate" means animal movement
3 authorization established in a manner approved and issued by the
4 director that contains, at a minimum, the following information
5 regarding animals or an animal:

6 (a) The point of origin and point of destination.

7 (b) Official identification.

8 (c) Anticipated movement date.

9 (d) Any required official test results for bovine
10 tuberculosis.

11 (4) "Aquaculture" means ~~the commercial husbandry of~~
12 ~~aquaculture species on the approved list of aquaculture species~~
13 ~~under the Michigan aquaculture development act, 1996 PA 199, MCL~~
14 ~~286.871 to 286.884, including, but not limited to, the culturing,~~
15 ~~producing, growing, using, propagating, harvesting, transporting,~~
16 ~~importing, exporting, or marketing of any products, coproducts, or~~
17 ~~by products of fish, crustaceans, mollusks, reptiles, and~~
18 ~~amphibians, reared or cultured under controlled conditions in an~~
19 ~~aquaculture facility.~~ **THAT TERM AS DEFINED IN SECTION 2 OF THE**
20 **MICHIGAN AQUACULTURE DEVELOPMENT ACT, 1996 PA 199, MCL 286.872.**

21 (5) "Aquaculture facility" means that term as defined ~~under~~ **IN**
22 **SECTION 2 OF** the Michigan aquaculture development act, 1996 PA 199,
23 ~~MCL 286.871 to 286.884.~~ **MCL 286.872.**

24 (6) "Approved vaccine" means a veterinary biological
25 administered to livestock or other animals to induce immunity in
26 the recipient and approved by the state veterinarian.

27 (7) "Carcasses" means the dead bodies of animals, poultry, or

1 aquaculture. Carcasses do not include rendered products.

2 (8) "Cattle" means all bovine (genus ~~bos~~—**BOS**) animals,
3 bovinelike animals (genus ~~bison~~—**BISON**) also commonly referred to
4 as American buffalo or bison and any cross of these species unless
5 otherwise specifically provided.

6 (9) "Cattle importation lot" means a premises registered with
7 the department and used only to feed cattle in preparation for
8 slaughter.

9 (10) "Commingling" means concurrently or subsequently sharing
10 or subsequent use by livestock or other domestic animals of the
11 same pen or same section in a facility or same section in a
12 transportation unit where there is physical contact or contact with
13 bodily excrements, aerosols, or fluids from other livestock or
14 domestic animals.

15 (11) "Consignee" means the person receiving the animals at the
16 point of destination named on the official interstate or intrastate
17 health certificate, official interstate certificate of veterinary
18 inspection or animal movement certificate, entry authorization
19 form, fish disease inspection report, owner-shipper statement, or
20 sales invoice.

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

1 (13) "Dealer" means any person required to be licensed under
2 1937 PA 284, MCL 287.121 to 287.131, and engaged in the business of
3 buying, receiving, selling, exchanging, transporting, negotiating,
4 or soliciting the sale, resale, exchange, transportation, or
5 transfer of livestock.

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

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

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

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

17 (18) "Distribute" means to deliver other than by administering
18 or dispensing a veterinary biological.

19 (19) "Domestic animal" means those species of animals that
20 live under the husbandry of humans.

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

27 (21) "Equine" means all animals of the equine family, which

1 includes horses, asses, jacks, jennies, hinnies, mules, donkeys,
2 burros, ponies, and zebras.

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

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

18 (24) "Exhibitor" means any person who presents livestock for
19 public display, exhibition, or competition or enters livestock in a
20 fair, show, exhibition, or exposition.

21 (25) "Exotic animal" means those animals that are not native
22 to North America.

23 (26) "Fair" means a competition and educational exhibition of
24 agricultural commodities and manufactured products for which
25 premiums may be paid and which is conducted by an association or
26 governmental entity.

27 (27) "Feral swine" means swine ~~which~~ **THAT** have lived their

1 life or any part of their life as free roaming or not under the
2 husbandry of humans.

3 Enacting section 1. This amendatory act takes effect 90 days
4 after the date it is enacted into law.

5 Enacting section 2. This amendatory act does not take effect
6 unless all of the following bills of the 98th Legislature are
7 enacted into law:

8 (a) Senate Bill No. ____ or House Bill No. 5167 (request no.
9 01714'15).

10 (b) Senate Bill No. ____ or House Bill No. 5166 (request no.
11 02267'15).