

# As Reported by the Senate Agriculture Committee

128th General Assembly

Regular Session

2009-2010

Sub. S. J. R. No. 6

Senators Gibbs, Wilson

Cosponsors: Senators Faber, Grendell, Morano

---

## JOINT RESOLUTION

Proposing to enact Section 1 of Article XIV of the 1  
Constitution of the State of Ohio to create the 2  
Ohio Livestock Care Standards Board. 3

Be it resolved by the General Assembly of the State of Ohio, 4  
three-fifths of the members elected to each house concurring 5  
herein, that there shall be submitted to the electors of the 6  
state, in the manner prescribed by law at the general election to 7  
be held on November 3, 2009, a proposal to enact Section 1 of 8  
Article XIV of the Constitution of the State of Ohio to read as 9  
follows: 10

### ARTICLE XIV 11

Section 1. (A) There is hereby created the Ohio Livestock 12  
Care Standards Board for the purpose of establishing standards 13  
governing the care and well-being of livestock and poultry in this 14  
state. In carrying out its purpose, the Board shall endeavor to 15  
maintain food safety, encourage locally grown and raised food, and 16  
protect Ohio farms and families. The Board shall be comprised of 17  
the following thirteen members: 18

(1) The director of the state department that regulates 19  
agriculture who shall be the chairperson of the Board; 20

(2) Ten members appointed by the Governor with the advice and 21

<u>consent of the Senate. The ten members appointed by the Governor</u>	22
<u>shall be residents of this state and shall include the following:</u>	23
<u>(a) One member representing family farms;</u>	24
<u>(b) One member who is knowledgeable about food safety in this</u> <u>state;</u>	25 26
<u>(c) Two members representing statewide organizations that</u> <u>represent farmers;</u>	27 28
<u>(d) One member who is a veterinarian who is licensed in this</u> <u>state;</u>	29 30
<u>(e) The State Veterinarian in the state department that</u> <u>regulates agriculture;</u>	31 32
<u>(f) The dean of the agriculture department of a college or</u> <u>university located in this state;</u>	33 34
<u>(g) Two members of the public representing Ohio consumers;</u>	35
<u>(h) One member representing a county humane society that is</u> <u>organized under state law.</u>	36 37
<u>(3) One member appointed by the Speaker of the House of</u> <u>Representatives who shall be a family farmer;</u>	38 39
<u>(4) One member appointed by the President of the Senate who</u> <u>shall be a family farmer.</u>	40 41
<u>Not more than seven members appointed to the Board at any</u> <u>given time shall be of the same political party.</u>	42 43
<u>(B) The Board shall have exclusive authority to establish</u> <u>standards governing the care and well-being of livestock and</u> <u>poultry in this state, subject only to the authority of the</u> <u>General Assembly. In establishing those standards, the Board shall</u> <u>consider factors that include, but are not limited to,</u> <u>agricultural best management practices for such care and</u> <u>well-being, biosecurity, disease prevention, animal morbidity and</u>	44 45 46 47 48 49 50

mortality data, food safety practices, and the protection of 51  
local, affordable food supplies for consumers. 52

(C) The state department that regulates agriculture shall 53  
have the authority to administer and enforce the standards 54  
established by the Board. 55

(D) The General Assembly shall enact laws that are necessary 56  
for the Board to carry out its functions and that set the length 57  
of terms of office for the Board's members. Nothing in this 58  
section limits or impairs the authority of the General Assembly to 59  
enact legislation consistent with this section and consistent with 60  
the authority otherwise granted to the General Assembly under the 61  
Constitution. 62

(E) This section shall be liberally construed in favor of its 63  
purposes and no other provision of the Constitution shall impair 64  
or limit the power granted by this section. 65

(F) If any part of this section is held invalid, the 66  
remainder of this section shall not be affected by that holding 67  
and shall continue in full force and effect. 68

EFFECTIVE DATE 69

If adopted by a majority of the electors voting on this 70  
proposal at the general election held November 3, 2009, the 71  
enactment of Section 1 of Article XIV of the Constitution of the 72  
State of Ohio takes effect immediately. 73