

OK-Governor signs bill to prohibit defining manure as hazardous, 19 other bills

04/18/2007 by Shawn Ashley

(OPT) Gov. Brad Henry signed a bill Wednesday that prevents animal manure from being defined as a hazardous material or waste. The measure was one of 20 bills signed Wednesday by the governor, the greatest number of measures he has signed on any one day this legislative session.

SB 709, by Sen. Ron Justice, R-Chickasha, and Rep. Terry Hyman, D-Leon, prohibits manure from being defined or considered hazardous waste, was signed by the governor after passing the Senate 38 to 18 and the House 85 to 14. Proponents of the measure argued defining animal manure, particularly chicken manure, as a hazardous material or waste would have a negative impact on the state's agriculture industry, where the manure is often sold or used as fertilizer. Opponents feared the bill would limit the ability of the state to pursue actions against polluters.

In addition to stating, "Manure shall not be defined as or be considered a hazardous substance or hazardous waste as those terms are defined by state law," the bill defines manure to include associated nonhazardous bedding, compost, raw materials or other nonhazardous materials commingled with the excrement; nonhazardous process water associated with the excrement or materials, or nonhazardous byproducts, constituents or substances contained in or originating from the excrement, materials or process water.

House Votes to Protect Farmers and Ranchers from Bogus Lawsuits

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OKLAHOMA CITY (April 12, 2007) – Oklahoma's farmers and ranchers will soon be protected from frivolous lawsuits claiming animal manure is toxic waste thanks to legislation approved by the Oklahoma House of Representatives today. Senate Bill 709, by state Sen. Ron Justice (R-Chickasha) and state Rep. Terry Hyman (D-Leon), declares that manure shall not be considered hazardous waste under state law.

"The passage of Senate Bill 709 means Oklahoma's 83,000 agricultural producers can do what they do best: produce food and fiber without fear of unwanted litigation," said Hyman. "This bill sends a message that Oklahoma values the agriculture industry and is taking a common-sense approach toward its protection."

Supporters of the bill noted that environmental extremists have begun using regulatory harassment and the threat of expensive lawsuits to destroy family farms. Without passage of Senate Bill 709, they warned that most farmers and ranchers in Oklahoma could face bankrupting lawsuits claiming animal manure is toxic waste.

"This legislation will protect farmers and ranchers from people who can't tell the difference between a barnyard and Chernobyl," Hyman said. "Some individuals would like to see our 5.4 million head of cattle declared 'hazardous waste generators' and Oklahoma's 83,000 farms 'toxic waste sites.' They do not realize or care about the economic impact it would have on rural Oklahoma."

Without the common-sense protections provided by Senate Bill 709, Hyman noted that the state could also lose several major tourist attractions, such as the annual American Quarter Horse Association show, which contributes \$180 million to Oklahoma City's economy each year. Senate Bill 709 passed the Oklahoma House of Representatives on an 85-14 vote. It now goes to Gov. Brad Henry for his signature.

"Today the agriculture industry won a battle in the war to protect family farms and the way of life they represent," Hyman said. "In this Centennial year, it is only fitting we help preserve this original industry of Oklahoma."