

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1703

By: Coates

AS INTRODUCED

An Act relating to agriculture; amending 2 O.S. 2001, Section 1-3, as last amended by Section 1, Chapter 292, O.S.L. 2005 (2 O.S. Supp. 2005, Section 1-3), which relates to definitions; defining term; and declaring an emergency.

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

SECTION 1. AMENDATORY 2 O.S. 2001, Section 1-3, as last amended by Section 1, Chapter 292, O.S.L. 2005 (2 O.S. Supp. 2005, Section 1-3), is amended to read as follows:

Section 1-3. For the purposes of the Oklahoma Agricultural Code, unless the context indicates otherwise:

1. "Animal waste" means animal excrement, animal carcasses, feed wastes, process wastewaters or any other waste associated with any livestock or animal in captivity; and, notwithstanding any other provision of law, such animal waste shall not be considered hazardous waste;

2. "Authorized agent" means a person who has been authorized by the State Board of Agriculture to act on behalf of the Board in making investigations, inspections, performing other services, or doing any particular act or acts which have been vested by the Oklahoma Agricultural Code in the Board. A written or printed commission signed by the President of the Board shall be proof that the holder has lawful authority to act on behalf of the Board in implementing the Oklahoma Agricultural Code;

~~2.~~ 3. "Board" means the State Board of Agriculture;

~~3.~~ 4. "Code" means the Oklahoma Agricultural Code;

~~4.~~ 5. "Department" means the Oklahoma Department of Agriculture, Food, and Forestry and its employees, officers, and divisions. Whenever the name "Department of Agriculture" appears in any law, contract or other document, it shall be deemed to refer to the Oklahoma Department of Agriculture, Food, and Forestry;

~~5.~~ 6. "Director" means the Director of a division established in the Oklahoma Department of Agriculture, Food, and Forestry;

~~6.~~ 7. "License" means a written document issued by the Board granting authority to a person to engage in a business, occupation, or activity;

~~7.~~ 8. "Livestock" or "animals" means any cattle, bison, horses, sheep, goats, asses, mules, swine, domesticated rabbits, and chickens, turkeys, and other domesticated fowl, and any animal or bird in captivity;

~~8.~~ 9. "Permit" means a written document issued by the Board giving consent for a person to engage in an activity;

~~9.~~ 10. "Person" means the state, any municipality, political subdivision, institution, individual, public or private corporation, partnership, association, firm, company, public trust, joint-stock company, trust, estate, state or federal agency, other governmental entity, or any other legal entity or an agent, employee, representative, assignee or successor thereof;

~~10.~~ 11. "President" means the President of the State Board of Agriculture. The President of the State Board of Agriculture shall also be designated as the Commissioner of Agriculture;

~~11.~~ 12. "Producer" means any person planting, raising, growing, or harvesting agricultural products;

~~12.~~ 13. "Quarantine" means a written document issued by the Board to restrict the movement of animals, birds, plants, or agricultural commodities into or out of a specified area for the control or prevention of diseases or pests; and

~~13.~~ 14. "Stop sale order" or "stop use order" means a written or printed order signed by the President or authorized agent of the Board, prohibiting the sale, offering for sale, exposure for sale, or use of any agricultural product, article, device, service, or commodity covered by the Oklahoma Agricultural Code.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

50-2-3325

MJM

6/13/2015 8:33:56 AM