

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1306

By: Richardson

6 AS INTRODUCED

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

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

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

21 A. There is hereby created to continue until July 1, 2017, in  
22 accordance with the provisions of the Oklahoma Sunset Law, the  
23 Oklahoma Livestock Care Standards Board for the purpose of  
24 establishing standards governing the care and well-being of

1 livestock and poultry in this state. In carrying out its purpose,  
2 the Board shall endeavor to maintain food safety, encourage  
3 Oklahoma-grown and -raised food, and protect Oklahoma farms and  
4 families. The Board shall be comprised of the following fifteen  
5 (15) 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. Seven members appointed by the Governor with the advice and  
20 consent of the Senate. The seven 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:

- 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,
- e. one member selected from the recommendations submitted by a statewide organization which represents the dairy industry in Oklahoma,
- f. one member selected from the recommendations submitted by a statewide organization that primarily represents independent agricultural producers whose direct consumer sales account for over fifty percent (50%) of their business, and
- g. one member selected from the recommendations submitted by an Oklahoma-chartered humane society; and

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

4        B. 1. The initial appointment of each member appointed to the  
5 Oklahoma Livestock Care Standards Board by the Governor pursuant to  
6 paragraph 7 of subsection A of this section shall be for progressive  
7 terms of one (1) through five (5) years, with three members serving  
8 five-year initial terms. The initial appointment of each member  
9 appointed by the Governor pursuant to paragraph 8 of subsection A of  
10 this section shall be for five (5) years. Subsequent appointments  
11 by the Governor shall be for five-year terms. Members shall  
12 continue to serve until their successors are appointed. Any vacancy  
13 shall be filled in the same manner as the original appointment. No  
14 member shall serve more than two consecutive terms.

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

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

21        4. The Oklahoma Department of Agriculture, Food, and Forestry  
22 shall provide staff, support and information as requested by the  
23 Board.  
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1        5. Members of the Board shall receive no compensation for  
2 serving on the Board, but shall receive travel reimbursement from  
3 the Oklahoma Department of Agriculture, Food, and Forestry as  
4 follows:

5            a. legislative members shall be reimbursed in accordance  
6                with Section 457 of Title 74 of the Oklahoma Statutes,  
7                and

8            b. all other members of the Board shall be reimbursed for  
9                travel expenses incurred in the performance of their  
10               duties in accordance with the State Travel  
11               Reimbursement Act.

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

14        C. The Oklahoma Livestock Care Standards Board shall have  
15 authority to recommend standards governing the care and well-being  
16 of livestock and poultry in this state, subject to the authority of  
17 the State Board of Agriculture to administer and enforce. In  
18 establishing those standards, the Board shall consider factors that  
19 include, but are not limited to, agricultural best management  
20 practices for care and well-being, biosecurity, disease prevention,  
21 animal morbidity and mortality data, food safety practices, and the  
22 protection of local, affordable food supplies for consumers.

23        D. The Oklahoma Department of Agriculture, Food, and Forestry  
24 shall have the authority to administer and enforce the standards

1 established by the Oklahoma Livestock Care Standards Board which are  
2 within the jurisdiction of the Department. The State Board of  
3 Agriculture shall have the power and duty to promulgate rules  
4 implementing and effectuating the provisions of this section and the  
5 standards established by the Oklahoma Livestock Care Standards Board  
6 which are within the jurisdiction of the State Board of Agriculture.

7 SECTION 2. This act shall become effective November 1, 2011.

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