CHAPTER 36-14.1
HOG CHOLERA

As used in this chapter:
1. "Board" means the state board of animal health.
2. "Commissioner" means the agriculture commissioner.
3. "Destroy" means to condemn because of hog cholera under state authority and
   slaughter or otherwise kill as a result of or pursuant to such condemnation.
4. "Hog cholera" means the contagious, infectious, and communicable disease of swine
   commonly known as hog cholera.

The board or the state veterinarian may destroy or require the destruction of any swine that
the board or the state veterinarian knows to be, or suspects is, infected with, affected with, or
exposed to hog cholera, whenever destruction is necessary to prevent or reduce the danger of
the spread of hog cholera.

36-14.1-03. Appraisal and indemnification.
The board or the state veterinarian shall appraise any swine destroyed or ordered
destroyed pursuant to this chapter and shall indemnify the owner of such swine in an amount to
be set by the board for either registered animals or grade animals.

It is hereby recognized and declared that indemnification for the destruction of swine
infected with, exposed to, or suspected of being affected or exposed to hog cholera, is an
expression of the public policy of this state to be employed only in the final phase of the official
state-federal eradication program in the state, or as a means of preventing or minimizing its
recurrence, as such may be determined by the board. Neither the board nor the state
veterinarian may institute an initial program of indemnification until the state has been approved
as meeting the requirements specified by the appropriate cooperating federal agency.

The board may cooperate with the United States, or any department, agency, or officer
thereof, in the control and eradication of hog cholera, including the sharing in the payment of
indemnities for swine destroyed, but the state may only share in such payment of indemnities in
the amounts or rates set by the board.

36-14.1-06. Rules and regulations.
The board may make, promulgate, amend, repeal, and enforce rules and regulations for
implementing this chapter.

36-14.1-07. Review.
Any act or omission of the board or commissioner pursuant to or within the purview of this
chapter is reviewable by the courts of this state as provided in chapter 28-32.