

Law. Ag 3/15, Do pass 4/5 (p. 940)  
HOUSE FILE 228 per 3293

4/7  
Agriculture  
A. Miller, Chairperson  
E. Miller  
Merritt

1977

HOUSE FILE 228

By COMMITTEE ON AGRICULTURE  
(Formerly Study Bill 67)

Passed House, Date 3-9-77 (p. 685) Passed Senate, Date 4-30-77 (p. 1118)

Vote: Ayes 91 Nays 1 Vote: Ayes 38 Nays 7

Approved May 13, 1977

*Repassed House or amended by Senate*  
4-27-77 (1645)  
85-0

## A BILL FOR

1 An Act relating to the prevention and eradication of  
2 disease communicated by breeding bulls and bull  
3 semen, and subject to a penalty provided by law.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Chapter one hundred sixty-three (163), Code  
2 1977, is amended by adding sections two (2) through eight  
3 (8) of this Act.

4 Sec. 2. NEW SECTION. DEFINITION. As used in this Act,  
5 "breeding bull" means dairy or beef male bovine genus used  
6 for breeding purposes.

7 Sec. 3. NEW SECTION. LICENSE REQUIRED. A person shall  
8 not engage in the business of leasing a breeding bull without  
9 having obtained a license from the department of agriculture  
10 and registering each breeding bull as provided in this Act.  
11 An annual license may be obtained from the department of  
12 agriculture upon application and payment of a ten-dollar fee.  
13 Each license shall expire on the first of July following the  
14 date of issue. An application shall be made on a form provided  
15 by the department of agriculture and shall contain the name  
16 of the person engaged in the business of leasing breeding  
17 bulls as lessor, the address of such business, the registration  
18 number of each breeding bull leased as lessor, and such other  
19 information as the secretary of agriculture may specify by  
20 rule promulgated pursuant to chapter seventeen A (17A) of  
21 the Code.

22 For the purposes of this section, a person is engaged in  
23 the business of leasing a breeding bull within this state  
24 as lessor if he leases any breeding bull to an Iowa resident  
25 more than once in any calendar year.

26 Sec. 4. NEW SECTION. REGISTRATION OF BREEDING BULLS.  
27 The department of agriculture shall issue to each licensee  
28 a tag or other device as determined by the secretary of  
29 agriculture, for each breeding bull to be leased by the  
30 licensee. Each tag or other device shall have an  
31 identification number which shall be a permanent identification  
32 number for such breeding bull and, upon the death, sale or  
33 other disposition of such animal, the licensee shall notify  
34 the department of agriculture of such disposition and the  
35 name and address of the buyer if such animal is sold. When

1 an additional breeding bull to be leased is acquired by a  
2 licensee, the department of agriculture shall issue a tag  
3 or other device for such animal without fee. The tag or  
4 device shall be permanently attached to the breeding bull.

5 Sec. 5. NEW SECTION. HEALTH CERTIFICATE REQUIRED. No  
6 licensee shall lease as lessor, and no person shall lease  
7 as lessee, a breeding bull within this state unless such  
8 breeding bull is accompanied by a health certificate signed  
9 by a licensed veterinarian and showing:

10 1. That the breeding bull has been tested by a licensed  
11 veterinarian within sixty days of rental and found to be free  
12 from bang's disease, and tuberculosis.

13 2. That, to the best of the knowledge and belief of the  
14 examining licensed veterinarian, the breeding bull is  
15 apparently free from any infectious, contagious or communicable  
16 disease or exposure thereto.

17 If these conditions are met, the examining veterinarian  
18 shall issue the licensee a health certificate for such breeding  
19 bull, which certificate shall be signed by the examining  
20 licensed veterinarian and contain the name and business address  
21 of the licensee, the identification number of the breeding  
22 bull tested, the date of issuance of the health certificate,  
23 and the name and address of the person to whom the breeding  
24 bull is to be leased. Such health certificate shall be valid  
25 for one rental on one premise only. Thereafter, a new health  
26 certificate must be issued after the breeding bull has been  
27 retested; but no new test for tuberculosis shall be required  
28 if the breeding bull is leased within sixty days of the last  
29 tuberculosis test.

30 One copy of the health certificate shall be filed with  
31 the department of agriculture within fourteen days after its  
32 issuance; and one copy shall be issued to the lessee when  
33 the breeding bull is delivered to him. A licensee shall show  
34 the health certificate of any breeding bull upon the request  
35 of any person designated by the department of agriculture

1 to enforce the provisions of this Act.

2 For the purposes of this section, a breeding bull is leased  
3 within this state if it is leased to an Iowa resident.

4 Sec. 6. NEW SECTION. RECORDS OF BREEDING BULL. The  
5 licensee shall maintain records of each lease of a breeding  
6 bull. The records shall contain the name and address of the  
7 person to whom a breeding bull is leased, the date of each  
8 lease, and a description and the identification number of  
9 the breeding bull involved. A lessee shall have the right  
10 to inspect, upon demand to the licensee, those records  
11 concerning the bull presently being leased by the lessee.

12 Sec. 7. NEW SECTION. DENIAL, REVOCATION OR SUSPENSION  
13 OF A LICENSE. The department of agriculture may refuse to  
14 issue or renew and may suspend or revoke a license issued  
15 under this Act for any violation of the provisions of this  
16 Act or rules adopted relating to the leasing of a breeding  
17 bull.

18 Sec. 8. NEW SECTION. SALE OF SEMEN. It shall be unlawful  
19 for the owner of any breeding bull located within this state  
20 to sell the semen from that bull for the purpose of artificial  
21 insemination unless that person has in his possession a signed  
22 health certificate issued by a licensed veterinarian within  
23 twelve months before the date the semen was collected showing  
24 that on the date of issue the breeding bull had been tested  
25 negative for tuberculosis and bang's disease and, to the best  
26 knowledge and belief of the examining veterinarian, was  
27 apparently free from any infectious, contagious, or  
28 communicable disease.

29 Sec. 9. The provisions of this Act shall not apply to  
30 the leasing of bulls or the sale of semen collected before  
31 the effective date of this Act.

32 Sec. 10. This Act is effective January 1, 1978.

33 EXPLANATION

34 This bill provides for the prevention of the spread of  
35 infectious and contagious diseases communicated by breeding

1 bulls and bull semen. The bill provides that any bulls leased  
2 must be tested for tuberculosis, bang's disease, and declared  
3 free of any apparent symptoms of other infectious and  
4 contagious diseases. Bull semen used for artificial  
5 insemination may be sold only if from a bull that had been  
6 tested for tuberculosis, bang's disease; and declared free  
7 of any apparent symptoms of other infectious and contagious  
8 diseases.

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FISCAL NOTE  
HOUSE FILE 228

Date Prepared: April 12, 1977  
Requested by: Senator Van Gilst  
Prepared in regard to House File 228, An act relating to the prevention and eradication of disease communicated by breeding bulls and bull semen, and subject to a penalty provided by law.

Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16.

House File 228 provides for the prevention of the spread of infectious and contagious diseases communicated by breeding bulls and bull semen. The bill provides that any bulls leased must be tested for tuberculosis, bang's disease, and declared free of any apparent symptoms of other infectious and contagious diseases. Bull semen used for artificial insemination may be sold only if from a bull that had been tested for tuberculosis, bang's disease; and declared free of any apparent symptoms of other infectious and contagious diseases.

An annual cost of approximately \$31,600 is anticipated to provide the record keeping and inspection requirements as outlined in this bill.

Source: Department of Agriculture

FILED  
APRIL 12, 1977

GERRY D. RANKIN  
Legislative Fiscal Director

3731

1 Amend House File 228, as amended and passed by  
2 the House, as follows:

3 1. Page 1, by striking lines 4, 5 and 6 and  
4 inserting in lieu thereof the following:

5 "Sec. 2. NEW SECTION. DEFINITIONS. As used in  
6 this Act:

7 1. "Breeding bull" means a male animal of dairy  
8 or beef bovine genus used for breeding purposes.

9 2. "Lease" when used as a verb means to physically  
10 deliver a breeding bull pursuant to a lease agreement."

11 2. Page 1, line 18, by inserting after the word  
12 "bull" the words ", and a description as to breed,  
13 color and other distinguishing marks,".

14 3. Page 1, line 25, by inserting after the word  
15 "year" the words "for a fee".

16 4. Page 1, lines 28 and 29, by striking the words  
17 "a tag or other device as determined by the secretary  
18 of agriculture" and inserting in lieu thereof the  
19 words "a tag or an identifying mark if the lessor  
20 desires this method of identification".

21 5. Page 1, line 30, by striking the words "other  
22 device" and inserting in lieu thereof the words  
23 "identifying mark".

24 6. Page 1, line 32, by striking the words "the  
25 death, sale or".

26 7. Page 1, line 33, by striking the word "other".

27 8. Page 2, line 3, by striking the words "other  
28 device" and inserting in lieu thereof the words  
29 "approve an identifying mark".

30 9. Page 2, line 4, by striking the word "device"  
31 and inserting in lieu thereof the words "identifying  
32 mark".

33 10. Page 2, line 16, by striking the words "or  
34 exposure thereto".

35 11. Page 2, by striking lines 17 through 29, and  
36 inserting in lieu thereof the following:

37 "3. The identification number of the breeding  
38 bull tested and the date of issuance of the health  
39 certificate.

40 Such health certificate shall be valid for one  
41 rental on one premise only. Thereafter, a new health  
42 certificate must be issued after the breeding bull  
43 has been retested; but no new test for tuberculosis  
44 shall be required if the breeding bull is leased  
45 within sixty days of the last tuberculosis test."

46 12. Page 3, line 1, by inserting after the word  
47 "Act." the words "The licensee shall also, within  
48 ten days after the lease of each breeding bull, notify  
49 the department in writing of the name and address  
50 of the person to whom the breeding bull is being

- 1 leased, together with the date of delivery."
- 2 13. Page 3, line 9, by inserting after the word
- 3 "lessee" the words "or any agent of the department".
- 4 14. Page 3, line 23, by inserting after the word
- 5 "collected" the words ", provided the bull had not
- 6 been moved to any other premise between the date of
- 7 examination and the date of collection,".
- 8 15. Page 3, line 28, by inserting after the period
- 9 the words "If a breeding bull is moved to any other
- 10 premise after issuance of the health certificate but
- 11 prior to collection of the semen, that health certifi-
- 12 cate shall be invalid for purposes of this section."
- 13 16. Page 3, line 29, by inserting after the word
- 14 "to" the words "4-H or future farmers of America
- 15 organizations engaged in breeding programs,".

H-3731 FILED  
 RECEIVED FROM SENATE  
 APRIL 25, 1977

*Same concurred 4/27 p. 16 45*

H-3146

- 1 Amend House File 228 as follows:
- 2 1. Page 2, line 11, by striking the word
- 3 "of" and inserting in lieu thereof the following:
- 4 "prior to".

H-3146 FILED - *Adopted 2/9* BY KOOGLER of Mahaska  
 MARCH 7, 1977 (*p. 685*)

H-3090

- 1 Amend House File 228 as follows:
- 2 1. Page 3, line 30, by striking the words
- 3 "the leasing of bulls or".

H-3090 FILED - *Adopted 2/9* BY HUSAK of Tama  
 FEBRUARY 25, 1977 (*685*) PELLETT of Cass

S-3375

- 1 Amend House File 228 as amended and passed by the  
2 House as follows:
- 3 1. Page 1, line 6, by inserting after the word  
4 "purposes" the words "for a fee".
  - 5 2. Page 1, line 18, by inserting after the word  
6 "bull" the words ", and a description as to breed,  
7 color and other distinguishing marks,".
  - 8 3. Page 1, by striking line 28 and inserting in  
9 lieu thereof the following: "a tag or an identifying  
10 mark if the lessor desires this method of  
11 identification".
  - 12 4. Page 1, line 29, by striking the word  
13 "agriculture".
  - 14 5. Page 1, line 30, by striking the words "other  
15 device" and inserting in lieu thereof the words  
16 "identifying mark".
  - 17 6. Page 1, line 32, by striking the words "the  
18 death, sale or".
  - 19 7. Page 1, line 33, by striking the word "other".
  - 20 8. Page 2, line 3, by striking the words "other  
21 device" and inserting in lieu thereof the words "or  
22 approve an identifying mark".
  - 23 9. Page 2, line 4, by striking the word "device"  
24 and inserting in lieu thereof the words "identifying  
25 mark".
  - 26 10. Page 2, line 16, by striking the words "or  
27 exposure thereto".
  - 28 11. Page 2, by striking lines 17 through 29, and  
29 inserting the following:  
30 "3. The identification number of the breeding  
31 bull tested and the date of issuance of the health  
32 certificate.  
33 Such health certificate shall be valid for one  
34 rental on one premise only. Thereafter, a new health  
35 certificate must be issued after the breeding bull  
36 has been retested; but no new test for tuberculosis  
37 shall be required if the breeding bull is leased  
38 within sixty days of the last tuberculosis test."
  - 39 12. Page 3, line 29, by inserting after the word  
40 "to" the words "4-H or future farmers of America  
41 organizations engaged in breeding programs,".
  - 42 13. Page 3, line 30, by inserting after the word  
43 "bulls" the words "where no fee is charged".

S-3375 FILED & ADOPTED (p. 1094) BY BERL E. PRIEBE  
APRIL 19, 1977

*Motion to reconsider, prevailed 4/20 (1107)*  
*Withdrawn 4/20 (p. 1107)*

S-3293

1 Amend House File 228, as amended and passed by  
2 the House, as follows:

3 1. Page 1, by striking lines 4, 5 and 6 and  
4 inserting in lieu thereof the following:

5 "Sec. 2. NEW SECTION. DEFINITIONS. As used in  
6 this Act:

7 1. "Breeding bull" means dairy or beef male bovine  
8 genus used for breeding purposes.

9 2. "Lease" when used as a verb means to physically  
10 -deliver a breeding bull pursuant to a lease agreement."

11 2. Page 3, line 23, by inserting after the word  
12 "collected" the words ", provided the bull had not  
13 been moved to any other premise between the date of  
14 examination and the date of collection,".

15 3. Page 3, line 28, by inserting after the period  
16 the words "If a breeding bull is moved to any other  
17 premise after issuance of the health certificate but  
18 prior to collection of the semen, that health certifi-  
19 cate shall be invalid for purposes of this section.

S-3293 FILED - *Adopted as amended* BY BASS VAN GILST,  
APRIL 12, 1977 *by 3382 4/19 (1094)* CHAIRPERSON  
AGRICULTURE COMMITTEE

## HOUSE FILE 228

S-3378

1 Amend the Senate amendment, S-3293, to House File  
2 228 as amended and passed by the House as follows:

3 1. Page 1, line 7, by inserting after the word  
4 "means" the words "an animal of a".

S-3378 FILED BY LUCAS J. DE KOSTER  
APRIL 19, 1977  
WITHDRAWN

## HOUSE FILE 228

S-3382

1 Amend the Senate amendment, S-3293, to House  
2 File 228 as follows:

3 1. Page 1, line 7, by inserting after the word  
4 "means" the words "a male animal of".

5 2. Page 1, line 7, by striking the word "male".

S-3382 FILED & ADOPTED (1094) BY LUCAS J. DE KOSTER  
APRIL 19, 1977

S-3386

1 Amend House File 228 as amended and passed by  
 2 the House as follows:  
 3 1. Page 1, line 18, by inserting after the word  
 4 "bull" the words", and a description as to breed, color  
 5 and other distinguishing marks,".  
 6 2. Page 1, line 25, by inserting after the word  
 7 "year" the words "for a fee".  
 8 3. Page 1, lines 28 and 29, by striking the words  
 9 "a tag or other device as determined by the secretary  
 10 of agriculture" and inserting in lieu thereof the words  
 11 "a tag or an identifying mark if the lessor desires this  
 12 method of identification".  
 13 4. Page 1, line 30, by striking the words "other  
 14 device" and inserting in lieu thereof the words  
 15 "identifying mark".  
 16 5. Page 1, line 32, by striking the words "the death,  
 17 sale or".  
 18 6. Page 1, line 33, by striking the word "other".  
 19 7. Page 2, line 3, by striking the words "other  
 20 device" and inserting in lieu thereof the words "approve  
 21 an identifying mark".  
 22 8. Page 2, line 4, by striking the word "device" and  
 23 inserting in lieu thereof the words "identifying mark".  
 24 9. Page 2, line 16, by striking the words "or  
 25 exposure thereto".  
 26 10. Page 2, by striking lines 17 through 29, and  
 27 inserting the following:  
 28 "3. The identification number of the breeding bull  
 29 tested and the date of issuance of the health certificate.  
 30 Such health certificate shall be valid for one rental  
 31 on one premise only. Thereafter, a new health certificate  
 32 must be issued after the breeding bull has been retested;  
 33 but no new test for tuberculosis shall be required if the  
 34 breeding bull is leased within sixty days of the last  
 35 tuberculosis test."  
 36 11. Page 3, line 29, by inserting after the word "to"  
 37 the words "4-H or future farmers of America organizations  
 38 engaged in breeding programs,".

S-3386 FILED & ADOPTED (11/17) BY BERL E. PRIEBE  
 APRIL 20, 1977

S-3402

1 Amend House File 228, as amended and passed by  
 2 the House as follows:  
 3 1. Page 3, line 1, by inserting after the word  
 4 "Act." the words "The licensee shall also, within ten  
 5 days after the lease of each breeding bull, notify the  
 6 department in writing of the name and address of the  
 7 person to whom the breeding bull is being leased, together  
 8 with the date of delivery."  
 9 2. Page 3, line 9, by inserting after the word  
 10 "lessee" the words "or any agent of the department".

S-3402 FILED & ADOPTED (p 11/17) BY BERL E. PRIEBE  
 APRIL 20, 1977

## HOUSE FILE 228

## AN ACT

RELATING TO THE PREVENTION AND ERADICATION OF DISEASE  
COMMUNICATED BY BREEDING BULLS AND BULL SEMEN, AND  
SUBJECT TO A PENALTY PROVIDED BY LAW.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Chapter one hundred sixty-three (163), Code 1977, is amended by adding sections two (2) through eight (8) of this Act.

Sec. 2. NEW SECTION. DEFINITIONS. As used in this Act:

1. "Breeding bull" means a male animal of dairy or beef bovine genus used for breeding purposes.
2. "Lease" when used as a verb means to physically deliver a breeding bull pursuant to a lease agreement.

Sec. 3. NEW SECTION. LICENSE REQUIRED. A person shall not engage in the business of leasing a breeding bull without having obtained a license from the department of agriculture and registering each breeding bull as provided in this Act. An annual license may be obtained from the department of agriculture upon application and payment of a ten-dollar fee. Each license shall expire on the first of July following the date of issue. An application shall be made on a form provided by the department of agriculture and shall contain the name of the person engaged in the business of leasing breeding bulls as lessor, the address of such business, the registration number of each breeding bull, and a description as to breed, color and other distinguishing marks, leased as lessor, and such other information as the secretary of agriculture may specify by rule promulgated pursuant to chapter seventeen A (17A) of the Code.

For the purposes of this section, a person is engaged in the business of leasing a breeding bull within this state as lessor if he leases any breeding bull to an Iowa resident more than once in any calendar year for a fee.

Sec. 4. NEW SECTION. REGISTRATION OF BREEDING BULLS.

The department of agriculture shall issue to each licensee a tag or an identifying mark if the lessor desires this method of identification, for each breeding bull to be leased by the licensee. Each tag or identifying mark shall have an identification number which shall be a permanent identification number for such breeding bull and, upon disposition of such animal, the licensee shall notify the department of agriculture of such disposition and the name and address of the buyer if such animal is sold. When an additional breeding bull to be leased is acquired by a licensee, the department of agriculture shall issue a tag or approve an identifying mark for such animal without fee. The tag or identifying mark shall be permanently attached to the breeding bull.

Sec. 5. NEW SECTION. HEALTH CERTIFICATE REQUIRED. No licensee shall lease as lessor, and no person shall lease as lessee, a breeding bull within this state unless such breeding bull is accompanied by a health certificate signed by a licensed veterinarian and showing:

1. That the breeding bull has been tested by a licensed veterinarian within sixty days prior to rental and found to be free from bang's disease, and tuberculosis.
2. That, to the best of the knowledge and belief of the examining licensed veterinarian, the breeding bull is apparently free from any infectious, contagious or communicable disease.
3. The identification number of the breeding bull tested and the date of issuance of the health certificate.

Such health certificate shall be valid for one rental on one premise only. Thereafter, a new health certificate must be issued after the breeding bull has been retested; but no new test for tuberculosis shall be required if the breeding bull is leased within sixty days of the last tuberculosis test.

One copy of the health certificate shall be filed with the department of agriculture within fourteen days after its issuance; and one copy shall be issued to the lessee when the breeding bull is delivered to him. A licensee shall show the health certificate of any breeding bull upon the request of any person designated by the department of agriculture to enforce the provisions of this Act. The licensee shall also, within ten days after the lease of each breeding bull, notify the department in writing of the name and address of the person to whom the breeding bull is being leased, together with the date of delivery.

For the purposes of this section, a breeding bull is leased within this state if it is leased to an Iowa resident.

Sec. 6. NEW SECTION. RECORDS OF BREEDING BULL. The licensee shall maintain records of each lease of a breeding bull. The records shall contain the name and address of the person to whom a breeding bull is leased, the date of each lease, and a description and the identification number of the breeding bull involved. A lessee or any agent of the department shall have the right to inspect, upon demand to the licensee, those records concerning the bull presently being leased by the lessee.

Sec. 7. NEW SECTION. DENIAL, REVOCATION OR SUSPENSION OF A LICENSE. The department of agriculture may refuse to issue or renew and may suspend or revoke a license issued under this Act for any violation of the provisions of this Act or rules adopted relating to the leasing of a breeding bull.

Sec. 8. NEW SECTION. SALE OF SEMEN. It shall be unlawful for the owner of any breeding bull located within this state to sell the semen from that bull for the purpose of artificial insemination unless that person has in his possession a signed health certificate issued by a licensed veterinarian within twelve months before the date the semen was collected, provided the bull had not been moved to any other premise between the

date of examination and the date of collection, showing that on the date of issue the breeding bull had been tested negative for tuberculosis and bang's disease and, to the best knowledge and belief of the examining veterinarian, was apparently free from any infectious, contagious, or communicable disease. If a breeding bull is moved to any other premise after issuance of the health certificate but prior to collection of the semen, that health certificate shall be invalid for purposes of this section.

Sec. 9. The provisions of this Act shall not apply to 4-H or future farmers of America organizations engaged in breeding programs, the sale of semen collected before the effective date of this Act.

Sec. 10. This Act is effective January 1, 1978.

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DALE M. COCHRAN  
Speaker of the House

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ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 228, Sixty-seventh General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House

Approved May 13, 1977

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ROBERT D. RAY  
Governor