

6636-S

Sponsor(s): 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)

Brief Description: Regulating the disposal of animals. Revised for 1st Substitute: Regulating the disposal of animals. (REVISED FOR PASSED LEGISLATURE: Developing a policy on the disposal of animals.)

SB 6636-S - DIGEST

(DIGEST AS PASSED LEGISLATURE)

Requires an interagency work group to be formed by the departments of health, agriculture, and ecology. The purpose of the work group is to develop a comprehensive state policy on proper methods of disposing of animal carcasses that protect other animals and humans.

Provides that, in developing the state policy, the interagency work group shall include the involvement of: (1) Local health departments;

(2) Other state and federal agencies that have an interest or expertise in the issues to be reviewed by the work group;

(3) University scientists;

(4) Representatives of meat processors;

(5) Representatives of animal feeding operations; and

(6) Other affected constituency groups.

Provides that, in developing the comprehensive state policy, the interagency work group shall: (1) Include a review of existing rules for their adequacy in protecting public health and animal health from possible transmission of diseases including, but not limited to, various forms of transmissible spongiform encephalopathies;

(2) Examine the possible vectors of disease transmission including air, land, water, birds, and scavengers;

(3) Evaluate any applicable existing or proposed federal regulations and applicable draft technical guides, including, but not limited to, RCW 16.68.020, WAC 246-203-120(3), and guidance from the United States department of agriculture; and

(4) Develop an educational component that will provide information and technical guidance to governmental entities, animal owners, and the public on how to comply with the state policy and associated rules.

Requires the interagency work group to provide a written report to the appropriate standing committees of the legislature by December 17, 2004, and December 16, 2005, that summarizes the actions of the work group and its findings and recommendations, including any recommendations for legislation to amend statutes that are necessary to implement the state policy developed under this section or to adjust any inconsistent state policies.

Provides that, until December 30, 2005, the department of

agriculture may issue emergency rules for the disposal of diseased animal carcasses that are supplemental to, or contrary to, RCW 16.68.020, if the director of the department of agriculture deems that such rules are appropriate for the disposal of a large number of animals.

Provides that the act shall be null and void if appropriations are not approved.

VETO MESSAGE ON SB 6636-S

March 29, 2004

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6636 entitled:

"AN ACT Relating to the disposal of animals;"

This bill would have created an interagency work group charged with developing a comprehensive state policy on proper methods for disposing of diseased animal carcasses. It also authorized the Department of Agriculture to issue emergency rules for the disposal of diseased animal carcasses.

Since the Bovine Spongiform Encephalopathy (BSE) incident in our state last December, our Departments of Agriculture, Ecology, and Health have worked closely together responding to the event, working with federal agencies, local governments, and affected stakeholders. These agencies have already undertaken an evaluation of the incident with a particular focus on disposal. The agencies will be providing me with a report on their findings and recommendations for any necessary changes.

Sections 2 and 3 of the bill would have provided the Department of Agriculture emergency rulemaking authority for rules relating to the disposal of diseased animal carcasses. RCW 16.68.170 currently authorizes the Department to write rules relating to the disposal of diseased animal carcasses. RCW 16.36.040 also gives the director authority to adopt rules relating to the prevention of the spread of infectious animal diseases. In both cases, the director may promulgate emergency rules as provided by RCW 34.05.350.

Finally, the Legislature failed to provide specific funding for the purposes of this bill.

For these reasons, I have vetoed Substitute Senate Bill No. 6636 in its entirety.

Respectfully submitted,
Gary Locke
Governor