

ENGROSSED HOUSE AMENDMENT

TO

ENGROSSED SENATE BILL NO. 1444

By: Wyrick of the Senate

and

Hyman of the House

(agriculture - animal identification program -

effective date)

AUTHORS: Add the following House Coauthors: Auffet, Brannon, DePue, DeWitt, Dorman, Duncan, Glenn, Hilliard, Martin, McMullen, Pruett, Richardson, Rousselot, Shoemake and Smithson

AUTHOR: Remove Wyrick as principal Senate author and substitute Lerblance as principal Senate author

AMENDMENT NO. 1. Strike the stricken title, enacting clause and entire bill and insert

“(agriculture - pollution of air, land, or waters -

effective date)

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

SECTION 1. AMENDATORY Section 5, Chapter 60, O.S.L. 2004

(2 O.S. Supp. 2005, Section 2-18.1), is amended to read as follows:

Section 2-18.1 A. It shall be unlawful and a violation of the Oklahoma Agricultural Code for any person to cause pollution of any air, land or waters of the state by persons which are subject to the jurisdiction of the Oklahoma Department of Agriculture, Food, and Forestry pursuant to the Oklahoma Environmental Quality Act.

B. If the State Board of Agriculture finds that any of the air, land, or waters of the state which are subject to the jurisdiction

of the Oklahoma Department of Agriculture, Food, and Forestry pursuant to the Oklahoma Environmental Quality Act have been or are being polluted, the Board shall make an order requiring that the pollution cease within a time period determined by the Department, or require a manner of treatment or of disposition of the waste or other polluting material as may in the judgment of the Board be necessary to prevent further pollution. In addition, the Board may assess an administrative penalty pursuant to Section 2-18 of ~~Title 2 of the Oklahoma Statutes~~ this title. The person to whom the order is directed shall fully comply with the order of the Board and pay any fine and costs assessed.

C. In no case shall manure be defined as or considered a hazardous substance or a hazardous waste nor shall the beneficial use of manure be considered a use constituting disposal pursuant to the laws of the State of Oklahoma.

1. For purposes of this subsection, "manure" shall mean any feces, urine, urea, or other excrement from livestock and shall include, but not be limited to, any associated bedding, compost, raw materials, or other materials commingled with the excrement; any process water associated with the excrement or materials; or any byproducts, constituents, or substances contained in or originating from the excrement, materials, or process water.

2. This section shall not be construed to affect or limit the applicability of any other provision of the Oklahoma Agricultural Code.

SECTION 2. This act shall become effective November 1, 2006."

Passed the House of Representatives the 19th day of April, 2006.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2006.

Presiding Officer of the Senate