

An Act relating to agriculture; defining terms relating to nurseries; authorizing certain authorities to inspect certain places; providing for notice; providing for hearing; making certain actions unlawful; authorizing enforcement actions; prohibiting certain damages; requiring certificate of inspection; granting the State Board of Agriculture certain authority; stating parameters for removal of certain plants infested with plant pests; requiring labels on certain plants; requiring seller of turf grass to provide certain information; setting fees; providing for expiration of licenses; providing for non-transfers; providing penalties; stating violations; providing for deposits of certain fees; authorizing the State Board of Agriculture to establish a quarantine; providing for promulgation of rules prohibiting or restricting the transportation and other enforcement authority; amending 2 O.S. 1991, Sections 3-81, 3-82, 3-83, 3-84, 3-85, as amended by Section 2, Chapter 229, O.S.L. 1992, 3-86, 3-100, 3-100.1, 3-101, 3-103, 3-106, 3-107, 3-113, as amended by Section 1, Chapter 290, O.S.L. 1992, 3-114, 3-116, 3-117, 3-121, 3-122 and Section 1, Chapter 204,, O.S.L. 1994 (2 O.S. Supp. 1999, Section 3-220), as last amended by Section 1 of Enrolled Senate Bill No. 892 of the 2nd Session of the 47th Legislature (2 O.S. Supp. 1999, Sections 3-85 and 3-113), which relate to pesticides, licensure of pesticide applicators, apiaries, and noxious weeds; deleting definitions; adding and modifying definitions; clarifying language; deleting obsolete language; modifying procedures for denial of the application for certain reasons; adding certain fees; providing for penalty; providing for notice; requiring certain permits; stating qualifications; authorizing establishment of certain categories of pesticide sales; setting fees; requiring registration; requiring the filing of certain information; setting registration fees; requiring certain formulas; providing notice of certain deficiencies; providing for hearing; authorizing cancellation of certain registration; stating exception; establishing certain categories of license; stating certain parameters; providing procedures for registration for pesticides; requiring certain reports to be furnished in a certain period of time; requiring certain records to be kept for certain period of time; declaring certain plant or animal life or virus a pest; providing for promulgation of rules for certain uniformity; providing for promulgation of rules for the conformity with the primary standards as have been or may have been prescribed by the Federal Insecticide, Fungicide and Rodenticide Act; authorizing promulgation of rules for the application or sale of pesticides; setting concentration for certain pesticides; providing for notice of certain violations; authorizing examinations of pesticides or devices to determine compliance; providing for notice and opportunity for hearing for certain non-compliances; authorizing seizures; providing for costs; stating parameters for disposal; stating certain exceptions for violations; authorizing the Department of Environmental Quality to have certain jurisdictions; making certain actions or omissions unlawful; updating, adding, clarifying violations; providing for suspension, cancellation,, revocation, or refusal to reissue any permit, registration, or certificate; providing notice; stating parameters for violations; increasing certain penalties and fines; modifying and deleting certain definitions relating to the Oklahoma Apiary Act; updating and clarifying act; clarifying certain fees; making certain entities responsible for removing thistle infestation; setting fine; providing for complaint; providing for procedures; removing certain duties of county commissioners; amending Section 4, Chapter 157, O.S.L. 1999 (2 O.S. Supp. 1999, Section 5-3.4), which relates to the Oklahoma Agriculture Enhancement and Diversification Program; providing for confidentiality for certain information compiled by the State Department of Agriculture; providing exceptions;

authorizing executive sessions; amending 2 O.S. 1991, Sections 6-1, 6-2, 6-3, 6-4, as amended by Section 3, Chapter 138, O.S.L. 1996, 6-21, 6-22, 6-27, 6-91, 6-92, as amended by Section 4, Chapter 138, O.S.L. 1996, 6-93, 6-94, as last amended by Section 85, Chapter 133, O.S.L. 1997, 6-95, as amended by Section 6, Chapter 138, O.S.L. 1996, 6-96, 6-97, 6-99, 6-100, 6-101, 6-102, 6-124, as amended by Section 3, Chapter 296, O.S.L. 1992, 6-125, as last amended by Section 86, Chapter 133, O.S.L. 1997, Section 2, Chapter 75, O.S.L. 1996, Section 4, Chapter 75, O.S.L. 1996, Section 5, Chapter 75, O.S.L. 1996, 6-141, as amended by Section 7, Chapter 138, O.S.L. 1996, 6-142, 6-143, 6-145, 6-146, 6-147, 6-149, 6-150, 6-151, 6-152, 6-153, 6-185, Section 1, Chapter 5, O.S.L. 1994, and 6-302 (2 O.S. Supp. 1999, Sections 6-4, 6-92, 6-94, 6-95, 6-124, 6-125, 6-132, 6-134, 6-135, 6-141 and 6-291), which relate to Livestock Diseases; deleting language establishing Veterinary Division of the State Department of Agriculture; deleting obsolete language; clarifying language; modifying procedure for selecting appraiser for diseased livestock; modifying amount of certain payment; stating livestock infected or exposed to any contagious disease shall not be removed or sold without permission; depositing certain funds in the State Department of Agriculture revolving fund; modifying certain definitions; authorizing Board to set fees and expiration dates for permits to feed garbage to certain swine; modifying requirements for the brucellosis control program; modifying parameters for approval of laboratories to conduct certain tests; requiring packing plants to collect and identify blood samples from certain animals; modifying penalties; deleting certain branding requirements; setting penalty for certain violation; authorizing the State Veterinarian certain authority; providing for individual identification of certain animals; giving State Veterinarian certain authority; modifying parameters for quarantine of animals infected with brucellosis; modifying requirements of brucellosis control program; removing certain requirement for announcement by livestock markets; modifying quarantine notice requirements; modifying definitions; modifying procedures for retest; setting timeline for slaughter of certain animals; modifying conditions allowing for non-payment of indemnity; modifying definitions; clarifying liability for certain shipping requirements; modifying statutory references; stating parameters to release exotic livestock into the wilds of Oklahoma; modifying requirements for documents necessary to transport livestock; amending Section 1, Chapter 68, O.S.L. 1998, and 63 O.S. 1991, Sections 1-1301.2, as amended by Section 5, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.3, as amended by Section 6, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.4, as last amended by Section 7, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.5, as renumbered by Section 30, Chapter 140, O.S.L. 1994, and as last amended by Section 3, Chapter 289, O.S.L. 1994, 1-1301.6, as amended by Section 9, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.7, as amended by Section 10, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.8, as amended by Section 11, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.9, as amended by Section 12, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.10, as amended by Section 13, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.11, as amended by Section 14, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.12, as amended by Section 15, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.13, as amended by Section 16, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter

140, O.S.L. 1994, 1-1301.14, as amended by Section 17, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.15, as amended by Section 18, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 1-1301.16, as amended by Section 19, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, and 1-1301.19, as amended by Section 22, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994 (2 O.S. Supp. 1999, Sections 7-1.1, 7-402, 7-403, 7-404, 7-405, 7-406, 7-407, 7-408, 7-409, 7-410, 7-411, 7-412, 7-413, 7-414, 7-415, 7-416 and 7-419), which relate to milk and dairy products and milk products plants; modifying authority to create certain committee; clarifying language; modifying and adding definitions; modifying authority for promulgation of certain rules; deleting obsolete language; requiring certain persons to obtain permits for certain premises or facilities; authorizing the Commissioner of Agriculture to issue permits and classifications for milk and milk products; providing for adoption of certain rules; modifying duties of Commissioner; modifying parameters for persons affected with communicable diseases and working at dairy farmers and milk plants; authorizing the State Board of Agriculture to establish fee on milk and milk products; modifying requirements for action for the condemnation and destruction of certain dairy products; authorizing the court to have quarantined articles delivered to the owner for certain labeling or processing; amending 2 O.S. 1991, Sections 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-29, 8-41.3, as amended by Section 1, Chapter 163, O.S.L. 1995, 8-41.4, as amended by Section 2, Chapter 163, O.S.L. 1995, 8-41.5, as amended by Section 3, Chapter 163, O.S.L. 1995, 8-41.6, 8-41.7, as amended by Section 4, Chapter 163, O.S.L. 1995, 8-41.8, as amended by Section 5, Chapter 163, O.S.L. 1995, 8-41.9, as amended by Section 6, Chapter 163, O.S.L. 1995, 8-41.12, as amended by Section 8, Chapter 163, O.S.L. 1995, 8-41.13, 8-41.15, as amended by Section 9, Chapter 163, O.S.L. 1995, Section 249, Chapter 145, O.S.L. 1993, as last amended by Section 12, Chapter 413, O.S.L. 1999, 8-91, 8-92, 8-93, and 8-95 (2 O.S. Supp. 1999, Sections 8-41.3, 8-41.4, 8-41.5, 8-41.7, 8-41.8, 8-41.9, 8-41.12, 8-41.15 and 8-41.16), which relate to agriculture seeds; modifying and adding terms; clarifying and updating language; removing certain application of seed law; removing certain fees and retail license stamp; conforming language; modifying procedures for licensure and compliance; providing for deposit of certain funds; prohibiting certain use of information; creating the Oklahoma Fertilizer Act; providing for the administration of this act; defining terms; providing exceptions; setting certain fees; providing for application and licensure; providing for contents; prohibiting certain actions; requiring certain labeling requirements; providing for license inspection fees; requiring certain reports and information; specifying assessments and penalties; specifying certain exemptions; providing for non-disclosure of certain information; providing for adoption of certain sampling and analysis; providing for official samples; providing for determination for assessments of deficiencies; providing procedures; providing for determination of certain nutrients; specifying when a fertilizer is misbranded, and adulterated; providing for publication of certain information; prohibiting certain discharges or releases; adding to powers and duties of the State Department of Agriculture; specifying powers and duties of the Department of Environmental Quality; requiring certain storage; providing for seizure and disposal; authorizing certain procedure for violations; providing for construction of act; modifying and clarifying definitions relating to noxious weeds; updating language; amending 2 O.S. 1991, Sections 10-2, Section 17, Chapter 232, O.S.L. 1998, Section 19, Chapter 232, O.S.L. 1998, Section 21, Chapter 232, O.S.L. 1998,

Section 10-21, as amended by Section 1, Chapter 126, O.S.L. 1994, 10-23, as amended by Section 2, Chapter 126, O.S.L. 1994, 10-25, 10-26, as amended by Section 3, Chapter 126, O.S.L. 1994, 10-27, 10-28, and 10-30 (2 O.S. Supp. 1999, Sections 10-9.17, 10-9.19, 10-9.21, 10-21, 10-23, and 10-26), which relate to poultry and poultry products; naming the Board of Agriculture as the official state agency in all matters related to the health of birds and hatching of eggs; deleting obsolete language; authorizing waiver of certain fees; clarifying language; relating to the Oklahoma Poultry Waste Applicators Certification Act; removing certain duplicative records requirements; requiring annual reports; updating provision relating to State Poultry Shows; repealing 2 O.S. 1991, Sections 3-1, 3-11, 3-12, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-21, 3-22, 3-23, as amended by Section 16, Chapter 278, O.S.L. 1993, 3-24, 3-25, 3-26, 3-27, 3-28, 3-29, 3-30, 3-31, 3-51, 3-52, 3-61, 3-62, 3-63, as amended by Section 1, Chapter 231, O.S.L. 1999, 3-64, 3-65, 3-66, 3-67, 3-68, 3-69, 3-70, as amended by Section 1, Chapter 229, O.S.L. 1992, Section 248, Chapter 145, O.S.L. 1993, as last amended by Section 11, Chapter 413, O.S.L. 1999, 3-89, 3-90, 3-91, 3-92, 3-93, 3-94, 3-95, 3-96, 3-141, 3-142, 3-143, 3-144, 3-171, 3-201, 3-202, 3-203, 3-204, 3-205, 3-206, 3-207, 3-208, 3-209, 3-210, 3-271, 3-272, 3-273, 3-274, 3-275, 3-276, 3-277, 3-278, 5-71, 5-72, 5-73, 5-74, 5-75, 5-76, 5-77, 5-78, 5-79, 6-23, 6-24, 6-25, 6-26, 6-28, 6-103, 6-104, 6-105, 6-106, 6-121, as amended by Section 2, Chapter 296, O.S.L. 1992, 6-122, 6-123, 6-126, Sections 6 and 7, Chapter 75, O.S.L. 1996, 6-144, 6-148, 6-154, 6-156, 6-301 (2 O.S. Supp. 1999, Sections 3-23, 3-63, 3-70, 6-121, 6-136 and 6-137), 63 O.S. 1991, Sections 1-1301.18, as amended by Section 21, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994 and 1-1301.20, as amended by Section 23, Chapter 140, O.S.L. 1994, and as renumbered by Section 30, Chapter 140, O.S.L. 1994, 8-1, 8-28, 8-41.10, 8-41.11, as amended by Section 7, Chapter 163, O.S.L. 1995, 8-41.14, 8-61, 8-61a, 8-62, 8-63, 8-64, 8-65, 8-66, 8-67, 8-68a, as last amended by Section 13, Chapter 413, O.S.L. 1999, 8-69, 8-70, 8-71, 8-72, 8-73, 8-74, 8-94 and 8-96, 10-1, 10-41, 10-42, 10-61, 10-62, 10-63, 10-64, 10-65, 10-66, 10-67 and 10-68 (2 O.S. Supp. 1999, 8-41.11 and 8-68a), which relate to plant industry, commodities; livestock diseases, milk and dairy products; seed and fertilizer and poultry; providing for codification; and declaring an emergency.