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SENATE FILE 201
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 1094)

Passed Senate, Date 3-14-05 Passed House, Date 4-21-05
Vote: Ayes 50 Nays 0 Vote: Ayes 99 Nays 0
Approved 6/10/05

A BILL FOR

1 An Act providing for veterinary emergency preparedness and
2 response by the department of agriculture and land
3 stewardship.

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

SF 201

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1 Section 1. Section 163.3, Code 2005, is amended to read as
2 follows:

3 163.3 VETERINARY ASSISTANTS.

4 The department secretary or the secretary's designee may
5 appoint one or more licensed veterinarians licensed pursuant
6 to chapter 169 in each county as assistant veterinarians. ~~It~~
7 The secretary may also appoint such special assistants as may
8 be necessary in cases of emergency, including as provided in
9 section 163.3A.

10 Sec. 2. NEW SECTION. 163.3A VETERINARY EMERGENCY
11 PREPAREDNESS AND RESPONSE.

12 1. The department may provide veterinary emergency
13 preparedness and response services necessary to prevent or
14 control a serious threat to the public health, public safety,
15 or the state's economy caused by the transmission of disease
16 among livestock as defined in section 717.1 or agricultural
17 animals as defined in section 717A.1. The services may
18 include measures necessary to ensure that that all such
19 animals carrying disease are properly identified, segregated,
20 treated, or destroyed as provided in this Code.

21 2. The services shall be performed under the direction of
22 the department and may be part of measures authorized by the
23 governor under a declaration or proclamation issued pursuant
24 to chapter 29C. In such case, the department shall cooperate
25 with the Iowa department of public health under chapter 135;
26 and the department of public defense, homeland security and
27 emergency management division; and local emergency management
28 agencies as provided in chapter 29C.

29 3. The secretary or the secretary's designee shall appoint
30 veterinarians licensed pursuant to chapter 169 or persons in
31 related professions or occupations who are qualified, as
32 determined by the secretary, to serve on a voluntary basis as
33 members of one or more veterinary emergency response teams.
34 The secretary shall provide for the registration of persons as
35 part of the appointment process. The secretary may cooperate

1 with the Iowa board of veterinary medicine in implementing
2 this section.

3 4. a. A registered member of an emergency response team
4 who acts under the authority of the secretary shall be
5 considered an employee of the state for purposes of defending
6 a claim on account of damage to or loss of property or on
7 account of personal injury or death under chapter 669. The
8 registered member shall be afforded protection under section
9 669.21. The registered member shall also be considered an
10 employee of the state for purposes of disability, workers'
11 compensation, and death benefits under chapter 85.

12 b. The department shall provide and update a list of the
13 registered members of each emergency response team, including
14 the members' names and identifying information, to the
15 department of administrative services. Upon notification of a
16 compensable loss suffered by a registered member, the
17 department of administrative services shall seek funding from
18 the executive council for those costs associated with covered
19 benefits.

20 EXPLANATION

21 This bill amends provisions in Code chapter 163, which
22 regulates transmissible diseases among livestock in
23 conjunction with a series of Code chapters which authorize the
24 department of agriculture and land stewardship to regulate
25 livestock threatened with a variety of diseases (e.g., foot
26 and mouth disease in Code section 163.51, brucellosis in Code
27 chapters 163A and 164, tuberculosis in Code chapter 165,
28 paratuberculosis in Code chapter 165A, pathogenic viruses in
29 poultry in Code chapter 165B, hog-cholera in Code chapters 166
30 and 166B, scabies in Code chapter 166A, pseudorabies in Code
31 chapter 166D, and chronic wasting disease in Code section
32 167.22).

33 The bill authorizes the department to provide veterinary
34 emergency preparedness and response services necessary to
35 prevent or control a serious threat to the public health,

1 public safety, or the state's economy caused by the
2 transmission of these diseases among livestock populations.
3 The bill's provisions are generally modeled on provisions in
4 Code section 135.143, which authorizes the Iowa department of
5 public health to establish disaster medical assistance teams
6 to supplement and support disrupted or overburdened local
7 medical and public health facilities.

8 The bill requires the secretary of agriculture to appoint
9 licensed veterinarians or persons in related professions or
10 occupations to serve as volunteers on veterinary emergency
11 response teams. The bill provides for registration
12 procedures, affords registered members protections as state
13 employees under the state tort claims Act, and treats them as
14 state employees for purposes of receiving disability, workers'
15 compensation, and death benefits. The bill also requires the
16 department to provide a list of registered members to the
17 department of administrative services, which is required to
18 seek funding from the executive council for costs associated
19 with covered benefits.

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Johnson Co-chair

Fraiese Co-chair

Putney
Courtney

Succeeded By
(SF) HF 201

SSB# 1094
Agriculture

SENATE/HOUSE FILE _____

BY (PROPOSED DEPARTMENT OF
AGRICULTURE AND LAND
STEWARDSHIP BILL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

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21 2. The services shall be performed under the direction of
22 the department and may be part of measures authorized by the
23 governor under a declaration or proclamation issued pursuant
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8 registered member shall be afforded protection under section
9 669.21. The registered member shall also be considered an
10 employee of the state for purposes of disability, workers'
11 compensation, and death benefits under chapter 85.

12 b. The department shall provide and update a list of the
13 registered members of each emergency response team, including
14 the members' names and identifying information, to the
15 department of administrative services. Upon notification of a
16 compensable loss suffered by a registered member, the
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SENATE FILE 201

AN ACT

PROVIDING FOR VETERINARY EMERGENCY PREPAREDNESS AND RESPONSE
BY THE DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.

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JOHN P. KIBBIE
President of the Senate

CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 201, Eighty-first General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved 6/10, 2005

THOMAS J. VILSACK
Governor