

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE BILL NO. 2128
(Senators Bowman, Erbele)
(Representatives Kempenich, S. Meyer)

AN ACT to create and enact a new section to chapter 36-15 of the North Dakota Century Code, relating to reimbursement for losses during official livestock disease testing required by the state veterinarian; to provide an appropriation; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 36-15 of the North Dakota Century Code is created and enacted as follows:

Disease testing of livestock - Reimbursement for loss.

1. A livestock owner may file a claim with the state board of animal health seeking partial reimbursement for the value of any livestock that died as a direct result of official disease testing required by the state veterinarian and conducted on the owner's herd or flock by the state veterinarian or the state veterinarian's designee on or after July 1, 2011.
2. The board shall evaluate each claim in the order of filing. If the board determines that a claim is meritorious, the board shall provide reimbursement to the owner in an amount not exceeding five hundred dollars per animal. A decision by the board regarding the animal's cause of death or the amount of reimbursement is final.
3. After expending all biennial appropriations for the provision of reimbursements under this section, the board may not accept any additional claims.

SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$4,900, or so much of the sum as may be necessary, to the state board of animal health for the purpose of providing reimbursement for losses incurred as a result of official disease testing of livestock, for the biennium beginning July 1, 2011, and ending June 30, 2013. Any moneys that remain unexpended under this section are not subject to cancellation in accordance with section 54-44.1-11.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2128 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 46 Nays 0 Absent 1

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 68 Nays 19 Absent 7

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State