

SB 635

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THE STATE SENATE
Monday, February 23, 2009

Senate Bill No. 635
As Amended

SENATE BILL NO. 635 - By: Justice of the Senate and DeWitt of the House.

[agriculture - Oklahoma Milk and Milk Products Act -
noncodification - effective date -
emergency]

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

SECTION 1. AMENDATORY 2 O.S. 2001, Section 7-408, is amended to read as follows:

Section 7-408. A. No person shall produce, haul, process, or distribute Grade A raw milk for pasteurization or milk and milk products, or hold ~~himself or herself~~ themselves out as a milk producer, transporter, processor, or distributor or represent a dairy farm, bulk milk hauler/sampler, milk tank truck driver, milk transportation company, milk tank truck cleaning facility, milk plant, receiving or transfer station, milk distribution center, or milk or milk products as "Grade A" unless that person possesses an appropriate and valid permit for the particular premises or facilities concerned.

B. Applications for permits for dairy farms, bulk milk hauler/sampler, milk tank truck driver, milk transportation company, milk tank truck cleaning facility, milk plants, receiving or

1 transfer stations, and milk distribution centers shall be submitted
2 on a form approved by the ~~Commissioner~~ State Board of Agriculture.
3 Each applicant shall allow the Commissioner to inspect the
4 applicable premises, records, and facilities. The ~~Commissioner~~
5 Board shall inspect premises and facilities and issue the permit
6 applied for when compliance is confirmed. The permits shall be
7 issued ~~without a fee or an~~ an expiration date except for the bulk milk
8 hauler/sampler and milk tank truck driver permit that shall be
9 effective for two (2) years. Permits shall not be transferable
10 among persons or places.

11 C. The ~~Commissioner~~ Board may issue permits, which shall be
12 contingent upon continuing compliance, to facilities located outside
13 this state which comply with the provisions of subsection B of
14 Section 7-406 of this title. If an out-of-state facility requests,
15 or if the facility is not certified, then the cost for all
16 inspections necessary pursuant to this subsection shall be paid by
17 those facilities and the amounts paid shall be deposited in the
18 State Department of Agriculture Revolving Fund.

19 D. The ~~Commissioner~~ Board shall issue permits and establish
20 classifications for milk and milk products.

21 E. The Board shall promulgate rules to establish fees for
22 permits and inspections pursuant to this section.

1 SECTION 2. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 The State Board of Agriculture shall, no later than September 1,
4 2009, promulgate emergency rules for establishment of fees pursuant
5 to subsection E of Section 7-408 of Title 2 of the Oklahoma
6 Statutes.

7 SECTION 3. This act shall become effective July 1, 2009.

8 SECTION 4. It being immediately necessary for the preservation
9 of the public peace, health and safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

12 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-18-09 - DO
13 PASS, As Amended and Coauthored.