

CHAPTER 172.

[S. B. 252.]

DISEASES OF DOMESTIC ANIMALS.

AN ACT relating to and providing for the discovery, prevention and eradication of diseases of domestic animals, providing for compensation to the owner of bovine animals slaughtered because of being infected, suspected of being infected with tuberculosis, or Bangs disease, defining the powers and duties of certain officers, providing penalties for violation of this act, providing for licensing of rendering plants which utilize the carcasses of diseased animals; repealing certain acts and amending chapter 165, Laws of 1927; chapter 210, Laws of 1929; chapter 177, Laws of 1933; chapter 196, Laws of 1939; chapter 249, Laws of 1909.

Be it enacted by the Legislature of the State of Washington:

Power and
duty of
Director of
Agriculture.

SECTION 1. That sections 1 and 15, chapter 165, Laws of 1927, as amended by section 1, chapter 177, Laws of 1933 (sec. 3110, Rem. Rev. Stat.; sec. 267-1, PPC), be amended to read as follows:

Enforce
quarantine.

Section 1. The Director of Agriculture shall have general supervision of the prevention of the spread and the suppression of infectious, contagious, communicable and dangerous diseases affecting the domestic animals within, in transit through, and, by means of the Division of Dairy and Livestock, shall have the power to establish and enforce quarantine of and against any and all such animals affected with any such disease or diseases or that may have been exposed to others thus affected, whether within or without the state, for such length of time as he may deem necessary to determine whether any such animal is infected with any such disease.

SEC. 2. That section 3, chapter 165, Laws of 1927 (sec. 3112, Rem. Rev. Stat.; sec. 267-3, PPC), be amended to read as follows:

Section 3. It shall be unlawful for the owner or owners of any domestic animal quarantined, or their agents or employees, to fail to place the quarantined

animals within the certain described and designated enclosure or area within this state, to break such quarantine or to move, or allow to be moved, any such animal from within the quarantined area, or across the quarantined line, as established, or to sell, exchange or in any other way part with the products of such animals, without first obtaining a permit in writing from the Director of Agriculture, or his duly authorized representative. Any owner or owners of any quarantined animal or any agent of such owner or owners, who fails to comply with or violates any such quarantine or who negligently allows any such quarantined animal to escape from quarantine, and any other person who removes any quarantined animal from such quarantine shall be guilty of a misdemeanor.

Unlawful
to violate
quarantine.

Penalty.

SEC. 3. That section 4, chapter 165, Laws of 1927 (sec. 3113, Rem. Rev. Stat.; sec. 267-7, PPC), be amended to read as follows:

Section 4. The Director of Agriculture shall have power to promulgate and enforce such reasonable rules, regulations and orders as he may deem necessary or proper to prevent the introduction or spreading of infectious, contagious, communicable or dangerous diseases affecting domestic animals in this state, and to promulgate and enforce such reasonable rules, regulations and orders as he may deem necessary or proper governing the inspection and test of all domestic animals within or about to be imported into this state, and to promulgate and enforce inter-county embargoes and quarantine to prevent the shipment, trailing, trucking, transporting or movement of bovine animals from any county that has not been declared modified accredited by the United States Bureau of Animal Industry for tuberculosis and/or Bangs disease, into a county which has been declared modified accredited by the United States Bureau of Animal Industry for tuberculosis

Director
may make
rules and
regulations.

Inspection
tests.

Controlling
movement
of bovine
animals.

Tuberculin
test cer-
tificate.

and/or Bangs disease, unless such animals are accompanied by a negative certificate of tuberculin test made within sixty days and/or a negative Bangs test made within ten days, last prior to the movement of such animal into such county, issued by a duly authorized veterinary inspector of the State Department of Agriculture, or of the United States Bureau of Animal Industry, or an accredited veterinarian authorized by permit issued by the Director of Agriculture to execute such certificate.

SEC. 4. That section 5, chapter 165, Laws of 1927 (sec. 3114, Rem. Rev. Stat.; sec. 267-9, PPC), be amended to read as follows:

Unlawful im-
portation of
animals.

Section 5. It shall be unlawful for any person, or any railroad or transportation company, or other common carrier, to bring into this state for any purpose any domestic animals without first having secured an official health certificate, certified by the state veterinarian of origin that such animals meet the health requirements promulgated by the Director of Agriculture of the State of Washington, and without having obtained a permit so to do from the Director of Agriculture or his duly authorized representative: *Provided*, That this section shall not

Exceptions.

apply to domestic animals imported into this state for immediate slaughter, or domestic animals imported for the purpose of unloading for feed, rest, and water, for a period not in excess of twenty-eight hours except upon prior permit therefor secured from the Director of Agriculture. It shall be unlawful for any person to divert enroute for other than to a Federal inspected stockyard for immediate slaughter or to sell for other than immediate slaughter or to fail to slaughter within fourteen days after arrival, any animal imported into this state for immediate slaughter. It shall be unlawful for any person, railroad, transportation company, or other common carrier, to keep any domestic animals

Unlawful
diversion,
sale, and
failure to
slaughter.

which are unloaded for feed, rest and water in other than quarantined pens, or not to report any missing animals to the Director of Agriculture at the time the animals are reloaded.

Report of
missing
animals.

SEC. 5. That section 6, chapter 165, Laws of 1927 (sec. 3115, Rem. Rev. Stat.; sec. 267-11, PPC), be amended to read as follows:

Section 6. It shall be unlawful for any person to willfully hinder, obstruct or resist the Director of Agriculture or any duly authorized representative, or any peace officer acting under him or them, when engaged in the performance of the duties or in the exercise of the powers conferred by this act, and it shall be unlawful for any person to willfully fail to comply with or violate any rule, regulation or order promulgated by the Director of Agriculture or his duly authorized representatives under the provisions of this act. The Director of Agriculture shall have the authority under such rules and regulations as shall be promulgated by him to make tests on any domestic animals for diseased conditions, and it shall be unlawful for any person to interfere with such tests in any manner, or to violate any segregation or identification order made in connection with such tests by the Director of Agriculture, or his duly authorized representative.

Unlawful
to hinder
Director.

Unlawful
willfully
to violate
rules and
regulations

Director
may test
animals.

SEC. 6. That section 7, chapter 165, Laws of 1927 (sec. 3116, Rem. Rev. Stat.; sec. 267-13, PPC), be amended to read as follows:

Section 7. Whenever a majority of any board of health, board of county commissioners, city council or other governing body of any incorporated city or town, or trustees of any township, whether in session or not, shall, in writing or by telegraph, notify the Director of Agriculture of the prevalence of or probable danger of infection from any of the diseases of domestic animals the Director of Agriculture personally, or by the Supervisor of Dairy

Notice of
probable
danger of
infection of
animals.

Duties of
Department
of Agriculture.

and Livestock, or by a duly appointed and deputized veterinarian of the Division of Dairy and Livestock, shall at once go to the place designated in said notice and take such action as the exigencies may in his judgment demand, and may in case of an emergency appoint deputies or assistants, with equal power to act. The compensation to be paid such emergency deputies and assistants, shall be fixed by the Director of Agriculture in conformity with the standards effective in the locality in which the services are performed.

SEC. 7. That section 8, chapter 165, Laws of 1927 (sec. 3117, Rem. Rev. Stat.; sec. 267-15, PPC), be amended to read as follows:

Veterinarians to report diseases to Director.

Section 8. It shall be unlawful for any person registered to practice veterinary medicine, surgery and dentistry in this state not to immediately report in writing to the Director of Agriculture the discovery of the existence or suspected existence among domestic animals within the state of any reportable diseases as published by the Director of Agriculture.

SEC. 8. That section 9, chapter 165, Laws of 1927 (sec. 3118, Rem. Rev. Stat.; sec. 267-17, PPC), be amended to read as follows:

Diseased animals may be destroyed when necessary.

Section 9. Whenever in the opinion of the Director of Agriculture, upon the report of the Supervisor or a duly appointed and qualified veterinarian of the Division of Dairy and Livestock, the public welfare demands the destruction of any animal found to be affected with any infectious, contagious, communicable or dangerous disease, he shall be authorized to by written order direct such animal to be destroyed by or under the direction of the Supervisor or a duly appointed and qualified veterinarian of the Division of Dairy and Livestock.

SEC. 9. That section 11, chapter 165, Laws of 1927, as amended by section 1, chapter 210, Laws of

1929 (sec. 3120, Rem. Rev. Stat.; sec. 267-21, PPC), be amended to read as follows:

Section 11. The Director of Agriculture of the state shall cause all bovine animals within the state to be examined and tested for the presence or absence of tuberculosis and/or Bangs disease. Such tests and examinations shall be made under the supervision of the Director of Agriculture by any duly authorized Veterinary Inspector of the Department of Agriculture, such tests to be made in such manner, and at such reasonable and seasonable times, and in such counties or localities as the Director of Agriculture may from time to time prescribe.

All bovine animals to be tested.

The giving of such tests and examinations shall commence immediately upon the taking effect of this act in any county or counties which the Director of Agriculture may select: *Provided, however,* That the owners of a majority of the bovine animals in any county, as shown by the last assessment roll in such county, may petition the Director of Agriculture to have the bovine animals in the county of their residence tested and examined forthwith, said petition to be filed with the County Auditor in the county where such animals are located, and it shall be the duty of the County Auditor of such county immediately upon the filing of such a petition to forward to the Director of Agriculture a certified copy of such petition. The Director of Agriculture upon receipt of the first petition so filed shall immediately cause the bovine animals in such county to be tested, and tuberculin and/or Bangs disease tests in other counties shall be made under the direction of the Director of Agriculture in the order in which said petitions are filed as herein provided except when in the opinion of the Director of Agriculture an emergency exists, by reason of the outbreak of contagious or infectious diseases of

When tests to be given.

Owners may petition for examination of animals in their county.

Tests made in order of receipt of petitions.

Tests may be suspended in emergency.

animals, and in such event all or any portion of the tests being conducted in the state may be suspended until such time as the Director of Agriculture shall decide that such emergency no longer exists, and in such event the testing and examinations herein mentioned shall be renewed.

Director to designate counties wherein tests are to be made.

In the event that no petition to have tuberculin and/or Bangs disease tests of bovine animals made is filed with the County Auditor, as herein provided, or in the event that such tests, in the counties having petitioned for such tests, as herein prescribed, are completed, the Director of Agriculture shall designate in what counties or localities such tests shall be made.

Quarantine of premises when owner refuses to permit tests.

Whenever the owner of any untested bovine animal within the state refuses to have his bovine animal or animals tested then the Director of Agriculture may order the premises or farm on which such untested animal or animals is harbored to be put in quarantine, so that no domestic animal shall be removed from or brought to the premises quarantined, and so that no products of the domestic animals on the premises so quarantined shall be removed from the said premises.

Inspectors to be licensed veterinarians.

Every Inspector and Veterinarian of the Department of Agriculture making examinations and tests, as provided in this section, shall be a veterinarian duly licensed to practice veterinary medicine, surgery and dentistry in this state and shall, before making any examination and test, furnish and file with the Department of Agriculture a good and sufficient bond in the penal sum of two thousand dollars (\$2,000), payable to the State of Washington, conditioned that he will faithfully and honestly perform and discharge any work which he is authorized to undertake under this act: *Provided*, That the Veterinary Inspectors of the United States Bureau of Animal Industry may be appointed by the Direc-

Bond.

No bond required of Federal veterinary inspectors appointed by Director.

tor of Agriculture to make such examinations and tuberculin tests as herein provided, and when so employed they shall act without bond or compensation, and shall possess the same power and authority in this state as a Veterinary Inspector of the Department of Agriculture.

Should the owner or owners of any bovine animals desire to select a duly licensed and accredited veterinarian, approved by the Director of Agriculture, for making such examination and tests in accordance with the provisions of this act, the owner or owners shall pay all expenses in connection with such examinations and tests.

Owners may select and pay licensed veterinarians approved by Director.

SEC. 10. That section 12, chapter 165, Laws of 1927, as last amended by section 1, chapter 196, Laws of 1939 (sec. 3121, Rem. Rev. Stat.; sec. 267-23, PPC), be amended to read as follows:

Section 12. If, on the completion of any examination and test as provided in the preceding section, the inspector or veterinarian making the examination and test, shall believe that the animal is infected with tuberculosis or Bangs disease, the owner of the animal shall have, with the approval of the Director of Agriculture or his representative, the option of indemnity or quarantine; if the owner selects indemnity he shall market the animal within thirty days from the date of condemnation. All bovine animals which have shown a suspicious reaction to the test on three successive tests for tuberculosis or Bangs disease and are held as suspects may be slaughtered under the provisions of this act at the option of the owner and approval of the Director or his representative and the owner shall have a valid claim for indemnity to the same extent and in the same amount as for bovine animals which give a positive reaction to the above test. The animal or animals shall be slaughtered under the supervision of a Veterinary Inspector of the Department

Option of indemnity or quarantine.

Marketing animals when owner chooses indemnity.

Three tests showing suspicious reaction is equivalent to positive test.

Slaughtering.

Post mortem
examina-
tions.

Maximum
amounts of
indemnity
payments.

No indem-
nity pay-
ments to gov-
ernmental
bodies.

Tests re-
quired
before con-
demnation.

of Agriculture, or the United States Bureau of Animal Industry, or a veterinarian duly licensed to practice veterinary medicine, surgery and dentistry in this state. The veterinary inspector or veterinarian shall hold a post mortem examination and determine whether or not the animal shall be passed to be used for food. The post mortem examination must conform with the meat inspection regulations of the United States Bureau of Animal Industry. Upon the receipt of the post mortem report and if the owner has complied with all lawful quarantine laws and regulations, the Director of Agriculture shall cause to be paid to the owner or owners of the animals an amount not exceeding twenty-five dollars (\$25) for any grade female, or more than fifty dollars (\$50) for any purebred registered bull or female, or such portion thereof as would represent an equitable and agreed amount of the contribution of the State of Washington as determined by the Director of Agriculture and representatives of the United States Bureau of Animal Industry, and in no case shall any indemnity be paid for grade bulls, for steers, or spayed females, and the state shall not be required to pay the owner of any animal imported into this state within six months prior to the inspection and test, the sums hereinabove provided for, but the owner of such animal shall receive the proceeds of the sale of such slaughtered animal: *Provided*, That the right to indemnity shall not exist nor shall payment be made for any animal owned by the United States, this state, or any county, city, town or township in this state: *And provided further*, That no bovine animal shall be condemned for tuberculosis without having been first subjected to the tuberculin test and a positive reaction has resulted and no bovine animal shall be condemned for Bangs disease unless it has been subjected to a blood agglutination test in dilutions of serum to

antigen of one to fifty (1:50), one to one hundred (1:100), and one to two hundred (1:200), by an approved laboratory, and a positive reaction for Bangs disease has resulted.

SEC. 11. That section 15, chapter 165, Laws of 1927, as amended by section 2, chapter 177, Laws of 1933 (sec. 3124, Rem. Rev. Stat.; sec. 267-31, PPC), be amended to read as follows:

Section 15. It shall be unlawful for any person to exhibit at any state, county, district or other fair, or any livestock exhibition within this state, any domestic animal unless a health certificate for said animal has been approved by the Director of Agriculture or his representative.

Health certificate required to exhibit animals.

SEC. 12. That section 289, chapter 249, Laws of 1909 (sec. 2541, Rem. Rev. Stat.; sec. 118-167, PPC), be amended to read as follows:

Section 289. Every person owning or having in charge any animal that has died or been killed on account of disease, shall immediately bury the carcass thereof at least three feet underground, or cause the same to be consumed by fire. No person shall sell or offer to sell or give away the carcass of any animal which died or was killed on account of disease, or convey the same along any public road or land not his own: *Provided*, That animals which have died or were killed on account of disease may be given away, or sold to, and legally transported on highways by any person or persons having an unrevoked, annual license permit expiring June 30 of each calendar year from the Director of Agriculture to operate a rendering plant utilizing such animals. Every violation of any provision of this section shall be a misdemeanor.

Burial or burning of diseased animals.

Dead diseased animals may not be sold or transported.

Exception.

Penalty.

SEC. 13. The fee for such annual license permit described in section 12 of this act shall be one hundred dollars (\$100); such license shall be issued by the Director of Agriculture upon application made

Fee for annual license to operate rendering plant.

Cancellation
of license.

therefore [therefor] when the director is satisfied that the applicant has complied with the rules and regulations promulgated by him governing the conduct of such business. It shall be a condition of said license that in the event of any violation of such rules and regulations said permit may be cancelled by the Director of Agriculture after a hearing held by him concerning such violation.

Repealed
statute.

SEC. 14. That section 14, chapter 165, Laws of 1927 (sec. 3123, Rem. Rev. Stat.; sec. 267-29, PPC), is hereby repealed.

Passed the Senate March 7, 1947.

Passed the House March 6, 1947.

Approved by the Governor March 18, 1947.

CHAPTER 173.

[S. B. 275.]

RELATING TO WESTERN STATE CUSTODIAL SCHOOL.

AN ACT providing for the abolishment of the Western State Custodial School revolving fund and transferring the unexpended balance to the General Fund, and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Fund
abolished.

SECTION 1. The Western State Custodial School revolving fund, established by chapter 10, Laws of 1937, is hereby abolished.

Money
transferred
to general
fund.

SEC. 2. The State Treasurer is directed to transfer the balance, in the amount of nine thousand three hundred sixty-two and seventy-five hundredths dollars (\$9,362.75), to the General Fund.

Emergency.

SEC. 3. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate February 22, 1947.

Passed the House March 8, 1947.

Approved by the Governor March 18, 1947.