

CS for SB 1348

1 THE STATE SENATE
2 Monday, February 18, 2002

3 Committee Substitute for
4 Senate Bill No. 1348

5 COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1348 - By: LITTLEFIELD,
6 CAPPS, EASLEY, FORD, MUEGGE, PRUITT, ROZELL, WILLIAMS and WILLIAMSON
7 of the Senate and ROBERTS and HUTCHISON of the House.

8 An Act relating to agricultural operations; amending 18 O.S.
9 2001, Section 954, which relates to exemptions; deleting
10 certain exemption; adding exemption for certain poultry
11 operations; directing that the State Department of
12 Agriculture not accept certain applications requesting
13 certain permits for any concentrated animal feeding
14 operation or poultry feeding operation which would be
15 located in a certain area; stating exemptions; providing for
16 codification; and declaring an emergency.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 18 O.S. 2001, Section 954, is
19 amended to read as follows:

20 Section 954. The provisions of ~~this act,~~ Section 951 et seq. of
21 this title, shall not apply where a corporation, either domestic or
22 foreign:

23 1. Engages in research and/or feeding arrangements or
24 operations concerned with the feeding of livestock or poultry, but
25 only to the extent of such research and/or feeding arrangements or
26 such livestock or poultry operations; ~~or~~

27 2. Engages in operations concerned with the production and
28 raising of livestock or poultry for sale or use as breeding stock

1 and including only directly related operations, such as breeding or
2 feeding livestock or poultry which are not selected or sold as
3 breeding stock; ~~or~~

4 3. Engages in ~~poultry and/or~~ swine operations, including only
5 directly related operations, such as ~~operating hatcheries,~~
6 facilities for the production of breeding stock, feed mills,
7 processing facilities, and providing supervisory, technical and
8 other assistance to any other persons performing such services on
9 behalf of the corporation; ~~or~~

10 4. Engages in poultry operations, including only directly
11 related operations, such as operating hatcheries, facilities for the
12 production of breeding stock, feed mills, processing facilities, and
13 providing supervisory, technical and other assistance to any other
14 persons performing such services on behalf of the corporation to the
15 extent of such operations in this state by the corporation on the
16 effective date of this act;

17 5. Engages in forestry as defined by Section 1-4 of Title 2 of
18 the Oklahoma Statutes; ~~or~~

19 ~~5.~~ 6. Whose corporate purpose is charitable or eleemosynary; or

20 ~~6.~~ 7. Presently engages in fluid milk processing within the
21 State of Oklahoma or leases to a fluid milk processor so engaged;
22 provided, this exception is limited to such dairy operations as are
23 necessary to meet such processor's needs.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 10-9 of Title 2, unless there is
3 created a duplication in numbering, reads as follows:

4 On the effective date of this act, the Department of Agriculture
5 shall not accept or approve any pending applications requesting
6 permits for registration, construction or expansion of any
7 concentrated animal feeding operation, as defined in Section 9-202
8 of Title 2 of the Oklahoma Statutes, or poultry feeding operation,
9 as defined in Section 10-9.1 of Title 2 of the Oklahoma Statutes, to
10 be located within one mile upstream of the Pensacola Project
11 boundary as described in the records of the Grand River Dam
12 Authority and the Federal Emergency Management Agency. Any such
13 operation currently authorized or permitted shall not be affected by
14 the provisions of this section.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

19 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT,
20 dated 2-12-02 - DO PASS, As Amended and Coauthored.