

ENROLLED ACT NO. 68, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

AN ACT relating to the livestock board; modifying the appointment and control of the director of the livestock board; providing for supervision and control of deputy state veterinarians; making conforming changes; providing for and appeal process; and providing for an effective date.

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

Section 1. W.S. 11-18-103(a)(intro), (i) and (ii), 11-18-105, 11-18-109(b), 11-18-110(a) and 11-19-103(b) and by creating new subsections (g) and (h) are amended to read:

11-18-103. Livestock board; powers generally.

(a) In addition to powers and duties hereinafter provided, the Wyoming livestock board ~~may~~ shall:

(i) Appoint a state veterinarian who is a graduate of a ~~recognized~~ veterinary college recognized by the American Veterinary Medical Association and the Wyoming state board of veterinary medicine and licensed to practice in Wyoming, ~~who shall be the chief executive officer and who shall serve at the pleasure~~ of the board;

(ii) ~~And shall, in consultation with the state veterinarian, appoint a director. The board, in consultation~~ Consult with the state veterinarian, ~~may appoint~~ when the state veterinarian appoints deputy state veterinarians. ~~The director and~~ Any deputy state veterinarians shall act under the direction of the Wyoming livestock board and ~~its chief executive officer:~~ the state veterinarian.

ORIGINAL SENATE
FILE NO. 0027

ENROLLED ACT NO. 68, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

~~(A)~~ Deputy state veterinarians shall be graduates of a veterinary college recognized by the American Veterinary Medical Association and the Wyoming state board of veterinary medicine. Deputy state veterinarians shall serve at the pleasure of the state veterinarian. The state veterinarian shall supervise and control the action of the deputy state veterinarians and prescribe their duties and tenure of office.

11-18-105. Livestock board; election of president; meetings generally.

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

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

(b) The expenses incurred in the conduct of the business of the Wyoming livestock board, the state veterinarian and ~~its chief executive officer~~ the director, including the per diem of members of the board, the salaries or wages of the ~~chief executive officer~~ director, deputy state veterinarians and other necessary employees, traveling expenses, furnishing of offices, stationery, supplies and all other expenditures necessary and incident thereto, shall be paid out of the general fund appropriations provided by law. All expenses shall be itemized on the proper vouchers, approved by the ~~chief executive officer~~ director, covered by proper receipts, and paid by the state treasurer from money appropriated by law.

11-18-110. Director; deputy directors; term; powers and duties generally; orders subject to review.

ORIGINAL SENATE
FILE NO. 0027

ENROLLED ACT NO. 68, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

(a) The board shall appoint a director, who shall be the chief executive officer of the board. The director shall serve at the pleasure of the ~~chief executive officer board~~ and act as the secretary of the Wyoming livestock board, subject to the rules and regulations of the board. He may act for and perform the duties imposed by law upon the board when the board is not in session, but an order or regulation made by him is subject to review, modification or annulment by the board at any subsequent meeting.

11-19-103. Quarantine of diseased animals generally; treatment thereof; effect of failure to obey order of state veterinarian; appeal; stay of action.

(b) Whenever the state veterinarian finds any infectious or contagious disease among domestic animals in any section of the state he shall take such steps as will prevent the spread of the disease. As a sanitary measure, he may inspect and compel the dipping, spraying or other treatment of all such animals in Wyoming found to be infected or exposed to the disease, under such rules and regulations as he may adopt. Any order or regulation made by the state veterinarian is subject to review, modification or annulment by the board at any subsequent meeting.

(g) Any order or other action under this chapter may be appealed by the owner, or the agent of the owner, of the animals affected or by any aggrieved governmental entity to the board as follows:

(i) The appeal shall be requested within thirty (30) days of the order or action, except that a quarantine may be appealed at any time during the quarantine;

ORIGINAL SENATE
FILE NO. 0027

ENROLLED ACT NO. 68, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

(ii) An informal hearing may initially be requested. A formal hearing may subsequently be requested and shall be conducted as a contested case in accordance with the Wyoming Administrative Procedure Act. The board shall render a final decision in writing within ten (10) working days of the conclusion of the hearing;

(iii) The board may alter, amend, annul or otherwise modify any order in the event the board finds:

(A) The aggrieved person was injured by the order or regulation; and

(B) The state veterinarian lacked legal authority for the order or regulation; or

(C) The order or regulation was not needed to:

(I) Protect the public health;

(II) Prevent the spread of animal disease;

(III) Preserve the ability to market Wyoming livestock efficiently; or

(IV) Implement a specific requirement of Wyoming law.

(iv) All decisions of the board are subject to judicial review under the Wyoming Administrative Procedure Act.

(h) In the event of a foreign animal disease outbreak, an act of animal agro-terrorism or other animal

ORIGINAL SENATE
FILE NO. 0027

ENROLLED ACT NO. 68, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

health emergency, the state veterinarian shall have all of the resources of the livestock board at his disposal. When such an event occurs, the state veterinarian shall immediately notify the governor and shall advise him as to any additional resources which may be needed to address the emergency.

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk