

SENATE BILL REPORT

SB 5961

As Reported By Senate Committee On:
Agriculture & Rural Economic Development, February 28, 2005

Title: An act relating to proper management of livestock mortalities.

Brief Description: Requiring proper management of livestock mortalities.

Sponsors: Senators Rasmussen and Shin.

Brief History:

Committee Activity: Agriculture & Rural Economic Development: 2/24/05, 2/28/05 [DP-WM].

Ways & Means: 3/4/05.

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Schoesler, Ranking Minority Member; Delvin, Jacobsen, Morton and Sheldon.

Staff: Bob Lee (786-7404)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Kirstan Arestad (786-7708)

Background: In February 2003, the federal Environmental Protection Agency adopted additional rules pertaining to concentrated animal feeding operations. The rule contains additional planning requirements to assure prevention of discharges into waters. One specific component of the plan is to ensure proper management of livestock mortalities. Plans must be approved and implemented by December 31, 2006. Operations that fail to meet this deadline may be subject to fines.

The State Board of Health has adopted a rule that provides different requirements than contained in statutes administered by the Department of Agriculture. The Department of Ecology have rules on composting. The state Department of Agriculture is to follow guidelines for livestock nutrient management plans established by the federal Natural Resources Conservation Service. There is concern that other state and local agencies have regulations that impact what constitutes proper disposal.

Summary of Bill: The Department of Agriculture must develop rules to assure the proper management of all non-emergency livestock carcass disposals in the state to fulfill the requirements of federal rules pertaining to farm plans for concentrated animal feeding operations.

The Department of Agriculture must adopt these rules in consultation with the Department of Ecology, the Department of Health, and other applicable regulatory entities. The rule adopted under this section must be the exclusive state requirement to meet the federal rule. The Department of Agriculture must adopt emergency rules to implement this section by August 30, 2005.

Repealed is the statute that requires any animal that has died or been killed on account of disease to be buried at a depth that no part of the carcass be nearer than three feet from the surface of the ground.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately. The repeal of the existing section of law is effective on August 30, 2005.

Testimony For (Agriculture & Rural Economic Development): Mortalities happen in larger operations and have to be dealt with. Clear rules are important.

Testimony Against (Agriculture & Rural Economic Development) None.

Other: The alternative of composting is also needed.

Who Testified (Agriculture & Rural Economic Development): PRO: David Secrist, and Keith Pearce, Washington Cattle Feeders.

Testimony For (Ways & Means): We strongly support this legislation. The livestock industry of Washington will be facing the largest regulatory burden it has ever seen with the federal concentrated animal feeding operations (CAFO) legislation.

Testimony Against (Ways & Means): None.

Who Testified (Ways & Means): PRO: Jack Field, Washington Cattlemen's Association.