

February 7, 2008 - Sharing a View of the State

Chuck Purgason, State Senator 33rd District

One of the issues I have worked on for the past couple of years is the National Animal Identification System or NAIS. The intent behind the bill I have introduced is to ensure that the NAIS put forth by the United States Department of Agriculture (USDA) remains a voluntary program. For your purview, the following is the full text of the bill that passed through committee and is to be reported to the Senate Floor this week.

This is the entire text of Senate Committee Substitute for Senate Bill 931 as it was voted out of committee:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

Section A. Chapter 267, RSMo, is amended by adding thereto one new section, to be known as section 267.168, to read as follows:

- 267.168. 1. The state of Missouri may support a voluntary animal identification program, subject to appropriation. The department of agriculture shall not mandate or otherwise force national animal identification system (NAIS) premises registration without specific statutory authorization from the Missouri general assembly.
2. Any person who participates in the national animal identification system may withdraw from the system at any time. All personal information relating to a participant shall be deleted from the system when the participant withdraws, unless the participant is part of an ongoing disease investigation.

As I said, this is the entire bill. It simply says that in order for that state to go from a voluntary program to a mandatory program they have to obtain permission from the general assembly. In other words, take the decision away from unelected state and federal bureaucrats and place this decision in the hands of your elected senators and representatives.

Earlier I had filed a bill that many of the farm groups here at the Capitol testified against. In working with these groups and addressing many of their concerns, I finally settled on the language listed above.

Farm Bureau states in their policy manual that they are for a voluntary program. I think this legislation accomplishes that goal while still trying to protect the small farmer from having the NAIS program becoming mandatory without their consent or their elected leaders' consent.

Farm Bureau states that this is an issue about private property rights. I agree with them and that is why I introduced this bill and worked to get it passed out of committee. I think the

freedom for a person to farm and sell his produce and products on the open market is a right that is worth fighting to protect.

Under the NAIS program that passed in the 2002 Farm Bill in Washington, the director of the USDA can at any time make this a mandatory program that would require a producer to acquire a premises ID number and participate in the NAIS program. A producer would be required to have this number and to follow the guidelines set out by the NAIS in order to buy or sell farm products.

Phase 2 of the program is the tagging of animals and Phase 3 is the tracking of animal movements. This program can be transformed from voluntary to mandatory with the stroke of a pen --- it only takes the signature of the Secretary of the United States Department of Agriculture.

The bill I have introduced is designed to require the Missouri Department of Agriculture to get permission from the General Assembly in order to make that transition from voluntary to mandatory. This will not stop the federal government from going mandatory, but it will stop our state department from enforcing the federal government's mandatory requirement until they have legislative authority.

Farm Bureau has stated that they would prefer to fight this issue at the federal level, but the issue was already passed in 2002 --- the federal legislation passed five years ago. If my job is to do whatever the federal government wants to do, what is the use of having a state legislature?

Since we all agree that this program should remain voluntary, I look forward to working with Farm Bureau, the Missouri Cattlemen's Association, and the other farming groups to contact your state representatives and senators to work for the passage of this bill to protect the precious freedoms we enjoy in this state.