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**SUBSTITUTE SENATE BILL 6636**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** Senate Committee on Agriculture (originally sponsored by Senators Rasmussen, Swecker, Jacobsen, Brandland, Doumit, Fairley, Kohl-Welles, Eide, Fraser, Regala, Shin, Prentice, Honeyford, Kline, Thibaudeau, Poulsen, Spanel, Franklin, Keiser, Winsley, Oke and Esser)

READ FIRST TIME 02/09/04.

1 AN ACT Relating to the disposal of animals; adding a new chapter to  
2 Title 16 RCW; creating a new section; prescribing penalties; providing  
3 an expiration date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) An interagency work group shall be  
6 formed by the departments of health, agriculture, and ecology. The  
7 purpose of the work group is to develop a comprehensive state policy on  
8 proper methods of disposing of animal carcasses that protect other  
9 animals and humans. The interagency work group shall seek the  
10 involvement of local health departments, other state and federal  
11 agencies that have an interest or expertise in issues to be reviewed,  
12 university scientists, and affected constituency groups. In developing  
13 the comprehensive state policy, the interagency work group shall  
14 include a review of existing rules for their adequacy in protecting  
15 public health and animal health from possible transmission of diseases  
16 including but not limited to various forms of transmissible spongiform  
17 encephalopathies. Furthermore, the possible vectors of disease  
18 transmission shall be examined including air, land, water, birds, and  
19 scavengers.

1 (2) The review shall include an evaluation of any existing or  
2 proposed federal regulations and draft technical guides. References to  
3 federal regulations and guidance documents may be included in the state  
4 policy and the work group shall strive for a high degree of consistency  
5 between jurisdictions. Additionally, the interagency work group shall  
6 review RCW 16.68.020, WAC 246-203-120(3), and guidance from the United  
7 States department of agriculture.

8 (3) The interagency work group shall include an education component  
9 that will provide information and technical guidance to governmental  
10 entities, animal owners, and the public on how to comply with the state  
11 policy and associated rules.

12 (4) The interagency work group shall report to the legislature any  
13 statutes that need to be amended to carry out this policy and to  
14 recommend adjustment to any inconsistent policies.

15 (5) The interagency work group shall provide a written report to  
16 the legislature by December 15th of each year that summarizes the  
17 actions of the work group and its findings and recommendations.

18 (6) This section expires December 31, 2005.

19 NEW SECTION. **Sec. 2.** If federal requirements are found to be  
20 insufficient, the board of health, after consulting the interagency  
21 work group's state policy as reported under section 1 of this act,  
22 shall, as necessary, adopt rules that provide for the proper treatment  
23 and disposal of any animal that is tested positive for transmissible  
24 spongiform encephalopathy. The rules may differentiate between the  
25 method of treatment and disposal of various types of transmissible  
26 spongiform encephalopathies based on the scientific differences between  
27 the diseases and the risk that each pose to other animals and to  
28 humans.

29 NEW SECTION. **Sec. 3.** The department of ecology, after consulting  
30 the interagency work group's state policy as reported under section 1  
31 of this act, shall review and, as necessary, adopt additional minimum  
32 standards that landfills must meet to accept animal carcasses. In  
33 developing the standards, the department shall take into consideration  
34 whether animals to be disposed of may carry various types of diseases.

1        NEW SECTION.    **Sec. 4.**    The department of agriculture, after  
2 consulting the interagency work group's state policy as reported under  
3 section 1 of this act and the state conservation commission, shall  
4 review and, as necessary, adopt standards that provide for the proper  
5 on-site disposal of carcasses of livestock as defined in RCW 16.50.110  
6 by the owner which may be more restrictive than those provided in RCW  
7 16.68.020.    The department shall take into consideration whether  
8 livestock to be disposed of may carry various types of diseases.

9        NEW SECTION.    **Sec. 5.**    A person who violates rules adopted under  
10 this chapter is guilty of a misdemeanor punishable under RCW 9A.20.021.

11        NEW SECTION.    **Sec. 6.**    Sections 2 through 5 of this act constitute  
12 a new chapter in Title 16 RCW.

13        NEW SECTION.    **Sec. 7.**    This act is necessary for the immediate  
14 preservation of the public peace, health, or safety, or support of the  
15 state government and its existing public institutions, and takes effect  
16 immediately.

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