

Eye - 5

99 LSO - 0313

# HOUSE BILL 0176

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Title:

HB0176

AN ACT relating to agriculture and animals; granting authority for certain programs relating to livestock to be administered by the department of agriculture as specified; transferring the state veterinarian and his duties to the department of agriculture as specified; transferring certain programs administered by the Wyoming livestock board to the department of agriculture as specified; creating a Wyoming brand board as specified; granting the Wyoming brand board authority over the brand recording and inspection program and related programs as specified; amending related provisions; providing for conflicting provisions; and providing for an effective date.

Introduced by:

*John L. Eye*

### HOUSE ACTION ON HOUSE BILL

- 1/18  Introduced  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_
- Read First Time and Ref. to Committee No. 5
- Failed Introduction  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_
- Returned from Committee No. \_\_\_  
with Recommendation:  
 Do Pass;  Amend & Do Pass;  Do Not Pass;  
 W/O Recomm;  Re-Refer to Committee No. \_\_\_
- Re-referred to Committee No. \_\_\_
- Returned from Committee No. \_\_\_  
with Recommendation:  
 Do Pass;  Amend & Do Pass;  Do Not Pass;  
 W/O Recomm;  Re-Refer to Committee No. \_\_\_
- Considered in Comm. of Whole  
 Amended  
 Recommended Do Pass  
 Failed Comm. of Whole  
 Indefinitely Postponed  
 Other: \_\_\_\_\_
- Read Second Time  
 Amended  
 Do Pass  
 Do Not Pass  
 Accelerated to 3rd Rdg.
- Read Third Time  
 Amended  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
 Held for Reconsideration  
 Motion to Reconsider  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_
- Third Reading Vote  
(On Reconsideration)  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_
- Sent to Senate (No Amendments)
- Sent to LSO for Engrossing
- ENGROSSED**
- Sent to Senate

### SENATE ACTION ON HOUSE BILL

- Received. Read First Time.
- Referred to Committee No. \_\_\_\_\_
- Returned from Committee No. \_\_\_\_\_  
with Recommendation:  
 Do Pass;  Amend & Do Pass;  Do Not Pass;  
 W/O Recomm;  Re-Refer to Committee No. \_\_\_\_\_
- Re-referred to Committee No. \_\_\_\_\_
- Returned from Committee No. \_\_\_\_\_  
with Recommendation:  
 Do Pass;  Amend & Do Pass;  Do Not Pass;  
 W/O Recomm;  Re-Refer to Committee No. \_\_\_\_\_
- Considered in Comm. of Whole  
 Amended  
 Recommended Do Pass  
 Failed Comm. of Whole  
 Indefinitely Postponed  
 Other: \_\_\_\_\_
- Read Second Time  
 Amended  
 Do Pass  
 Do Not Pass  
 Accelerated to 3rd Rdg.
- Read Third Time  
 Amended  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
 Held for Reconsideration  
 Motion to Reconsider  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_
- Third Reading Vote  
(On Reconsideration)  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_
- Sent to House
- Sent for Enrolling  
HEA No. \_\_\_\_\_
- Signed by Speaker
- Signed by President
- Approved by Governor
- Chapter No. \_\_\_\_\_

## HOUSE BILL NO. HB0176

State veterinarian.

Sponsored by: Representative(s) Eyre, Anderson, R., Berry  
and Stafford and Senator(s) Barton, Geis and  
Mockler

## A BILL

for

1 AN ACT relating to agriculture and animals; granting  
2 authority for certain programs relating to livestock to be  
3 administered by the department of agriculture as specified;  
4 transferring the state veterinarian and his duties to the  
5 department of agriculture as specified; transferring certain  
6 programs administered by the Wyoming livestock board to the  
7 department of agriculture as specified; creating a Wyoming  
8 brand board as specified; granting the Wyoming brand board  
9 authority over the brand recording and inspection program  
10 and related programs as specified; amending related  
11 provisions; providing for conflicting provisions; and  
12 providing for an effective date.

13

14 *Be It Enacted by the Legislature of the State of Wyoming:*

15

16 **Section 1.** W.S. 9-2-2016 created the department of  
17 agriculture. The legislature hereby transfers certain

1 programs administered by the Wyoming livestock board with  
2 the exception of brand recording and inspection, hide and  
3 carcass inspection, and estrays to the department of  
4 agriculture as a Type 1 transfer as provided by W.S.  
5 9-2-1707(b). All positions, personnel, appropriations,  
6 property, equipment, with the exception of the brand  
7 recording equipment, and authority in agencies or programs  
8 transferred to the department of agriculture under the Type  
9 1 transfer under this act are under the control and are the  
10 responsibility of the department of agriculture as specified  
11 by law. The terms of all persons previously appointed to a  
12 board, commission or council within an agency or program  
13 which is transferred to the department of agriculture are  
14 not affected by this act. The validity of rules,  
15 regulations, contracts, agreements or other obligations of  
16 agencies or programs transferred to the department of  
17 agriculture under this act is not affected by this act.

18

19 **Section 2.** W.S. 6-1-104(a)(vi)(F), 7-2-101(a)(iv)(E),  
20 9-2-1101(b), 9-2-1102(a)(vi), 9-2-2016(a), 11-18-101(a),  
21 11-18-102, 11-18-103(a)(intro), (ii)(intro), by creating a  
22 new subsection (b) and by amending and renumbering (a)(v)  
23 through (a)(vii) as (b)(i) through (b)(iii), 11-18-104  
24 through 11-18-108, 11-18-109(a), 11-18-111, 11-19-101 by  
25 creating a new subsection (c), 11-19-103(b), 11-19-106(a),

1 (b) (intro), (i), 11-19-107, 11-19-108, 11-19-111(a),  
2 11-19-113, 11-19-115, 11-19-116, 11-19-201(a) by creating  
3 new paragraphs (iii) and (iv), 11-19-203, 11-19-206,  
4 11-19-215, 11-19-301 through 11-19-306, 11-19-401,  
5 11-19-403, 11-19-404, 11-19-501, 11-20-101(a) (i) and (ii),  
6 11-20-103(a) (intro), 11-20-114, 11-20-201(a), (b) and by  
7 creating a new subsection (d), 11-20-206(a), 11-20-208(b),  
8 11-20-218, 11-20-225(b), 11-20-401(a) (intro),  
9 11-22-101(a) (i) and by creating a new paragraph (v),  
10 11-22-103, 11-22-104, 11-22-107, 11-22-109, 11-22-110,  
11 11-22-112, 11-22-113(a) and (b), 11-22-115, 11-22-116,  
12 11-23-101, 11-23-303, 11-23-304, 11-24-109 through  
13 11-24-114, 11-27-101(a) (i) and by creating a new paragraph  
14 (iv), 11-27-102, 11-27-103, 11-27-104(a), 11-27-105,  
15 11-27-106, 11-29-105 through 11-29-111, 11-32-101(a) (ii),  
16 11-37-107(c), 21-17-308(c) and (d), 23-1-101(a) (xiii),  
17 23-1-302(a) (xxvii) and 31-5-102(a) (ii) (A) are amended to  
18 read:

19

20 **6-1-104. Definitions.**

21

22 (a) As used in W.S. 6-1-101 through 6-10-203 unless  
23 otherwise defined:

24

1 (vi) "Peace officer" includes the following  
2 officers assigned to duty in the state of Wyoming:

3  
4 (F) Inspectors of the Wyoming ~~livestock~~  
5 brand board hired as enforcement officers and authorized  
6 under W.S. 11-20-201 who have qualified pursuant to W.S.  
7 9-1-701 through 9-1-707 when enforcing W.S. 11-19-101  
8 through 11-24-115 and 11-29-101 through 11-30-113 and any  
9 laws prohibiting theft or mutilation of livestock or any  
10 part thereof;

11  
12 **7-2-101. Definitions.**

13  
14 (a) As used in W.S. 7-2-101 through 7-2-105:

15  
16 (iv) "Peace officer" means:

17  
18 (E) Inspectors of the Wyoming ~~livestock~~  
19 brand board hired as enforcement officers and authorized  
20 under W.S. 11-18-101 through 11-18-113 and 11-20-201 or duly  
21 authorized investigators of the Wyoming livestock board who  
22 have qualified pursuant to W.S. 9-1-701 through 9-1-707 when  
23 enforcing W.S. 11-19-101 through 11-24-115 and 11-29-101  
24 through 11-30-113 and any laws prohibiting theft, killing or  
25 mutilation of livestock or any part thereof;

1

2           **9-2-1101. Commission; created; "system" defined.**

3

4           (b) As used in W.S. 9-2-1101 through 9-2-1104,  
5 "system" means the highband radio communications network  
6 providing regional and statewide radio communications  
7 capabilities to the Wyoming game and fish department, the  
8 Wyoming ~~livestock~~ brand board enforcement officers, the  
9 Wyoming highway patrol, the division of criminal  
10 investigation, office of the attorney general and other  
11 state agencies employing peace officers enumerated in W.S.  
12 6-1-104(a)(vi)(C) through (F) and approved for participation  
13 by the communications commission and if desired, to county,  
14 municipal and federal law enforcement agencies.

15

16           **9-2-1102. Commission; composition; appointment of**  
17 **members; removal; terms; officers; vacancies; meetings.**

18

19           (a) The commission shall consist of seven (7) voting  
20 members to be appointed by the governor and who may be  
21 removed by the governor as provided in W.S. 9-1-202. One (1)  
22 member shall be appointed from the public-at-large and the  
23 remaining six (6) members shall be appointed from a list of  
24 four (4) names submitted by each of the following  
25 associations and agencies from their membership:

1

2

(vi) Wyoming ~~livestock~~ brand board.

3

4

5

**9-2-2016. Department of agriculture created; director appointed; structure.**

6

7

(a) As part of the reorganization of Wyoming state government, there is created the department of agriculture consisting of the existing state department of agriculture, the agricultural mediation board, the wheat marketing commission, the state veterinarian, the Wyoming beef council, the Wyoming weed and pest council, the board of certification of the Environmental Pesticide Control Act of 1973, the weed and pest board of certification, the interstate agricultural grain marketing commission, the state fair advisory board and all programs and functions specified in titles 11 and 35 and otherwise under law relating to agriculture and livestock. In addition, the programs administered by the Wyoming livestock board, with the exception of the brand recording and inspection program, hide and carcass inspection, and the estray program, are transferred to the department of agriculture. Except for W.S. 9-2-1703(a)(v) and (ix), the limitation of number of principal departments in W.S. 9-2-1704(a) and 9-2-1707(a)(iii) and (iv), the provisions of the Wyoming

25

1 Government Reorganization Act of 1989, W.S. 9-2-1701 through  
2 9-2-1708, apply to this section.

3  
4 CHAPTER 18

5 BRAND BOARD AND STATE VETERINARIAN

6  
7 11-18-101. Brand board; creation; composition;  
8 qualifications; appointment and term of members; removal;  
9 vacancies; name defined.

10  
11 (a) The Wyoming ~~livestock brand~~ board is created, and  
12 ~~shall consist of three (3) woolgrowers and four (4) stockmen~~  
13 ~~engaged in other livestock interests. They~~ The members of  
14 the board shall be appointed by the governor with the advice  
15 and consent of the senate and may be removed by the governor  
16 as provided in W.S. 9-1-202. ~~The members shall be appointed~~  
17 ~~from each of the appointment districts pursuant to W.S.~~  
18 ~~9-1-218 and the appointment for each district shall be~~  
19 ~~rotated among the counties within the district.~~ The members  
20 shall serve for one (1) ~~six (6)~~ four (4) year term and until  
21 their successors are appointed and qualified. Three (3)  
22 members of the board shall serve initial terms of four (4)  
23 years each and two (2) members of the board shall serve  
24 initial terms of two (2) years each. Thereafter, all  
25 members shall serve four (4) year terms. In case of a

1 vacancy for any reason, the governor shall appoint a  
2 qualified person to fill the vacancy in accordance with W.S.  
3 28-12-101. Each member of the Wyoming livestock board shall  
4 be a qualified elector of the county from which he is  
5 appointed and a resident of this state during his term of  
6 office. The board shall consist of five (5) members  
7 appointed by the governor as follows:

8

9 (i) One (1) member appointed from Laramie,  
10 Goshen, Platte and Niobrara counties;

11

12 (ii) One (1) member appointed from Albany,  
13 Carbon, Sweetwater, Uinta and Lincoln counties;

14

15 (iii) One (1) member appointed from Campbell,  
16 Johnson, Sheridan, Weston and Crook counties;

17

18 (iv) One (1) member appointed from Big Horn, Hot  
19 Springs, Park and Washakie counties;

20

21 (v) One (1) member appointed from Natrona,  
22 Fremont, Converse, Sublette and Teton counties.

23

24 **11-18-102. Brand board; duties generally; designation**  
25 **of agency to implement brand recording laws.**

1

2       (a) The Wyoming ~~livestock~~ brand board shall exercise  
3 general supervision over and ~~protect the livestock interests~~  
4 ~~of the state from theft and disease, and shall recommend~~  
5 ~~legislation as in its judgment will foster the industry the~~  
6 brand recording and inspection of livestock in this state.

7

8       (b) The board shall designate an agency to act under  
9 its supervision and control to implement the brand recording  
10 laws. Any agency so designated shall be the same agency  
11 designated pursuant to W.S. 11-20-201. The agency shall  
12 designate a chief brand director who shall serve at the  
13 pleasure of the agency. The chief brand director shall  
14 serve as the executive director of the Wyoming brand board.  
15 The agency shall provide administrative support to the  
16 executive director.

17

18       11-18-103. Director of department of agriculture;  
19 powers generally.

20

21       (a) In addition to powers and duties ~~hereinafter~~  
22 provided elsewhere, the Wyoming livestock board director of  
23 the department of agriculture may:

24

1           (i) Appoint a state veterinarian who is a  
2 graduate of a recognized veterinary college and licensed to  
3 practice in Wyoming, who shall ~~be the chief executive~~  
4 ~~officer of the board~~ serve at the pleasure of the director;  
5

6           (ii) Appoint deputy state veterinarians, agents  
7 and assistants: ~~who shall act under the direction of the~~  
8 ~~Wyoming livestock board and its chief executive officer;~~

9  
10           **(b) In addition to powers and duties provided**  
11 **elsewhere, the brand board may:**  
12

13           ~~(v)~~ (i) Promulgate and enforce rules, regulations  
14 and orders it deems necessary for the recording and  
15 inspection of livestock brands; ~~inspection, testing,~~  
16 ~~brucellosis vaccination or quarantining of any livestock~~  
17 ~~including brucellosis vaccination requirements for resident~~  
18 ~~cattle and cattle imported into Wyoming;~~

19  
20           ~~(vi)~~ (ii) Exercise the power and authority  
21 conferred upon it by this act, either directly or through  
22 its agency; and  
23

24           ~~(vii)~~ (iii) Designate an agency to act as its  
25 representative as provided by W.S. 11-20-201, recorded in

1 its minutes, and transmit the name of the agency to the  
2 auditor and treasurer of Wyoming.

3

4 **11-18-104. Brand board; oath.**

5

6 Members of the Wyoming ~~livestock~~brand board, before  
7 entering upon their duties, shall take the oath of office  
8 prescribed by the constitution, and file it in the office of  
9 the secretary of state.

10

11 **11-18-105. Brand board; election of president;**  
12 **meetings generally.**

13

14 The Wyoming ~~livestock~~brand board shall elect one (1) of its  
15 members president. It shall meet at such times as called by  
16 the president, or any three (3) members of the board, ~~or the~~  
17 ~~chief executive officer.~~

18

19 **11-18-106. Brand board; quorum; compensation.**

20

21 A majority of the board constitutes a quorum for the  
22 transaction of business. Members of the brand board shall  
23 receive compensation at the rate of ten dollars (\$10.00) per  
24 day for time actually spent in the performance of their  
25 duties and traveling expenses while in attendance, and going

1 to and from board meetings in the same manner and amount as  
2 provided for state employees by W.S. 9-3-102.

3

4 **11-18-107. Brand board; seal.**

5

6 The Wyoming ~~livestock~~brand board shall have a seal upon  
7 which is engraved "Wyoming ~~Livestock~~Brand Board."

8

9 **11-18-108. Brand board and board of agriculture;  
10 report to governor.**

11

12 The Wyoming ~~livestock~~brand board and the board of  
13 agriculture shall report to the governor all proceedings and  
14 the condition of the livestock interest of Wyoming as  
15 required by W.S. 9-2-1014.

16

17 **11-18-109. Disposition of collected fees and monies in  
18 general fund; payment of expenses of board.**

19

20 (a) All fees and monies collected by the Wyoming  
21 ~~livestock board~~department of agriculture or any of its  
22 officers, agents or employees, not specifically required by  
23 law to be credited to a different fund, shall be placed by  
24 the state treasurer in the general fund.

25

1           11-18-111. Deputy state veterinarians; appointment;  
2 powers and duties; term.

3  
4 With the consent ~~of the Wyoming livestock board and approval~~  
5 of either the federal veterinarian in charge of Wyoming or  
6 the chief of veterinary services, United States department  
7 of agriculture, the ~~state veterinarian~~ director may appoint  
8 federal veterinary inspectors stationed in this state as  
9 deputy state veterinarians, and federal lay inspectors  
10 stationed in this state may be appointed agents of the  
11 ~~Wyoming livestock board~~ department of agriculture. All  
12 federal officers appointed as deputies or agents of the  
13 ~~Wyoming livestock board~~ department shall possess the powers  
14 and duties of deputy state veterinarians or agents of the  
15 ~~Wyoming livestock board~~ department, but they shall act  
16 without compensation and hold office only at the pleasure of  
17 the ~~state veterinarian~~ director.

18  
19           11-19-101. Duties of board of agriculture and state  
20 veterinarian generally; rules and regulations; failure to  
21 comply with provisions; penalty.

22  
23           (c) The board of agriculture shall have authority to  
24 exercise general supervision over and protect the livestock  
25 interest of the state from disease, and shall recommend

1 legislation as in its judgment will foster the industry.  
2 The board shall have authority to promulgate and enforce  
3 rules, regulations and orders it deems necessary for the  
4 inspection, testing, brucellosis vaccination or quarantining  
5 of any livestock including brucellosis vaccination  
6 requirements for resident cattle and cattle imported into  
7 Wyoming.

8  
9       **11-19-103. Quarantine of diseased animals generally;**  
10 **treatment thereof; effect of failure to obey order of state**  
11 **veterinarian.**

12  
13       (b) Whenever the state veterinarian finds any  
14 infectious or contagious disease among domestic animals in  
15 any section of the state he shall take such steps as will  
16 prevent the spread of the disease. As a sanitary measure, he  
17 may inspect and compel the dipping, spraying or other  
18 treatment of all such animals in Wyoming found to be  
19 infected or exposed to the disease, under such rules and  
20 regulations as ~~he~~ the department of agriculture may adopt.

21  
22       **11-19-106. Slaughter of diseased animals; owner's**  
23 **claims.**

24

1           (a) All claims against the state arising from the  
2 slaughter of animals, together with the order of the  
3 veterinarian, shall be submitted to the state auditor who  
4 shall examine them without unnecessary delay. For each claim  
5 he finds to be equitable and entitled to indemnity under  
6 this chapter the auditor shall issue his warrant on the  
7 state treasurer for the sum named in the claim. All claims  
8 for indemnity arising under the provisions of this chapter,  
9 before they are presented for payment to the auditor, shall  
10 be submitted to the state veterinarian with the approval of  
11 the director of the department of agriculture who shall  
12 fully inform himself of the facts connected with each claim.  
13 The ~~state veterinarian~~ director shall endorse on each claim  
14 his approval or rejection and shall express in such  
15 endorsement the reasons for his approval or rejection.

16

17           (b) If the state veterinarian with the approval of the  
18 director of the department of agriculture rejects a claim it  
19 and the reasons for rejection shall be submitted to a board  
20 of arbitration consisting of three (3) members selected as  
21 follows:

22

23           (i) The state veterinarian with the approval of  
24 the director shall select one (1) stock grower who is a

1 resident of the county where the slaughtered animal for  
2 which the claim is made ranged;

3

4 **11-19-107. Auditor to pay claims allowed by board;**  
5 **effect of failure to submit claim to board.**

6

7 The state auditor shall pay no claim for indemnity which is  
8 rejected by the state veterinarian with the approval of the  
9 director of the department of agriculture, unless it has  
10 been submitted to arbitration and the arbitration board  
11 decided it to be legal and just. If any claimant refuses to  
12 submit his rejected claim ~~rejected by the veterinarian~~ to a  
13 board of arbitration, the refusal is a waiver of all claim  
14 for indemnity.

15

16 **11-19-108. Compensation of board.**

17

18 Each member of a board of arbitration shall receive five  
19 dollars (\$5.00) for each day actually engaged and employed  
20 in the investigation of any claim, paid by the state  
21 veterinarian with the approval of the director out of an  
22 appropriation for that purpose.

23

24 **11-19-111. Regulation of importation of livestock;**  
25 **prohibited acts; penalties; applicability.**

1

2 (a) The governor, upon recommendation of the ~~Wyoming~~  
3 ~~livestock board~~ department of agriculture, may regulate by  
4 proclamation the importation into Wyoming from any other  
5 state any livestock, or any virulent blood or live virus of  
6 any disease affecting livestock, or any thing suspected of  
7 being infected with livestock disease germs, except under  
8 such conditions as he deems proper for the protection of the  
9 livestock of Wyoming. All requirements in the governor's  
10 proclamation shall be enforced by the ~~Wyoming livestock~~  
11 ~~board~~ department.

12

13 **11-19-113. Destruction of swine affected with or**  
14 **exposed to hog cholera; appraisal; reimbursement.**

15

16 The ~~Wyoming livestock board~~ department of agriculture or its  
17 authorized representative may destroy or require the  
18 destruction of any swine which the state veterinarian knows  
19 to be affected with or exposed to hog cholera to prevent or  
20 reduce the danger of the spread of hog cholera. The  
21 appraisal shall be made according to title 9, chapter 1,  
22 subchapter B, part 56, Code of Federal Regulations, and the  
23 amendments thereto. The owner or custodian of the swine  
24 shall, immediately after the determination of its value,  
25 cause the same to be disposed of as directed by the ~~board~~

1 department. On presentation to the ~~board~~department of  
2 evidence that disposition has been so made, the owner is  
3 entitled to reimbursement by the ~~Wyoming livestock board~~  
4 department of a sum equal to the share of reimbursement paid  
5 by the federal government but in no case an amount greater  
6 than the value of the swine.

7

8 **11-19-115. Cooperation with United States.**

9

10 The ~~Wyoming livestock board~~department of agriculture may  
11 cooperate with the United States or any department, agency  
12 or officer thereof, in the control and eradication of hog  
13 cholera, including the sharing in payment of indemnities for  
14 swine destroyed.

15

16 **11-19-116. Certain actions deemed misdemeanors.**

17

18 Any owner or custodian of swine who fails to dispose of  
19 swine as directed by the ~~Wyoming livestock board~~department  
20 of agriculture, or any person who imports or aids or abets  
21 the importation of swine into Wyoming knowing the swine to  
22 be infected with hog cholera, is guilty of a misdemeanor  
23 punishable as provided in W.S. 11-19-111(b).

24

25 **11-19-201. Definitions.**

1

2 (a) As used in this act:

3

4 (iii) "Department" means the department of  
5 agriculture;

6

7 (iv) "Director" means the director of the  
8 department of agriculture.

9

10 **11-19-203. Special deputy state veterinarian;**  
11 **appointment; bond required.**

12

13 The ~~state veterinarian~~ director, with the consent of the  
14 governor, may appoint a qualified person as special deputy  
15 state veterinarian to act under the direction of the  
16 director and the state veterinarian in carrying out the  
17 provisions of this act. The special deputy shall take an  
18 oath for the faithful and efficient performance of all  
19 duties required of him and shall give satisfactory bond to  
20 the state of Wyoming in the sum of three thousand dollars  
21 (\$3,000.00).

22

23 **11-19-206. First test to be made without charge;**  
24 **subsequent tests at expense of owner.**

25

1 The first tuberculin test of all cattle of owners selling or  
2 using milk or cream shall be made by the state  
3 ~~veterinarian's department~~ veterinarian without charge to the  
4 owners. All subsequent tests shall be made under the  
5 supervision of the state ~~veterinarian's department~~  
6 veterinarian at the expense of the owners.

7

8 **11-19-215. Prohibited acts; penalties.**

9

10 Any person who intentionally interferes with, refuses to  
11 assist in gathering and testing his cattle, or hinders the  
12 work of the state veterinarian, the department or ~~his~~ its  
13 employees under this act, or who attempts to defeat the  
14 object of the tuberculin test by a previous injection of  
15 tuberculin commonly known as "plugging," or in any way  
16 attempts to prevent an accurate and truthful determination  
17 of the condition of the cattle tested, shall be fined not  
18 less than ten dollars (\$10.00) nor more than one hundred  
19 dollars (\$100.00), or imprisoned not more than thirty (30)  
20 days, or both.

21

22 **11-19-301. Designation of county.**

23

24 When the cattle in any county have been tested for  
25 tuberculosis and the records show the infection rate has

1 been reduced to the minimum percent fixed by the state  
2 veterinarian, director of the department of agriculture and  
3 the veterinary services, United States department of  
4 agriculture in their rules and regulations, such county  
5 shall be designated as a "tuberculosis modified accredited  
6 area."

7

8 **11-19-302. Petition for inspection; notification of**  
9 **director.**

10

11 Whenever sixty percent (60%) or more of the taxpayers of any  
12 county as shown by the last assessment roll of that county,  
13 petition the board of county commissioners asking that  
14 cattle within the county be tested for tuberculosis, the  
15 board of county commissioners shall notify the state  
16 veterinarian who shall proceed with the testing for  
17 tuberculosis in the county in accordance with the rules and  
18 regulations prescribed by the United States ~~bureau of animal~~  
19 ~~industry~~ department of agriculture for the establishment and  
20 maintenance of tuberculosis modified accredited areas.

21

22 **11-19-303. Appropriations by counties for control of**  
23 **diseases.**

24

1 The board of county commissioners may appropriate as much  
2 money as it deems necessary for the control and eradication  
3 of any infectious, contagious or communicable diseases of  
4 livestock. The funds shall be used in cooperation with the  
5 state veterinarian, director of the department of  
6 agriculture or the veterinary services, United States  
7 department of agriculture, in testing animals and disposing  
8 of diseased animals disclosed by the tests as provided by  
9 law.

10

11 **11-19-304. Prohibition on importation of cattle;**  
12 **penalties.**

13

14 Any person bringing cattle into any "tuberculosis modified  
15 accredited area" except in compliance with the rules and  
16 regulations made by the ~~state veterinarian~~ department shall  
17 upon conviction be punished by imprisonment for not more  
18 than one (1) year, or by a fine of not more than one hundred  
19 dollars (\$100.00), or both.

20

21 **11-19-305. Powers of department.**

22

23 The ~~state veterinarian~~ department may make and enforce rules  
24 and regulations necessary for the enforcement of W.S.  
25 11-19-301 through 11-19-306.

1

2           **11-19-306. Penalties for violation of rules and**  
3 **regulations.**

4

5 Any person who violates any lawful rule or regulation made  
6 by the ~~state veterinarian~~ department pursuant to W.S.  
7 11-19-305 is guilty of a misdemeanor and upon conviction,  
8 shall be punished by imprisonment for not more than one (1)  
9 year, or by a fine of not more than one hundred dollars  
10 (\$100.00), or both.

11

12           **11-19-401. Tagging, branding and disposition of cattle**  
13 **reacting to test; penalties for failure to comply.**

14

15 All cattle in Wyoming reacting to an agglutination test for  
16 brucellosis (Bang's disease) except reactors under thirty  
17 (30) months of age which have been officially vaccinated  
18 with brucella abortus vaccine, ~~strain 19,~~ and except  
19 officially vaccinated adult animals which were negative to  
20 the agglutination test for brucellosis within ten (10) days  
21 prior to vaccination, must be immediately tagged in the left  
22 ear with a Bang's reactor tag and permanently branded with a  
23 hot iron letter "B" on the left jaw by or in the presence of  
24 an officially authorized veterinarian. All such reactors  
25 must be disposed of for slaughter only, upon and according

1 to written instruction from the ~~Wyoming livestock board~~  
2 department of agriculture. Any person who violates any  
3 provision of this section shall be punished as provided in  
4 W.S. 11-1-103.

5

6 **11-19-403. When cattle or buffalo exempt from**  
7 **provisions.**

8

9 Breeding cattle and buffalo entering Wyoming for the purpose  
10 of feeding only may be exempt from the requirements of W.S.  
11 11-19-402 if they are placed under quarantine by the rules  
12 and regulations promulgated by the ~~Wyoming livestock board~~  
13 of agriculture.

14

15 **11-19-404. Applicability of provisions.**

16

17 The ~~Wyoming livestock board~~ of agriculture shall determine  
18 which of the requirements set forth in W.S. 11-19-402  
19 through 11-19-404 apply to the various counties or areas  
20 within Wyoming.

21

22 **11-19-501. When notice of importation to be made;**  
23 **contents; applicability of rules and regulations of board.**

24

1           (a) Any person intending to bring or cause to be  
2 brought any sheep from any other state or territory, the  
3 District of Columbia or any foreign country into Wyoming in  
4 any manner except by shipping them through the state by  
5 railroad or truck, shall, ten (10) days before crossing the  
6 state line, notify the ~~executive officer of the board~~  
7 department of agriculture of the proposed action. The notice  
8 shall set forth the number of sheep, the brands or marks  
9 thereon, the name of the owner and the locality from which  
10 the sheep came and through which they have been driven.

11

12           (b) Sheep trailed or shipped into the state from  
13 adjoining states for immediate interstate shipment or for  
14 show and exhibition purposes, sheep grazing along and across  
15 state lines, and sheep shipped from any part of this state  
16 to feed yards in any other part of the state when shipment  
17 is made by interstate route, are governed by the rules and  
18 regulations of the board of agriculture for health-related  
19 issues, and by the rules and regulations of the brand board  
20 for brand inspection issues.

21

22           **11-20-101. Definitions.**

23

24           (a) As used in this act:

25

1           (i) "Agency" means the corporation, if any,  
2 designated by the board as its authorized representative to  
3 carry out the functions to be performed by the board and if  
4 there is no such agency, then it means the Wyoming brand  
5 board;

6  
7           (ii) "Board" means the Wyoming ~~livestock~~brand  
8 board;

9  
10           **11-20-103. Brands; application; contents; recording**  
11 **fees; disposition thereof.**

12  
13           (a) Any person desiring to adopt any brand to be used  
14 to brand livestock in this state, shall before using the  
15 brand make application to the Wyoming ~~livestock~~brand board.  
16 The application shall:

17  
18           **11-20-114. Use of unrecorded or abandoned brand**  
19 **prohibited; failure to record deemed abandonment.**

20  
21 No person shall claim or own any brand which has not been  
22 recorded in the office of the Wyoming ~~livestock~~brand board.  
23 Failure to record a brand is an abandonment of the same. No  
24 person shall claim or use any abandoned brand until after he  
25 has caused the same to be recorded as required by law.

1

2           11-20-201. Designation of contract services to  
3 implement brand inspection laws; bond required; bond of  
4 inspectors; interstate cooperative agreements.

5

6           (a) The board may designate an agency or contract for  
7 services subject to rules and regulations of the board, to  
8 exercise the rights, powers and duties provided by law with  
9 respect to brand recording and inspection of brands and  
10 ownership of the animals mentioned herein. The agency shall  
11 be a nonstock, nonprofit corporation organized under the  
12 laws of Wyoming.

13

14           (b) The agency, or the board may contract for  
15 inspectors as the board deems necessary to carry out  
16 specified duties. During the time that inspectors are acting  
17 within the scope of their duties on behalf or in service of  
18 the state in their official capacity, inspectors are covered  
19 by the provisions of the Wyoming Governmental Claims Act,  
20 W.S. 1-39-101 through 1-39-120, and the state self-insurance  
21 program, W.S. 1-41-101 through 1-41-111. It may assign  
22 inspectors inside or outside of this state as it deems  
23 appropriate. A blanket bond or individual bonds shall be  
24 executed to the state with good and sufficient surety in an  
25 amount determined by the board, conditioned for the full and

1 faithful performance and discharge of the inspector's  
2 duties. The bond shall be approved by the board and filed  
3 ~~in~~with the office of the board.

4  
5 (d) Only enforcement officers of the board, not brand  
6 inspectors, shall be entitled to use the law enforcement  
7 communications system as provided by W.S. 9-2-1101 et seq.  
8 As used in this subsection, "enforcement officer" means a  
9 brand inspector of the board who is qualified as a peace  
10 officer pursuant to W.S. 6-1-104(a)(vi)(F) and  
11 7-2-101(a)(iv)(E).

12  
13 **11-20-206. Certificate of inspection generally;**  
14 **distribution of copies; failure to exhibit; justification to**  
15 **hold vehicle and livestock.**

16  
17 (a) Any inspector, upon completing an inspection of  
18 livestock for brands and ownership, shall record the  
19 inspection upon a form furnished by the Wyoming ~~livestock~~  
20 brand board. When completed and signed by him the form is a  
21 certificate of inspection authorizing the removal from the  
22 county of the livestock listed. The inspector shall deliver  
23 a copy of the certificate to the person in charge of the  
24 livestock. If movement is to be by railroad, a copy of the  
25 inspection certificate shall be delivered by the person in

1 charge to the railroad agent to be attached to the waybill.  
2 If movement is to be by truck, a copy of the certificate  
3 shall be delivered by the person in charge of the animals to  
4 the driver or person in charge of the truck or trucks, and  
5 shall be kept in the latter's possession until the livestock  
6 are delivered at the final destination as shown on the  
7 certificate of inspection, and shall be exhibited upon  
8 request to any person authorized to enforce the brand  
9 inspection laws of this state.

10

11 **11-20-208. Proof of prior ownership; penalties for**  
12 **furnishing false proof.**

13

14 (b) The furnishing of false proof of prior ownership  
15 is probable cause for investigation of a felony offense  
16 being committed. All livestock involved shall be remanded to  
17 the custody of the Wyoming ~~livestock~~-brand board pending the  
18 outcome of the investigation and criminal charges, if any.  
19 Costs incurred for maintenance of the livestock involved  
20 shall be paid by the person who furnished false proof of  
21 ownership. Should the investigation show the only offense  
22 involved is furnishing false proof of ownership, the person  
23 furnishing such false proof shall be fined not less than two  
24 hundred dollars (\$200.00) or more than seven hundred fifty

1 dollars (\$750.00) or imprisoned for not more than six (6)  
2 months, or both.

3

4 **11-20-218. Certificates and agreements in lieu of**  
5 **inspection; to whom copies furnished; numbering and**  
6 **accounting; purpose.**

7

8 Copies of the approved form for the certificate and  
9 agreement shall be furnished by the Wyoming ~~livestock brand~~  
10 board to ~~agents of railroads operating in Wyoming and to all~~  
11 inspectors. The forms shall be serially numbered and each  
12 ~~railroad agent and inspector~~ shall account for all forms  
13 issued to him. These forms shall be used for no other  
14 purpose than to clear shipments of horses, mules, cattle or  
15 sheep consigned to an open market where Wyoming brand  
16 inspection is maintained.

17

18 **11-20-225. Annual horse brand inspection certificate;**  
19 **surrender to board; fee.**

20

21 (b) The owner of rodeo or show livestock which are  
22 permanently and individually identified may obtain an annual  
23 brand inspection certificate authorizing movement from  
24 county to county in Wyoming, valid for one (1) year ~~of~~ from  
25 date of issuance unless sooner terminated by a change in

1 ownership of the identifiable livestock described therein.  
2 Upon any change of ownership the certificate is void and  
3 must be immediately surrendered to the ~~livestock~~brand  
4 board.

5

6 **11-20-401. Brand inspection fees generally.**

7

8 (a) Except as otherwise provided, each livestock  
9 inspector shall at the time of inspecting for brands and  
10 ownership collect inspection fees in an amount established  
11 by the ~~livestock~~brand board but not to exceed:

12

13 **11-22-101. Definitions; exceptions to provisions.**

14

15 (a) As used in this act:

16

17 (i) "Board" means the ~~Wyoming livestock~~ board of  
18 agriculture or its designated representative;

19

20 (v) "Department" means the department of  
21 agriculture.

22

23 **11-22-103. License; requirements therefor.**

24

1 Upon making a satisfactory written statement to the ~~board~~  
2 department of financial responsibility and ownership or  
3 control of adequate facilities for the care, sorting,  
4 feeding, loading, unloading and shipment of livestock for  
5 the operation of a livestock market, and tendering the fee  
6 prescribed, any person may procure a license from the ~~board~~  
7 department to establish and operate within Wyoming for one  
8 (1) year a livestock market.

9

10 **11-22-104. License; requirement; fees generally;**  
11 **expiration; renewal; effect of refusal of issuance or**  
12 **renewal.**

13

14 No person shall operate a livestock market within Wyoming  
15 without first procuring a license from the ~~board~~department  
16 and paying a fee of one hundred dollars (\$100.00). Each  
17 license issued shall expire on April 30 next after the  
18 issuance of the license. If a license is obtained on or  
19 after September 1 of any year, the person obtaining same  
20 shall pay a fee in proportion to the number of months of the  
21 year remaining until April 30. The license may be renewed by  
22 eligible applicants prior to May 1 each year upon  
23 application and payment of the required fee. An application  
24 for a license to operate a livestock market shall be in  
25 writing upon a form furnished by the ~~board~~department, and

1 shall be accompanied by the required fee. If the ~~board~~  
2 department does not issue a license or renewal, the fee  
3 shall be returned to the applicant.

4

5 11-22-107. License; bond required; approval; filing;  
6 statement in lieu of bond; action on bond; termination of  
7 bond; copies of license and bond as evidence.

8

9 (a) No license or renewal of license to operate a  
10 livestock market within Wyoming shall be issued until the  
11 applicant has executed to the state of Wyoming a bond in the  
12 penal sum of twenty-five thousand dollars (\$25,000.00) upon  
13 a form prescribed by the ~~board~~department, with surety  
14 approved by the ~~board~~department, conditioned for the  
15 payment of all money received by the licensee and operator  
16 of the livestock market to the rightful owner of the  
17 livestock consigned for sale, or to any other person  
18 entitled to receive the proceeds of the sale, less  
19 reasonable expenses and agreed commissions, forthwith upon  
20 the sale of the livestock. The bond shall also be  
21 conditioned for full compliance with all of the terms and  
22 requirements of this act, shall be approved and accepted by  
23 the ~~board~~department and approved as to form by the attorney  
24 general of Wyoming. When so approved, the bond shall be  
25 filed with the secretary of state.

1

2 (b) In lieu of the bond required by subsection (a) of  
3 this section, the applicant shall file a statement in the  
4 form prescribed by the ~~board~~department evidencing that he  
5 is registered and maintaining a valid and effective bond of  
6 or in excess of twenty-five thousand dollars (\$25,000.00) or  
7 its equivalent under the provisions of the Packers and  
8 Stockyards Act 1921 (7 U.S.C. § 181 et seq.). The statement  
9 shall name the ~~executive officer of the board~~director of  
10 the department as trustee, and shall include a copy of the  
11 bond, to be filed with the secretary of state. Actions at  
12 law may be brought in the name of the state upon any such  
13 bond by any aggrieved party, for the use and benefit of any  
14 person who suffers loss or damage from violations thereof.  
15 Each bond filed with the ~~board~~department shall be  
16 conditioned that the bond cannot be terminated except on at  
17 least thirty (30) days prior notice in writing to the ~~board~~  
18 department by the party terminating the bond. Copies of any  
19 such license and bond, certified by the ~~executive officer of~~  
20 ~~the board~~director, may be procured upon payment of a fee of  
21 one dollar (\$1.00) each, and shall be received as competent  
22 evidence in any court in Wyoming.

23

24 **11-22-109. Investigations of sales; filing charges;**  
25 **hearing; notice thereof.**

1

2 The ~~executive officer of the board~~ director of the  
3 department may make or have an investigation made of the  
4 sales and transactions of any livestock market and the  
5 conditions under which its business is conducted. If he  
6 finds it proper, he shall file charges against the licensee  
7 and operator with the board, and the charges shall be set  
8 down for hearing before the board upon ten (10) days notice  
9 served upon the licensee.

10

11 **11-22-110. Sanitation; veterinarian supervision**  
12 **required.**

13

14 Every livestock market shall be maintained in a sanitary  
15 condition, and that portion which is used for handling hogs  
16 shall be cleaned and disinfected after each day's sales with  
17 disinfectant approved by the ~~board~~ department, under the  
18 supervision of a veterinarian authorized by the ~~board~~  
19 department.

20

21 **11-22-112. Records of receipts and sales; availability**  
22 **for inspection.**

23

24 Operators of all livestock markets shall keep an accurate  
25 record of the date on which each consignment of animals was

1 received and sold, the name and address of the buyer and  
2 seller, the number and species of the animals received and  
3 sold, and the marks and brands on each animal. The records,  
4 together with the gross selling prices, commission and other  
5 care, handling and sales charges on each consignment shall  
6 be available for inspection by the ~~executive officer of the~~  
7 ~~board, his deputy department~~ or its authorized inspector. A  
8 copy shall be supplied to the owner of the livestock. All  
9 records of sales during preceding months shall be kept  
10 readily accessible for immediate examination.

11

12 **11-22-113. Inspection of livestock and goats; report**  
13 **on unbranded calves.**

14

15 (a) All livestock and goats entering a livestock  
16 market shall be inspected for health and all livestock  
17 except swine and goats shall be inspected for brands before  
18 being offered for sale. The health inspection shall be made  
19 by a veterinarian approved by the ~~board~~ director of the  
20 department and appointed by ~~the executive officer of the~~  
21 ~~board~~ him as an authorized veterinarian for livestock  
22 markets. The brand inspection shall be made by a brand  
23 inspector.

24

1           (b) The Wyoming ~~livestock~~brand board shall require  
2 from brand inspectors employed at all Wyoming livestock  
3 markets a monthly report of all unbranded calves of the beef  
4 breeds that are not accompanied by their mothers, inspected  
5 prior to sale. The report shall show for each consignment of  
6 such calves the date and place of sale, the county of  
7 origin, the name and address of consignor and the number of  
8 calves inspected and sold.

9

10           **11-22-115. Removal of veterinarian.**

11

12 The ~~executive officer of the board~~director of the  
13 department with the approval of the board of agriculture may  
14 remove any authorized veterinarian whenever he finds that  
15 his work is not performed in conformity with this act and  
16 the rules and regulations of the board.

17

18           **11-22-116. Warranty of title; disposition of proceeds**  
19 **from sale; receipt by board.**

20

21 The operator of each livestock market in this state shall  
22 warrant to the purchaser the title of all livestock sold  
23 through the market and is liable to the owner for the net  
24 proceeds in cash received for the livestock sold. When  
25 notified by the brand inspector that there is a question as

1 to whether any designated livestock sold through the ring is  
2 lawfully owned by the consignor, the market operator shall  
3 hold the proceeds received from the sale of the livestock  
4 for a reasonable time, not to exceed sixty (60) days, to  
5 permit the consignor to establish ownership. If at the  
6 expiration of that time the consignor fails to establish his  
7 lawful ownership of the livestock to the satisfaction of the  
8 brand inspector, the proceeds shall be transmitted by the  
9 operator to the ~~board~~department. The ~~board~~department may  
10 dispose of the proceeds in accordance with the law relating  
11 to the distribution of estray money, and the ~~board's~~  
12 department's receipt shall relieve the operator from further  
13 responsibility for the proceeds.

14

15 **11-23-101. Sale of carcass without inspection**  
16 **prohibited; inspection fees; disposition thereof.**

17

18 It is unlawful for any person to sell, offer for sale or  
19 possess for the purpose of sale or disposal the carcass or  
20 any part thereof of cattle without having the unutilated  
21 hide inspected by an inspector. The person presenting the  
22 hide and carcass or any part thereof shall pay the  
23 inspection fee prescribed by law for each hide inspected,  
24 the fee shall be remitted to the Wyoming brand board.

25

1           **11-23-303. Hide inspection certificate.**

2

3 After receiving satisfactory proof of ownership of carcasses  
4 of animals to be transported from the state, the inspector  
5 shall sign and issue a hide inspection certificate on a form  
6 approved by the Wyoming brand board, listing the class and  
7 number of carcasses inspected, the brands or marks on each,  
8 the name of the shipper, name and address of the consignee,  
9 place and date of inspection, and make and license number of  
10 the truck. If transportation is by other means than truck,  
11 that shall be shown. Across the face of the certificate he  
12 shall write the words "Dead Animals". The hide inspection  
13 certificate shall be filled out in triplicate, the original  
14 delivered to the shipper or his agent and shall clear the  
15 carcasses for transportation to the destination shown. One  
16 (1) copy shall be mailed by the inspector to the board, and  
17 one (1) copy filed in the office of the brand inspection  
18 agency.

19

20           **11-23-304. Inspection fee; disposition thereof.**

21

22 For making an inspection of carcasses the inspector shall  
23 collect the inspection fee prescribed by law for each horse,  
24 mule, cattle or sheep carcass. All fees collected shall be  
25 transmitted to the Wyoming brand board.

1

2           **11-24-109. Record to be kept of estrays found in**  
3 **shipments in transit of cattle or horses.**

4

5 All inspectors shall keep a record of all estrays found in  
6 any shipment of cattle or horses in transit from this state,  
7 and shall take a receipt for the estrays from the shipper,  
8 or in default of a receipt, shall take the stray from the  
9 shipment, giving the shipper a receipt for the estrays on  
10 behalf of the ~~livestock~~brand board.

11

12           **11-24-110. Monthly report of inspector; board to keep**  
13 **public record.**

14

15 The inspector shall make a report every thirty (30) days of  
16 all estrays not otherwise reported to the ~~livestock~~brand  
17 board, giving a description of the estrays, stating any  
18 brands or other marks by which the estrays may be  
19 identified. The board shall keep a record of all estrays  
20 reported, which shall at all times be open to the public for  
21 inspection.

22

23           **11-24-111. Disposition of sales proceeds; remission to**  
24 **board.**

25

1 All persons shipping estrays shall immediately remit to the  
2 ~~livestock~~brand board the proceeds received for each and  
3 every stray sold, a receipt for which was given to an  
4 inspector. If any inspector sells an stray from this state,  
5 he shall immediately remit the proceeds to the ~~livestock~~  
6 brand board.

7

8 **11-24-112. Deposition of sales proceeds; payment to**  
9 **owner on proof of ownership; unclaimed proceeds generally.**

10

11 If the lawful owner of any stray sold is found within one  
12 (1) year after sale of the stray, the net amount received  
13 from the sale less one dollar (\$1.00) for each stray, to be  
14 retained by the ~~livestock~~brand board, shall be paid to the  
15 owner upon his proving ownership to the satisfaction of the  
16 board or agency. If at the end of one (1) year the proceeds  
17 from the sale of any stray remains unclaimed, the proceeds  
18 shall be disposed of as provided by law.

19

20 **11-24-113. When shipping prohibited.**

21

22 It is unlawful for any person to drive or ship, or cause to  
23 be driven or shipped, or to consign or cause to be  
24 consigned, without authority from the owner, any stray from  
25 any place within this state, except through or to a point or

1 place where an inspector or inspectors are located by the  
2 ~~livestock-brand~~ board.

3

4 11-24-114. Publication of list of unclaimed estrays.

5

6 The executive officer of the ~~livestock-brand~~ board shall  
7 annually, during the last week of December, send two (2)  
8 lists of unclaimed estrays for which he has received  
9 payments, to the county clerk of each county, who shall post  
10 one (1) copy in a conspicuous place in the courthouse and  
11 place one (1) copy on file in his office. The executive  
12 officer shall also cause to be published in a newspaper of  
13 general circulation in each county from which any stray  
14 included in the list was shipped, a notice to the public  
15 that the list of estrays is available for examination.

16

17 11-27-101. Definitions.

18

19 (a) As used in this act:

20

21 (i) "Board" means the ~~Wyoming livestock~~ board of  
22 agriculture or its designated representative;

23

24 (iv) "Department" means the department of  
25 agriculture.

1

2           **11-27-102. Authority of board of agriculture**  
3 **generally.**

4

5           (a) Any authorized representative of the board of  
6 agriculture may enter at reasonable times upon any private  
7 or public property to inspect or investigate conditions  
8 relating to the treating of garbage to be fed to swine.

9

10           (b) Any authorized representative of the board may  
11 examine any records or memoranda pertaining to the feeding  
12 of garbage to swine. The ~~board~~department may require  
13 maintenance of records relating to the operation of  
14 equipment for and procedure of treating garbage to be fed to  
15 swine. Copies of the records shall be submitted to the ~~board~~  
16 department on request.

17

18           (c) The ~~board~~department is charged with  
19 administration and enforcement of this act.

20

21           **11-27-103. Feeding permit; application.**

22

23 Any person desiring to obtain a permit to feed garbage to  
24 swine shall make written application to the ~~board~~department  
25 in accordance with the requirements of the board.

1

2           **11-27-104. Feeding permit; requirement; renewal;**  
3 **annual fee; exception.**

4

5           (a) No person shall feed garbage to swine, without  
6 first securing a permit from the ~~board~~department. Permits  
7 shall be renewed on April 1 each year. The board shall  
8 charge one dollar (\$1.00) for each annual permit.

9

10           **11-27-105. Feeding permit; revocation and refusal to**  
11 **issue.**

12

13 Upon determination that any person having a permit issued  
14 under this act, or who has applied for a permit, has  
15 violated or failed to comply with any of the provisions of  
16 this act or any of the rules or regulations promulgated  
17 thereunder, the ~~board~~department may revoke the permit or  
18 refuse to issue a permit to an applicant.

19

20           **11-27-106. Treatment of garbage before feeding.**

21

22 All garbage, regardless of previous processing, before being  
23 fed to swine shall be thoroughly heated to the boiling point  
24 for at least thirty (30) minutes, unless treated in some

1 other manner approved in writing by the ~~board~~department as  
2 being equally effective for the protection of public health.

3

4 **11-29-105. Board of agriculture; certificates or**  
5 **badges to be provided.**

6

7 Officers and agents of the ~~Wyoming livestock~~board of  
8 agriculture shall be provided with a certificate by the  
9 board that they are officers and agents of the board, in  
10 such form as the board may choose, or with a badge bearing  
11 the name or seal of the board, and if requested, shall show  
12 the certificate or badge when acting officially.

13

14 **11-29-106. Board of agriculture; authority to prevent**  
15 **cruelty; penalty for interference with officer.**

16

17 Any officer or agent of the board of agriculture may  
18 lawfully interfere to prevent the perpetration of any act of  
19 cruelty upon any animal in his presence. Any person who  
20 interferes with, obstructs or resists any officer or agent  
21 in the discharge of his duty shall be fined not less than  
22 two hundred dollars (\$200.00) nor more than one thousand  
23 five hundred dollars (\$1,500.00), or imprisoned not more  
24 than one (1) year, or both.

25

1           **11-29-107. Board of agriculture; authority to require**  
2 **arrests; costs.**

3  
4 At the request of any officer or agent of the board of  
5 agriculture, a peace officer or any agent of the board  
6 authorized by the sheriff to make arrests for the violation  
7 of this act shall arrest any person found violating this act  
8 and take possession of any animal cruelly treated in their  
9 respective counties, cities or towns, and deliver the animal  
10 to the proper agents or officers of the board. The cost of  
11 carrying out this act relative to the care of any animal  
12 shall be charged as costs and the board shall be reimbursed  
13 by the person convicted. Any peace officer may arrest any  
14 person found violating this act and may take possession of  
15 any animal cruelly treated in his jurisdiction. Except as  
16 otherwise provided in this section, if any peace officer  
17 takes possession of any animal cruelly treated within his  
18 jurisdiction, the cost of caring for the animal shall be  
19 charged to the respective county, city or town and the local  
20 government shall be reimbursed by the person convicted. The  
21 local government shall have a lien on the animal for the  
22 expense of its care. If a peace officer takes possession of  
23 an animal at the request of the board or any officer or  
24 agent of the board, the cost of caring for the animal shall

1 be initially borne by the board and shall not be charged to  
2 the respective county, city or town.

3

4 **11-29-108. Board of agriculture; seized animals and**  
5 **vehicles; lien on seized chattels; civil action for unpaid**  
6 **expenses.**

7

8 When any person arrested under this act is in charge of any  
9 vehicle drawn by or containing any animal cruelly treated at  
10 the time of arrest, any peace officer, agent or officer of  
11 the board of agriculture may take charge of the animal and  
12 vehicle and its contents, and give notice thereof to the  
13 owner, if known, and shall provide for them until their  
14 owner takes possession of them. The board or local  
15 government shall have a lien on the animals, the vehicle and  
16 its contents for the expense of the care and provision. The  
17 expense or any part remaining unpaid may be recovered by the  
18 board or local government in a civil action.

19

20 **11-29-109. Board of agriculture; care of abandoned**  
21 **animals; civil action for expenses; lien.**

22

23 Any peace officer, agent or officer of the board of  
24 agriculture may take charge of any animal found abandoned,  
25 neglected or cruelly treated. He shall give notice to the

1 owner, if known, and may care and provide for the animal  
2 until the owner takes charge of the animal. The expenses of  
3 care and provision is a charge against the owner of the  
4 animal and collectible from the owner by the board or by the  
5 local government employing the peace officer taking charge  
6 of the animal in a civil action. The board or local  
7 government may detain the animals until the expense for  
8 food, shelter and care is paid and shall have a lien upon  
9 the animals therefor.

10

11 **11-29-110. Board of agriculture; enforcement of liens;**  
12 **notice to owner.**

13

14 Any person entitled to a lien under this act may enforce the  
15 lien by selling the animals and other personal property upon  
16 which the lien is given, at public auction, upon giving  
17 written notice to the owner, if ~~he is~~ known, of the time and  
18 place of the sale, at least five (5) days previous thereto,  
19 and by posting three (3) notices of the time and place of  
20 the sale in three (3) public places within the county at  
21 least five (5) days previous thereto. If the owner is not  
22 known, the notice shall be posted at least ten (10) days  
23 previous to the sale.

24

1           **11-29-111. Board of agriculture; destruction of**  
2 **diseased animals.**

3  
4 Any agent or officer of the board of agriculture may destroy  
5 or cause to be destroyed any animal in his charge when in  
6 his judgment and by the written certificate of two (2)  
7 reputable citizens called to view the animal in his  
8 presence, one (1) of whom may be selected by the owner of  
9 the animal if he so requests, the animal appears to be  
10 injured, disabled, diseased past recovery or unfit for any  
11 useful purpose.

12  
13           **11-32-101. Definitions.**

14  
15           (a) As used in this act:

16  
17                   (ii) "Board" means the ~~Wyoming livestock~~ board of  
18 agriculture;

19  
20           **11-37-102. Definitions.**

21  
22           (a) As used in this act:

23  
24                   (iii) "Board" means the Wyoming ~~livestock~~ brand  
25 board;

1

2           11-37-107. Creation of account within the trust and  
3 agency fund; collection of additional brand inspection fee;  
4 disposition of proceeds.

5

6           (c) The council shall at the end of each month  
7 reimburse the ~~livestock~~brand board for collection and  
8 administrative costs incurred by the board in collecting the  
9 fee under subsection (b) of this section. The amount  
10 reimbursed shall equal three percent (3%) of the fees  
11 collected during the month and shall be deposited with the  
12 state treasurer to the credit of the board's inspection  
13 account created by subsection (a) of this section.

14

15           21-17-308. Wyoming state veterinary laboratory.

16

17           (c) There is created a six (6) member advisory council  
18 hereafter known as the council. The council shall advise  
19 the division of microbiology and veterinary medicine on  
20 matters pertaining to the Wyoming state veterinary  
21 laboratory and other matters that pertain to animal health.  
22 Three (3) members of the council shall be appointed by the  
23 Wyoming board of veterinary medicine and three (3) members  
24 shall be appointed by the Wyoming ~~livestock~~board of  
25 agriculture. The head of the division of microbiology and

1 veterinary medicine shall be an ex officio member of the  
2 council. Council members shall serve a term of three (3)  
3 years. The initial council shall constitute itself so that  
4 no more than two (2) members will be replaced each year.  
5 The council shall elect a chairman and secretary from its  
6 membership. The council shall meet at least semiannually  
7 and on other occasions as deemed necessary by the council.  
8 Authorized travel expenses of the council members shall be  
9 paid by the agency responsible for their appointment in the  
10 same manner and amount as provided by W.S. 9-3-102.

11

12 (d) The annual report of the council shall be prepared  
13 for the governor, Wyoming ~~livestock~~ board of agriculture,  
14 Wyoming board of veterinary medicine, president of the  
15 University of Wyoming and such other individuals deemed  
16 necessary by the council. The cost of printing the annual  
17 report shall be borne by the budget of the Wyoming state  
18 veterinary laboratory.

19

20 **23-1-101. Definitions of wildlife.**

21

22 (a) As used in this act:

23

24 (xiii) "Wildlife" means all wild mammals, birds,  
25 fish, amphibians, reptiles, crustaceans and mollusks, and

1 wild bison designated by the Wyoming game and fish  
2 commission and the Wyoming ~~livestock~~ board of agriculture  
3 within Wyoming.

4

5 **23-1-302. Powers and duties.**

6

7 (a) The commission is directed and empowered:

8

9 (xxvii) To designate individual bison or  
10 identifiable herds of bison as wildlife when the action is  
11 subsequently approved by the Wyoming ~~livestock~~ board of  
12 agriculture.

13

14 **31-5-102. Definitions.**

15

16 (a) Except as otherwise provided, as used in this act:

17

18 (ii) "Authorized emergency vehicles" means:

19

20 (A) Vehicles of fire departments, fire  
21 patrols, game and fish law enforcement personnel, ~~livestock~~  
22 brand board law enforcement personnel, brand inspectors, law  
23 enforcement agencies, public and private ambulances,  
24 medical rescue units and extrication rescue units;

25

1           **Section 3.** W.S. 11-18-113 as 11-19-118 is amended and  
2 renumbered to read:

3

4           ~~11-18-113~~ 11-19-118. When state veterinarian  
5 authorized to enter premises or vehicle to inspect  
6 livestock.

7

8 In the performance of their official duties, the state  
9 veterinarian or any agent or officer of the ~~Wyoming~~  
10 ~~livestock board~~ department of agriculture may enter any  
11 place or vehicle used for the treatment, retention or  
12 transportation of livestock, including poultry, or where he  
13 has reason to believe any livestock affected with or exposed  
14 to infectious, contagious or communicable diseases may be  
15 found.

16

17           **Section 4.** W.S. 11-18-101(b), 11-18-103(a)(iii) and  
18 (iv), 11-18-109(b), 11-18-110 and 11-20-215 are repealed.

19

20           **Section 5.** Any other act adopted by the Wyoming  
21 legislature during the same session in which this act is  
22 adopted shall be given precedence and shall prevail over the  
23 amendments in this act to the extent that such acts are in  
24 conflict with this act.

25

1       **Section 6.** This act is effective July 1, 1999.

2

3

(END)

FISCAL NOTE

No significant fiscal or personnel impact.

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