

EHB 2345

1 THE STATE SENATE
2 Wednesday, March 24, 2010

3 ENGROSSED

4 House Bill No. 2345

5 As Amended

6 ENGROSSED HOUSE BILL NO. 2345 - By: Richardson, Fields and DeWitt of
7 the House and Justice and Ivester of the Senate.

8 [agriculture - membership - terms, appointments and
9 vacancies - meetings and quorums - staff support and travel
10 reimbursement - codification - effective date]

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

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 5-601 of Title 2, unless there
14 is created a duplication in numbering, reads as follows:

15 A. There is hereby created to continue until July 1, 2016, in
16 accordance with the provisions of the Oklahoma Sunset Laws, the
17 Oklahoma Livestock Care Standards Board for the purpose of
18 establishing standards governing the care and well-being of
19 livestock and poultry in this state. In carrying out its purpose,
20 the Board shall endeavor to maintain food safety, encourage Oklahoma
21 grown and raised food, and protect Oklahoma farms and families. The
22 Board shall be comprised of the following thirteen (13) members:

23 1. The Commissioner of Agriculture who shall be the Chair of
24 the Board;

- 1 2. The State Veterinarian in the Oklahoma Department of
2 Agriculture, Food, and Forestry;
- 3 3. The Dean of Agriculture for Oklahoma State University;
- 4 4. The Dean of the College of Veterinary Medicine for Oklahoma
5 State University;
- 6 5. The Chair of the Agriculture Committee or a succeeding
7 committee with responsibilities related to agriculture for the
8 Oklahoma House of Representatives;
- 9 6. The Chair of the Agriculture Committee or a succeeding
10 committee with responsibilities related to agriculture for the
11 Oklahoma State Senate;
- 12 7. Five members appointed by the Governor with the advice and
13 consent of the Senate. The five members appointed by the Governor
14 shall be residents of the state and shall be selected from a list of
15 three recommendations submitted by the following groups:
- 16 a. one member selected from the recommendations submitted
17 by a statewide association which represents the cattle
18 industry in Oklahoma;
- 19 b. one member selected from the recommendations submitted
20 by a statewide council which represents pork producers
21 in Oklahoma;

1 c. one member selected from the recommendations submitted
2 by a statewide federation which represents the poultry
3 industry in Oklahoma;
4 d. one member selected from the recommendations submitted
5 by a statewide organization which represents the
6 equine industry in Oklahoma; and
7 e. one member selected from the recommendation submitted
8 by an Oklahoma-chartered humane society; and
9 8. Two members appointed by the Governor with the advice and
10 consent of the Senate who shall be residents of the state and shall
11 represent Oklahoma consumers.

12 B. 1. The initial appointments of each member appointed to the
13 Oklahoma Livestock Care Standards Board by the Governor pursuant to
14 paragraph 7 of subsection A of this section shall be for progressive
15 terms of one (1) through five (5) years. The initial appointment of
16 each member appointed by the Governor pursuant to paragraph 8 of
17 subsection B of this section shall be for five (5) years.
18 Subsequent appointments by the Governor shall be for five-year
19 terms. Members shall continue to serve until their successors are
20 appointed. Any vacancy shall be filled in the same manner as the
21 original appointments. No member shall serve more than two
22 consecutive terms.

1 2. The Board shall meet regularly, but in no case shall meet
2 less than one time per year, at any other times as called by the
3 Chair or upon the request by four or more members of the Board.

4 3. A majority of the members of the Board shall constitute a
5 quorum to transact business, but no vacancy shall impair the right
6 of the remaining members to exercise all the powers of the Board.

7 4. The Oklahoma Department of Agriculture, Food, and Forestry
8 shall provide staff, support and information as requested by the
9 Board.

10 5. Members of the Board shall receive no compensation for
11 serving on the Board, but shall receive travel reimbursement from
12 the Oklahoma Department of Agriculture, Food, and Forestry as
13 follows:

- 14 a. Legislative members shall be reimbursed in accordance
15 with Section 457 of Title 74 of the Oklahoma Statutes,
16 and
17 b. all other members of the Board shall be reimbursed for
18 travel expenses incurred in the performance of their
19 duties in accordance with the State Travel
20 Reimbursement Act.

21 6. The Board shall act in accordance with the provisions of the
22 Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

1 C. The Oklahoma Livestock Care Standards Board shall have
2 authority to recommend standards governing the care and well-being
3 of livestock and poultry in this state, subject to the authority of
4 the State Board of Agriculture to administer and enforce. In
5 establishing those standards, the Board shall consider factors that
6 include, but are not limited to, agricultural best management
7 practices for care and well-being, biosecurity, disease prevention,
8 animal morbidity and mortality data, food safety practices, and the
9 protection of local, affordable food supplies for consumers.

10 D. The Oklahoma Department of Agriculture, Food, and Forestry
11 shall have the authority to administer and enforce the standards
12 established by the Oklahoma Livestock Care Standards Board which are
13 within the jurisdiction of the Department. The State Board of
14 Agriculture shall have the power and duty to promulgate rules
15 implementing and effectuating the provisions of this section and the
16 standards established by the Oklahoma Livestock Care Standards Board
17 which are within the jurisdiction of the State Board of Agriculture.

18 SECTION 2. This act shall become effective November 1, 2010.

19 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT,
20 dated 3-22-10 - DO PASS, As Amended and Coauthored.