

Sec. 3. Section 298.3, Code 1997, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Revenue from the regular and voter-approved physical plant and equipment levies shall not be expended for school district employee salaries or travel expenses, supplies, printing costs or media services, or for any other purpose not expressly authorized in this section.

Approved May 26, 1997

CHAPTER 183
PSEUDORABIES CONTROL
S.F. 555

AN ACT relating to the control of pseudorabies, making corresponding changes, making penalties applicable, and providing for an effective date.

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

Section 1. Section 163.30, subsection 2, paragraph c, Code 1997, is amended to read as follows:

c. ~~“Swine moved” “Move” or “movement” means any physical to ship, transport, or deliver swine by land, water, or air, except that “move” or “movement” does not mean a relocation of,~~
d. “Relocate” or “relocation” means to ship, transport, or deliver swine by land, water, or air, to different premises, if the ownership of the swine to different does not change, the prior and new premises, except that it does not include movement of swine when their ownership does not change, and both their prior and new locations, and the movement between such locations, are located within the state of Iowa, and the shipment, transportation, or delivery between the prior and new premises occurs within the state.

Sec. 2. Section 166D.2, subsection 7, unnumbered paragraph 1, Code 1997, is amended to read as follows:

“Certificate of inspection” means a document approved by the United States department of agriculture or the department of agriculture and land stewardship, and issued by a licensed veterinarian prior to the interstate or intrastate movement of swine or to the relocation of swine. The certificate of inspection must state all of the following:

Sec. 3. Section 166D.2, subsection 7, unnumbered paragraph 2, Code 1997, is amended by striking the unnumbered paragraph.

Sec. 4. Section 166D.2, subsection 31, Code 1997, is amended to read as follows:

31. ~~“Move” or “movement” means to ship, transport, or deliver by land, water, or air the same as defined in section 163.30.~~

Sec. 5. Section 166D.2, Code 1997, is amended by adding the following new subsections:
NEW SUBSECTION. 39A. “Relocate” or “relocation” means the same as defined in section 163.30.

NEW SUBSECTION. 39B. “Relocation record” means a record as maintained by the owner of swine in a form and containing information as required by the rules adopted by the department, which indicates a relocation of swine as provided in section 166D.10.

Sec. 6. Section 166D.2, subsection 45, Code 1997, is amended to read as follows:

45. "Transportation certificate" means ~~the same~~ a written document evidencing that the movement or relocation of swine complies with the requirements of this chapter, and which may be a transportation certificate as provided in chapter 172B, or another document approved by the department, including but not limited to one or more types of forms covering different circumstances, as prescribed by the department.

Sec. 7. NEW SECTION. 166D.3A DEPARTMENTAL DETERMINATION OF PSEUDORABIES PREVALENCE.

The department shall periodically determine the prevalence of pseudorabies in each county in a manner and according to procedures established by rules adopted by the department.

Sec. 8. Section 166D.9, subsection 4, unnumbered paragraph 1, Code 1997, is amended to read as follows:

While the state is classified in ~~either~~ stage I, or II, or III of the national pseudorabies program pursuant to federal regulations, the following requirements must be satisfied:

Sec. 9. Section 166D.10, subsection 1, unnumbered paragraph 1, Code 1997, is amended to read as follows:

A person shall not sell, lease, exhibit, ~~or~~ loan, move, or relocate swine within the state, ~~except to slaughter~~, unless the swine are accompanied by a certificate of inspection ~~provided by the owner transferring possession in the same manner as provided for an official health certificate or veterinarian certificate as provided in section 163.30. The department may combine the certificate of inspection with an official health certificate or a veterinarian inspection certificate. A certificate of inspection is not required if any of the following apply:~~

a. The swine are moved to slaughter.

b. The swine are relocated, if all of the following apply:

(1) A transportation certificate accompanies the relocated swine.

(2) The swine's owner maintains information regarding the relocation in relocation records. The department may adopt rules excusing a person from maintaining relocation records, if the department determines that the purposes of the chapter as provided in section 166D.1 are not furthered by the requirement.

(3) A certificate of inspection, or an official health certificate or a veterinarian inspection certificate as provided in section 163.30, has been issued for the swine within thirty days prior to the date of relocation. The department may adopt rules excusing a person from complying with this subparagraph if the department determines that the purposes of the chapter as provided in section 166D.1 are not furthered by the requirement.

The department shall adopt rules required to administer this paragraph. A transportation certificate accompanying relocated swine shall cite the relevant relocation record and certificate of inspection, or official health certificate or veterinarian inspection certificate. The department may provide for the examination of the relocation records on the owner's premises during normal business hours, or may require that reports containing relevant information contained in relocation records and certificates of inspection, or official health certificates or veterinarian inspection certificates, be periodically submitted to the department. For purposes of this section, swine production information contained in relocation records is a trade secret as provided in section 22.7, unless otherwise provided by rules adopted by the department. The department shall provide for the disclosure of confidential information only to the extent required for enforcement of this chapter, the detection and prosecution of public offenses, or to comply with a subpoena or court order.

c. A person transferring ownership of all or part of a herd, if the herd remains on the same premises. However, the herd must be tested by statistical sampling. If any part of the herd is subsequently moved or relocated, the swine that are moved or relocated must be accompanied by a certificate of inspection, or an official health certificate or veterinarian certificate as provided in section 163.30, unless the swine are moved to slaughter.

1A. Swine that are moved shall be individually identified as provided in section 163.30, which may include requirements for affixing ear tags to swine. However, a native Iowa feeder pig pigs moved from farm to farm within the state is exempt from the certificate of inspection's shall not be subject to the identification requirements of this subsection, if the owner transferring possession and of the feeder pigs executes a written agreement with the person taking possession state on the certificate of inspection that of the feeder swine pigs. The agreement shall provide that the feeder pigs will not be commingled with other swine for a period of thirty days. The owner transferring possession shall provide a copy of the agreement to the person taking possession of the feeder pigs.

As used in this subsection "farm to farm within the state" does not include the movement or relocation of native Iowa feeder pigs to the possession of a dealer licensed pursuant to section 163.30. Native Iowa feeder pigs that are moved shall be accompanied by a certificate of inspection, or an official health certificate or veterinarian certificate as provided in section 163.30, unless swine are otherwise exempted from this requirement by this section.

Sec. 10. Section 166D.10, subsection 1, unnumbered paragraph 2, Code 1997, is amended to read as follows:

1B. Swine moved into or within Iowa for breeding purposes must originate from a herd not under quarantine which is one of the following:

Sec. 11. Section 166D.10, subsection 4, Code 1997, is amended to read as follows:

4. In addition to other applicable requirements of this section, feeder swine shall not be moved into from a location outside of this state from another state except to slaughter, unless the feeder swine are vaccinated by a differentiable vaccine within forty five days of arrival in this state to a location within this state shall be vaccinated, if the feeder swine are moved into a county where the department determines that more than three percent of all herds in the county are infected herds. The feeder swine shall be vaccinated with a differentiable vaccine according to procedures established by rules adopted by the department. However, this subsection shall not require vaccination if the feeder swine originate from a qualified negative herd or a qualified differentiable negative herd.

Sec. 12. ADOPTION OF RULES.

1. Except as provided in subsection 2, the department of agriculture and land stewardship shall adopt all rules required to carry out this Act not later than October 1, 1997.

2. The department of agriculture and land stewardship shall adopt all rules required to carry out the amendments to section 166D.10, subsection 4, Code 1997, as enacted in this Act, not later than January 1, 1998.

Sec. 13. EFFECTIVE DATES.

1. Except as provided in subsections 2 and 3, this Act takes effect on October 1, 1997.

2. The amendments to section 166D.10, subsection 4, Code 1997, as enacted in this Act take effect on January 1, 1998.

3. Section 12 of this Act takes effect upon enactment.

Approved May 26, 1997