

Requested by SENATE COMMITTEE ON NATURAL RESOURCES

**PROPOSED AMENDMENTS TO
SENATE BILL 57**

1 On page 1 of the printed bill, line 2, after “596.341,” insert “596.351,”.

2 Delete lines 4 through 31.

3 Delete page 2.

4 On page 3, delete lines 1 through 37 and insert:

5 **“SECTION 1.** ORS 596.321 is amended to read:

6 “596.321. (1) The State Department of Agriculture shall enact rules and
7 regulations:

8 “(a) Containing a list of livestock diseases that must be reported to the
9 department by any person practicing veterinary medicine in this state.

10 “(b) Concerning the time and manner of reporting livestock diseases and
11 any other information considered reasonably necessary by the department.

12 “(c) Regarding the time and manner of vaccinating female cattle against
13 brucellosis.

14 “(2) Any person practicing veterinary medicine in this state, having
15 knowledge of the existence of any livestock disease listed pursuant to sub-
16 section (1) of this section, shall immediately report the disease to the de-
17 partment in the manner provided by rule or regulation.

18 “[*(3) For the purposes of ORS 596.331 (3), the department may inspect and*
19 *determine what is a ‘normal and usual feeding facility.’*”]

20 **“SECTION 2.** ORS 596.331 is amended to read:

21 “596.331. (1) A person may not sell, offer to sell or dispose of any livestock

1 that the person knows to be exposed to, a carrier of or infected with any
2 disease required to be reported under ORS 596.321, except:

3 “(a) To a slaughterer or to a rendering plant; or

4 “(b) Pursuant to, and as authorized by, a quarantine order.

5 “(2) A person may not sell, offer to sell or dispose of the meat, milk or
6 other parts of any livestock, quarantined by the State Department of Agri-
7 culture, for food or other purposes, except as authorized by the quarantine
8 order.

9 “[*(3) A person may not sell or offer for sale, for any purpose other than*
10 *slaughter or to a feedlot or other normal and usual feeding facility for*
11 *slaughter within 12 months of sale, any female cattle of a beef breed that have*
12 *not been vaccinated against brucellosis as evidenced by an official vaccination*
13 *tattoo in the right ear of each animal.*]

14 “[*(4) A person may not sell or offer for sale, for any purpose other than*
15 *slaughter, any female cattle of a dairy breed that have not been vaccinated*
16 *against brucellosis as evidenced by an official vaccination tattoo in the right*
17 *ear of each animal.*]

18 “**SECTION 3.** ORS 596.341 is amended to read:

19 “596.341. (1) In addition to the permit required by subsection (2) of this
20 section, the State Department of Agriculture may cause livestock to be
21 tested, treated or examined as a condition of entry into this state and may,
22 as evidence of that test, treatment or examination, require the presentation
23 of a certificate of an official of the state of origin designated by the depart-
24 ment or of a veterinary inspector of the federal government.

25 “(2) The department shall require a written permit authorizing entry into
26 this state of any livestock or other animals subject to the disease control law
27 and not exempt under subsection (3) of this section. The permit shall be is-
28 sued upon condition that:

29 “(a) The consignee, owner or purchaser hold the imported livestock upon
30 the arrival of the livestock in this state subject to direction of the depart-

1 ment pending completion of the testing, treatment or examination of the
2 livestock;

3 “(b) The livestock be disposed of in accordance with the laws of this state
4 and the rules of the department, if the livestock is found to be infected with,
5 exposed to, or a carrier of, a disease; **and**

6 “(c) The consignee, owner or purchaser complies with the rules
7 promulgated by the department to enforce the intent of this chapter[; *and*].

8 “[*d*] *If the imported livestock are female cattle that are being imported for*
9 *any purpose other than slaughter or to a registered dry feedlot, the animals*
10 *have been vaccinated against brucellosis as evidenced by an official vaccination*
11 *tattoo in the right ear of each animal.*]

12 “(3) The department may exempt the following classes of livestock or
13 other animals subject to the disease control law from the requirements of
14 this section:

15 “(a) Livestock that is consigned to and will be slaughtered by a licensed
16 slaughterer within eight days after entry into this state.

17 “(b) Livestock in uninterrupted transit through the state, provided that
18 stops may be made for feed, water and rest.

19 “(c) [*Except for the requirements of subsection (2)(d) of this section,*] Live-
20 stock consigned to an Oregon auction market licensed under ORS chapter
21 599 where approved veterinary inspection is in force.

22 “[*d*] *Brucellosis nonvaccinated female cattle of proven genetic advantage*
23 *for purposes of preserving or developing breeding improvements. Those cattle*
24 *may be admitted on a case-by-case basis with specific approval of, and under*
25 *conditions deemed appropriate by, the State Veterinarian. Breed registration*
26 *papers or other documentation of improved genetics may be required for the*
27 *approval. The cattle shall be exempt from ORS 596.331 (3) and (4) and 596.460*
28 *(2) and (3) and subsection (2)(d) of this section.*]

29 “[*e*] **(d)** Dogs, cats or small caged birds traveling in a family vehicle as
30 part of that social entity.

1 “[(f)] (e) Any animals that the department determines do not pose a dis-
2 ease threat.

3 “[(4) As used in subsection (2)(d) of this section, ‘registered dry feedlot’
4 means a cattle feeding operation that is approved and registered by the de-
5 partment and that has facilities surrounded by permanent fencing wherein all
6 feed and water are artificially supplied.]

7 “**SECTION 4.** ORS 596.351 is amended to read:

8 “596.351. No person shall:

9 “(1) Knowingly import or cause to be imported into this state any live-
10 stock exposed to, infected with or a carrier of disease.

11 “(2) Bring any livestock into this state unless the bill of lading, health
12 certificate or other document of shipment is accompanied by the permit re-
13 quired under ORS 596.341 or permit number entered thereon.

14 “(3) Fail to test, treat, examine or otherwise comply with the conditions
15 of a permit under ORS 596.341.

16 “[(4) Import or bring into this state any female cattle unless the animals
17 have been vaccinated as required by ORS 596.341 (2)(d).]

18 “**SECTION 5.** ORS 596.460 is amended to read:

19 “596.460. [(1)] A person owning, possessing or controlling any livestock
20 affected by any disease may not fail to keep the livestock within an enclo-
21 sure, or herd them in some place where they are secure from contact with
22 other livestock not so affected or permit the affected livestock to range
23 where they will be likely to come in contact with other livestock not so af-
24 fected.

25 “[(2) A person may not maintain or control female cattle of a beef breed for
26 breeding purposes unless the animals have been vaccinated against brucellosis
27 as evidenced by an official vaccination tattoo in the right ear of each
28 animal.]

29 “[(3) A person may not maintain or control female cattle of a dairy breed
30 for breeding or dairy purposes unless the animals have been vaccinated against

1 *brucellosis as evidenced by an official vaccination tattoo in the right ear of*
2 *each animal.]*

3 **“SECTION 6.** ORS 596.640 is amended to read:

4 “596.640. (1) The owner of livestock or property destroyed at the order of
5 the State Department of Agriculture shall not be paid indemnity by the State
6 of Oregon for:

7 “(a) Livestock or property owned by the federal government or the State
8 of Oregon, or any governmental subdivision, agency or instrumentality of
9 those governments.

10 “(b) Livestock or property if the owner thereof has failed to comply with
11 any of the provisions of ORS 596.075, 596.331, 596.351, 596.355, 596.371 or
12 596.460 or with any rules promulgated under ORS 596.321 or has acted in
13 contravention to department authority under ORS 596.311, 596.341, 596.361,
14 596.388, 596.392 to 596.416 and 596.470 as to any of that livestock or property.

15 “(c) Livestock that has been brought into this state contrary to any law
16 of this state or rule promulgated thereunder or contrary to the conditions
17 of any permit issued under ORS 596.341.

18 “(d) Livestock or property that has been negligently or willfully exposed
19 to or contaminated by a disease.

20 “(e) Livestock that were imported from a county or defined area that is
21 under quarantine at the order of the federal government, the State of Oregon
22 or the state of origin, for the disease that the livestock is affected by.

23 “(f) Livestock that were known by the owner to be affected by a disease
24 at the time of entry into the state.

25 “(g) Livestock that had been imported into this state within five days
26 prior to the date that the disease condition was officially diagnosed.

27 “(h) Livestock if there is evidence that the owner or agent of the owner
28 has in any way been responsible for any attempt to unlawfully or improperly
29 obtain indemnity funds for the livestock.

30 “(i) Livestock that has been brought into this state pursuant to a permit

1 issued under ORS 596.341 and that after entry is moved, transferred or dis-
2 posed of in violation of this chapter or any rule promulgated under this
3 chapter.

4 *“(j) Female cattle that have not been officially vaccinated for brucellosis*
5 *as required by this chapter. Evidence of an official vaccination for brucellosis*
6 *is a tattoo in the right ear of the animal in such a manner as the department*
7 *may prescribe.]*

8 “(2) Any transaction referred to in subsection (1)(c) or (i) of this section
9 with regard to any livestock animal disqualifies the owner of that livestock
10 from receiving indemnity for all livestock or property owned by that person
11 for which indemnity would otherwise be payable.”.

12 In line 38, delete “6” and insert “7”.

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