

1 ENGROSSED HOUSE
2 BILL NO. 2345

By: Richardson, Fields and
DeWitt of the House

3 and

4 Justice of the Senate
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8 An Act relating to agriculture; creating the Oklahoma
9 Livestock Care Standards Board; stating purpose of
10 the Board; stating duties of the Board; providing for
11 membership; providing for terms, appointments and
12 vacancies; limiting terms; providing for meetings and
13 quorums; providing for staff support and travel
14 reimbursement; requiring Board to comply with certain
15 laws; stating authority of the Board to recommend
16 certain standards; requiring consideration of certain
17 factors; directing the Oklahoma Department of
18 Agriculture, Food, and Forestry to administer and
19 enforce the standards; directing the State Board of
20 Agriculture to promulgate rules to administer and
21 enforce the standards; providing for codification;
22 and providing an effective date.

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

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

A. There is hereby created to continue until July 1, 2016, in
accordance with the provisions of the Oklahoma Sunset Laws, the
Oklahoma Livestock Care Standards Board for the purpose of

1 establishing standards governing the care and well-being of
2 livestock and poultry in this state. In carrying out its purpose,
3 the Board shall endeavor to maintain food safety, encourage Oklahoma
4 grown and raised food, and protect Oklahoma farms and families. The
5 Board shall be comprised of the following thirteen (13) members:

6 1. The Commissioner of Agriculture who shall be the Chair of
7 the Board;

8 2. The State Veterinarian in the Oklahoma Department of
9 Agriculture, Food, and Forestry;

10 3. The Dean of Agriculture for Oklahoma State University;

11 4. The Dean of the College of Veterinary Medicine for Oklahoma
12 State University;

13 5. The Chair of the Agriculture Committee or a succeeding
14 committee with responsibilities related to agriculture for the
15 Oklahoma House of Representatives;

16 6. The Chair of the Agriculture Committee or a succeeding
17 committee with responsibilities related to agriculture for the
18 Oklahoma State Senate;

19 7. Five members appointed by the Governor with the advice and
20 consent of the Senate. The five members appointed by the Governor
21 shall be residents of the state and shall be selected from a list of
22 three recommendations submitted by the following groups:
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- a. one member selected from the recommendations submitted by a statewide association which represents the cattle industry in Oklahoma;
- b. one member selected from the recommendations submitted by a statewide council which represents pork producers in Oklahoma;
- c. one member selected from the recommendations submitted by a statewide federation which represents the poultry industry in Oklahoma;
- d. one member selected from the recommendations submitted by a statewide organization which represents the equine industry in Oklahoma; and
- e. one member selected from the recommendation submitted by an Oklahoma-chartered humane society; and

8. Two members appointed by the Governor with the advice and consent of the Senate who shall be residents of the state and shall represent Oklahoma consumers.

B. 1. The initial appointments of each member appointed to the Oklahoma Livestock Care Standards Board by the Governor pursuant to paragraph 7 of subsection A of this section shall be for progressive terms of one (1) through five (5) years. The initial appointment of each member appointed by the Governor pursuant to paragraph 8 of subsection B of this section shall be for five (5) years. Subsequent appointments by the Governor shall be for five-year

1 terms. Members shall continue to serve until their successors are
2 appointed. Any vacancy shall be filled in the same manner as the
3 original appointments. No member shall serve more than two
4 consecutive terms.

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

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

11 4. The Oklahoma Department of Agriculture, Food, and Forestry
12 shall provide staff, support and information as requested by the
13 Board.

14 5. Members of the Board shall receive no compensation for
15 serving on the Board, but shall receive travel reimbursement from
16 the Oklahoma Department of Agriculture, Food, and Forestry as
17 follows:

18 a. Legislative members shall be reimbursed in accordance
19 with Section 457 of Title 74 of the Oklahoma Statutes,
20 and

21 b. all other members of the Board shall be reimbursed for
22 travel expenses incurred in the performance of their
23 duties in accordance with the State Travel
24 Reimbursement Act.

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

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

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

20 SECTION 2. This act shall become effective November 1, 2010.
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1 Passed the House of Representatives the 9th day of March, 2010.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2010.

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9 Presiding Officer of the Senate
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