

House File No. 335.  
BY KNICKERBOCKER AND HOLLOWAY.

Animal industry.  
February 21, 1919.

## A BILL FOR AN ACT

To establish a state live stock sanitary board of Iowa, and to provide for the control and suppression of dangerous, contagious and infectious diseases of domestic animals, and for the inspection of live stock imported into the state of Iowa for breeding, work or dairy purposes.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. That a board is hereby established to be known  
2 as the state live stock sanitary board hereinafter called the  
3 board or the state board. This board shall consist of five  
4 members who shall be actively engaged in the production of  
5 live stock in the state of Iowa, and two additional members  
6 who shall be competent graduate veterinarians licensed as  
7 practitioners in the state of Iowa. The members of the board  
8 shall be appointed by the governor. One stockman shall be se-  
9 lected for appointment by the governor from a list of three  
10 names recommended by the Iowa state dairy association, one  
11 stockman from a list of three recommended by the Iowa beef cattle  
12 breeders association, one from a list of three stockmen recommend-  
13 ed by the Iowa draft horse breeders association, one from a  
14 list of three recommended by the sheep breeders, and one from  
15 a list of three recommended jointly by the executive board of  
16 the associations representing the breeders of pure bred swine  
17 in Iowa. One member shall hold office for one year, one for

18 two years, one for three years, one for four years, and one for  
19 five years, and subsequent appointments to fill the vacancies  
20 shall be made for a term of five years. If any of the above  
21 organizations fail to recommend men as above provided for the  
22 governor shall use his own discretion in making the appointment.  
23 The Iowa veterinary association shall recommend five men for  
24 veterinary members of the board and two of these shall be  
25 appointed. One shall hold office for one year and one for  
26 three years and thereafter the term of office shall be three  
27 years. Subsequent appointments shall be made from a list  
28 of three recommended by the Iowa veterinary association. The  
29 term in each case shall begin July 1, 1919. Appointments to  
30 fill unexpired terms or vacancies shall be made in the same  
31 manner and from the classes to which the retiring members  
32 belonged. The board shall elect a president and vice-  
33 president from among their members. The presence of five  
34 members shall constitute a quorum. The board shall employ  
35 a veterinarian who is a graduate of a regularly organized  
36 and recognized veterinary college who shall meet the legal  
37 requirements of the state, not a member, to be its secretary  
38 and executive officer and shall have the power to discharge  
39 such officer for incompetence or other causes they may deem  
40 to be sufficient. It may also employ and dismiss at pleasure  
41 an attorney and such other assistants as may be necessary  
42 in the performance of its duties.

1 Sec. 2. The said live stock sanitary board shall hold

2 its first meeting at the state capitol building on the first  
3 Tuesday in July, 1919. The members of the board shall take  
4 and subscribe to the oath of office required of other civil  
5 officers. The board shall hold its meetings at the state capitol  
6 at such times as it may designate, but there shall not be to  
7 exceed four regular meetings each year, provided that the  
8 president of the board shall have power to call special meetings  
9 whenever in his judgement it becomes necessary. The members  
10 of the board shall receive compensation for their services  
11 the sum of ten dollars per day for each day employed, and  
12 actual and necessary traveling and hotel expenses in attending  
13 the meetings of the board which sum shall be paid out of the  
14 state treasury upon vouchers of the board duly certified by the  
15 president and secretary thereof.

1 Sec. 3. That it shall be the duty of the state live  
2 stock sanitary board to protect the health of the domestic  
3 animals of the state; to determine and employ the most  
4 efficient and practical means for the prevention, suppression,  
5 control or eradication of dangerous, contagious or infectious  
6 diseases among the domestic animals; and for these purposes  
7 it is hereby authorized and empowered to establish, maintain,  
8 enforce and regulate such quarantine and other measures  
9 relating to the movements and care of animals and their products,  
10 the disinfection of suspected yards, buildings and articles  
11 and the destruction of animals, as it may deem necessary; and  
12 to adopt, from time to time, all such regulations as may be

13 necessary and proper for carrying out the purposes of this act,

1     Sec. 4. The secretary and executive officer of the  
2 board shall receive an annual salary not to exceed five thousand  
3 dollars (\$5,000) per year, to be paid from the state treasury.  
4 He shall furthermore receive actual traveling and hotel expenses  
5 necessarily incurred and paid by him in the discharge of his  
6 duties, and such amount shall be paid out of the fund appropriated  
7 for the work of the live stock sanitary board.

1     Sec. 5. The secretary and executive officer of the  
2 state live stock sanitary board shall act as state veterinarian  
3 and it shall be his duty to ascertain by personal examination or  
4 through reports from authorized representatives of said board  
5 and other reliable sources, all information which he can obtain  
6 regarding the existence of contagious and infectious diseases  
7 of domesticated animals; to execute all orders, rules and  
8 regulations made by said live stock sanitary board and to present  
9 at the quarterly meetings of said board a detailed report of all  
10 matters connected with the work done by him or his subordinates  
11 during the quarter preceding the said meeting.

1     Sec. 6. All local boards of health shall assist the live  
2 stock sanitary board in the prevention, suppression, control and  
3 eradication of contagious and infectious diseases among domestic  
4 animals whenever requested so to do by the secretary or any  
5 member thereof.

1     Sec. 7. The state live stock sanitary board, or its  
2 executive officer, may quarantine or kill any domestic animal

3 infected with, or which has been exposed to, any such disease  
4 referred in section 6. Said board may regulate or prohibit the  
5 arrival in and departure from the state, of animals so infected  
6 or expose, and in case of violation of any such regulation or  
7 prohibition, may detain any animal at its owner's cost. The  
8 state board may regulate or prohibit the bringing of domestic  
9 animals into the state, which, in its opinion, for any reason  
10 may injure the health of live stock therein. All rules and  
11 regulations adopted by the state board under authority of this  
12 act shall be recorded in its minutes, and one week's published  
13 notice thereof shall be given by publication of said rules  
14 and regulations of the state board in at least two daily  
15 papers with a wide circulation published in Iowa, except in  
16 such cases as the board may deem immediate action necessary.

1 Sec. 8. Every person who knows or has reasons to believe  
2 that a contagious or infectious disease exists in any domestic  
3 animal or herd of domestic animals, shall immediately notify the  
4 local board of health, or the township trustees of the township  
5 in which said disease exists within twenty-four hours after such  
6 local board of health or such township trustees have been notified,  
7 or have received knowledge that such disease exists, they  
8 shall give written notice thereof to the state board, and its  
9 executive officer shall, if he thinks necessary to protect the  
10 interests of the public, visit the locality where the disease  
11 exists and take such measures under the rules and regulations  
12 laid down by the state board, as may be necessary to restrict

13 the spread of the disease. Said board or any member or  
14 authorized agent thereof may examine under oath all persons  
15 believed to have knowledge of the existence of disease among  
16 domestic animals, and for this purpose may take depositions  
17 and compel witnesses to attend and testify. Such persons  
18 shall receive the usual witness fee.

1 Sec. 9. The state live stock sanitary board shall  
2 have full authority to cause the prompt destruction of any  
3 horses, mules or asses affected with glanders. Every owner  
4 or person having care and control of horse or other  
5 animal having the glanders who shall knowingly permit such  
6 animal to run at large or be driven upon any highway, or who  
7 shall sell or in any manner dispose of the same to any  
8 other person, and every keeper of public barn who shall  
9 knowingly permit any horse or other animals having such  
10 disease to be stabled in such barn, shall be guilty of a mis-  
11 demeanor and be punished by a fine of not less than twenty-  
12 five dollars (\$25.00), or not more than one hundred dollars  
13 (\$100.00), or by imprisonment in the county jail for not less  
14 than ten or more than ninety days.

1 Sec. 10. Every person who shall wilfully oppose or  
2 obstruct a health officer, physician or veterinarian charged  
3 with the enforcement of the health laws in performing any  
4 legal duty, shall be guilty of a misdemeanor.

1 Sec. 11. Every owner or person having charge of any  
2 animal knowing the same to have any infectious or contagious

3 disease or to have recently been exposed thereto, who shall  
4 sell or barter the same for breeding or dairy purposes, or  
5 knowingly permit such animal to run at large or come into  
6 contact with any other animal, or with another person without  
7 his knowledge and permission, shall be punished by imprisonment  
8 in the county jail for not more than thirty days, or by a fine  
9 of not less than twenty dollars (\$20.00) or nor more than one  
10 hundred dollars (\$100.00), and the seller of such animal  
11 under the conditions stated shall be liable to the purchaser  
12 to the extent of the purchase price.

1 Sec. 12. The state live stock sanitary board or any  
2 member thereof, or any of their duly authorized agents, shall  
3 at all times have the right to enter any premises, farms, fields,  
4 pens, abattoirs, slaughter houses, buildings, cars or vessels  
5 where any domestic animal is at the time quartered, or wherever  
6 the carcass of one may be for the purpose of examining it in any  
7 way that may be necessary to determine whether they are or were  
8 the subjects of any contagious or infectious diseases.

1 Sec. 13. The state live stock sanitary board is hereby  
2 empowered to appoint and employ such assistants and agents and  
3 fix the compensation thereof, and to purchase such supplies and  
4 materials as may be necessary in carrying out the provisions  
5 of this act; and the board and the members thereof are hereby  
6 empowered to administer oaths or affirmations to the appraisers  
7 appointed under this act.

1 Sec. 14. That owners of herds who desire to have their

2 herds examined and tested with a view to detecting the presence  
3 of tuberculosis, and with a further view of freeing their  
4 herds from such disease, may apply to the state live stock  
5 sanitary board for testing and examination. A blank for such  
6 application shall be furnished by the board and shall include  
7 an agreement on the part of the person making the said  
8 application that he will conform to and abide by the rules  
9 and regulations laid down by said board, and follow the  
10 instructions of said board designated to prevent the reinfection  
11 of the herd and to suppress the disease or prevent the spread  
12 thereof. Upon receiving such application the board shall,  
13 as soon as practicable, cause such test or an examination to be  
14 made. If, after such an examination tubercular animals are  
15 found therein, the said board shall have authority to order  
16 such disposition of them as it considers most economical.  
17 Before being tested such animals shall be appraised at their  
18 cash value for breeding, dairy or beef purposes by a  
19 representative of the sanitary board or a representative  
20 of the bureau of animal industry or both together with the  
21 owner. If these cannot agree as to the amount of the  
22 appraisal, there shall be appointed three competent and  
23 disinterested men, who appointed by the state board, one  
24 by the owner and the third by the first two, to appraise  
25 such animals. The expense of such appraisal shall be borne  
26 by the state. In the case of pure bred cattle the pedigree  
27 shall be proved by certificate of registry from the herd books

28 where registered. If upon slaughter such pure bred animal is  
29 found by the inspector in charge to be free from contagious  
30 or infectious disease, then the full amount of such appraisal  
31 shall, when properly certified by the president and secretary  
32 of the state live stock sanitary board, be paid to the owner  
33 of such animal from the fund of the state treasury not otherwise  
34 appropriated. But if upon post mortem examination any grade  
35 or pure bred animal shall be found to be affected with contagious  
36 or infectious disease, then and in that case three-fourths  
37 of the appraised value shall be paid, provided that the amount  
38 paid the owner shall in no case exceed one hundred fifty dollars  
39 (\$150.00), for any animal except in the case of pure bred cattle  
40 and in that case the maximum amount paid the owner shall not  
41 exceed three hundred dollars (\$300.00). In all cases it is  
42 provided the animal has been kept for one year in good faith in  
43 the state prior to the condemnation thereof,—and further that  
44 the amount received from the sale of the carcass of said animal  
45 and any amount received from the federal government shall be  
46 received by owner and which shall be deducted from the amount  
47 due the owner on the appraised value as provided for in this  
48 section.

1     Sec. 15. If, after examination, an animal is, in the  
2 judgment of the officer or agent of the state live stock  
3 sanitary board making the examination, suffering from tuber-  
4 culosis, and if the board deems that a due regard for the  
5 public health warrants it, said board may enter into written

6 agreement with the owner, subject to such conditions as the  
7 board may prescribe for the separation and quarantine of such  
8 diseased animal or animals. Subject to the regulations  
9 of the state live stock sanitary board, such diseased animal  
10 or animals may continue to be used for breeding purposes.

1 Sec: 16. When the state live stock sanitary board  
2 deems that the conditions warrant it, said board may make  
3 provisions for accrediting such herds as have their approval

4 When voluntary application has been made to the said  
5 board for the testing of either dairy or pure bred herds, as  
6 provided in this section, the party making the application after  
7 agreeing to the rules and regulations of the board, shall not be  
8 required to pay the expenses of said test or examination.

1 Sec. 17. The expense of quarantine, when the animal is  
2 taken from the possession of the owner, shall be defrayed four-  
3 fifths by the state and one fifth by the county. When such  
4 quarantined animal is left upon the premises of its owner or  
5 keeper, he shall bear the expense. When an animal is quarantined  
6 while being shipped into the state, the expense shall be borne  
7 by the owner or keeper. Whenever the owner or keeper of an  
8 animal is liable for an expense incurred by any board under  
9 this act, the board shall have a lien on such animal therefor,  
10 and may also maintain action for the amount.

1 Sec. 18. The live stock sanitary board shall have  
2 control of the sale, distribution and use of all tuberculin used  
3 in the state, and shall formulate regulations for its

4 distribution and use. Only such persons as are authorized  
5 by the live stock sanitary board shall be entitled to administer  
6 tuberculin to any animal included under this act.

1 Sec. 19. That it shall be unlawful for any trans-  
2 portation company to bring into the state of Iowa, except  
3 under such regulations as the board may prescribe, any horses,  
4 mules, asses, cattle, sheep or swine, for work, breeding or  
5 dairy purposes, unless such animals have been examined and  
6 found free from the following contagious diseases, to-wit:  
7 glanders, farcy, tuberculosis, hog cholera, scabies, maladie,  
8 du coit, or any other contagious or infectious disease which  
9 freedom from disease shall be established by a certificate  
10 of health signed by a state veterinarian or assistant state  
11 veterinarian acting under the approval, order or discretion  
12 of the live stock sanitary board of this state. The certificate  
13 of health and permit given by the above mentioned veterinarian  
14 shall be on forms approved by the board.

1 Sec. 20. Any transportation company, corporation or  
2 agent thereof, violating any of the provisions of this act,  
3 shall be guilty of a gross misdemeanor, and upon conviction  
4 thereof, shall be fined for each offense not less than five  
5 hundred dollars (\$500.00), nor more than one thousand dollars  
6 (\$1000.00), or be imprisoned for not more than one year.

7 Such transportation company, corporation or agent shall  
8 be liable in a civil action to any person injured for the  
9 full amount of damages that may result from the violation of

10 this act. Action may be brought in any county in the state  
11 in which said animals are sold, offered for sale or delivered  
12 to purchaser, or anywhere they may be detained in transit.

1 Sec. 21. It is hereby declared that the carrying out  
2 the provisions of this act, are necessary for the public health  
3 and public welfare, and there is hereby appropriated out of any  
4 money in the state treasury, not otherwise appropriated, the  
5 sum of two hundred thousand dollars (\$200,000.00), to become  
6 available on the taking effect of this act.

1 Sec. 22. The live stock sanitary board is hereby  
2 authorized to cooperate with and arrange for such assistance  
3 from the United States department of agriculture in carrying  
4 out the provisions of this act as they may deem wise and just.

1 Sec. 23. The two veterinary members of the board and  
2 the secretary and executive officer of the board shall act  
3 as the Iowa state board of veterinary medical examiners.

1 Sec. 24. Any person violating any of the  
2 provisions of this act, or any of the rules and regulations  
3 adopted under the authority of this act except as otherwise  
4 stated shall be guilty of a misdemeanor and be punished  
5 by a fine of not less than one hundred (\$100.00), or not  
6 more than five hundred dollars (\$500.00), or by imprisonment  
7 in the county jail for not less than thirty days nor more  
8 than six months.

1 Sec. 25. Sections two thousand five hundred twenty-  
2 nine, (2529), two thousand five hundred thirty (2530), two

3 thousand five hundred thirty-one (2531), two thousand five  
4 hundred thirty-two (2532), two thousand five hundred thirty-  
5 three (2533), two thousand five hundred thirty-four (2534),  
6 two thousand five hundred thirty (2535), two thousand five hundred  
7 thirty-seven (2537), two thousand five hundred thirty-eight  
8 (2538), of the code, sections two thousand five hundred thirty-  
9 six, (2536), two thousand five hundred thirty-eight-d (2538-d), two  
10 thousand five hundred thirty-eight-q (2538-q), two thousand  
11 five hundred thirty-eight-r (2538-r), two thousand five hundred  
12 thirty-eight-s (2538-s), two thousand five hundred thirty-eight-t  
13 (2538-t), two thousand five hundred thirty-eight-u (2538-u),  
14 two thousand five hundred thirty-eight-v (2538-v), of the  
15 code supplement, 1913, and all other acts or parts of acts  
16 in conflict with this act are hereby repealed.