

TITLE 2: NATURAL RESOURCES
DIVISION 5: ANIMALS, PLANTS AND FOOD

§ 5323. Chief of Animal Health and Industry: Established.

(a) *Creation of Position.* There is in the civil service of the Commonwealth government and within the Department of Natural Resources the position of Chief of Animal Health and Industry. The qualifications and salary of the chief shall be established by the Personnel Office and Civil Service Commission in accordance with established procedures.

(b) *Duties of the Chief.* The chief shall be responsible for:

(1) Administering and enforcing this article;

(2) Subject to approval by the Director of Natural Resources, providing, promulgating, and enforcing regulations necessary to carry out the intent and purposes of this article; and

(3) Directing all matters relating to the inspection of animals, and the prevention, control and eradication of communicable diseases in and among animals, and all matters generally relating to animal health and animal industry.

(c) *Power to Issue Regulations.*

(1) The director may issue regulations consistent with this article. Within 30 days of the effective date of this act, the director shall initiate procedures to issue regulations. The adoption of subsequent rules and regulations shall be in accordance with the Administrative Procedure Act [1 CMC § 9101 et seq.].

(2) Subject to approval by the Director of Natural Resources, the chief may make and amend rules and regulations, for the inspection, quarantine, disinfection, or destruction, either upon introduction in the Commonwealth, or at any time or place within the Commonwealth, of animals and premises and effects used in connection with such animals. The regulations may govern the control and eradication of transmissible diseases of animals and the transportation of animals between the different islands in the Commonwealth.

(3) The regulations may require the owners and masters of any aircraft, boat, vessel, or carrier calling at any port in the Commonwealth and engaged in transportation of domestic animals, birds or poultry, to make reports of the numbers and class of domestic animals, birds or poultry carried, names of owners and consignees, the place to and from which the animal is shipped, the manner of handling the animals, the number of deaths or injuries to livestock occurring in transit or while being loaded or unloaded, with the causes of the deaths or injuries, and all other matters which may be deemed necessary by the chief for a full and complete record of the shipping and handling of animals.

(4) The chief may also prohibit the importation into the Commonwealth from any foreign country, or other parts of the United States, or from one island within the Commonwealth to another island, or to one locality from another locality on the same island, of undesirable exotic animals and animals known to be infected with a contagious, infectious, or communicable disease or known to have been exposed to any such disease.

(5) The chief shall designate his representative on the islands of Rota and Tinian who shall be authorized to issue permits for poultry and livestock. Such authority shall be limited to importing poultry and livestock from Guam. Per-

TITLE 2: NATURAL RESOURCES
DIVISION 5: ANIMALS, PLANTS AND FOOD

mits for the importation of poultry and livestock from states and territories other than Guam shall be issued by the chief.

(d) *Power to Approve and Issue Licenses to Practice Veterinary Medicine and Surgery in the Commonwealth.* The chief is empowered under this article to receive and review applications, and to approve and issue licenses to qualified applicants to practice veterinary medicine and surgery in the Commonwealth. Only graduates of schools and colleges accredited by the American Veterinary Medical Association in the United States who have passed the National Veterinary Medical Board examination and who are currently licensed to practice the veterinary profession in at least one of the 50 states of the United States or its territories is qualified to apply to practice said profession in the Commonwealth. The chief shall promulgate rules and regulations, subject to approval by the director, that are consistent with the provisions of this article. Such rules and regulations shall include a fee schedule for all services required under this article.

(e) *Power of Enforcement.* The chief other public official as may be authorized by law shall have the power and duty to enforce the provisions of this article. All authority granted to him by this article may be used in furtherance of these enforcement activities whenever such use of authority is necessary and applicable.

(f) *Staffing.* Subject to budgetary appropriations, the chief may hire such persons as are necessary to execute the purposes of this article.

Source: PL 4-55, § 1 (§ 5323).

Commission Comment: With respect to the references to the “Chief of Animal Health and Industry,” the “Department of Natural Resources,” and the “Director of Natural Resources,” see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001.