

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairman Dan Johnson at 12:15 p.m. on March 29, 2001, in Room 245-N of the Capitol.

All members were present except: Representative Hayzlett - excused
Representative Larkin - excused
Representative Showalter - excused

Committee staff present: Raney Gilliland, Legislative Research Department
Gordon Self, Revisor of Statutes Office
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Discussion and action on HB 2572 - Unlawful entry by agricultural inspector, criminal and civil sanctions.

Representative Schwartz moved to adopt a simplified version of **HB 2572**. (Attachment 1) Seconded by Representative Hutchins, the motion carried.

Gordon Self explained that the modified version of **HB 2572** would make it unlawful for any person to enter the premises of a confined animal feeding facility without maintaining compliance with bio-security protocol and standards submitted by the owner of such facility and filed by such owner with the Kansas Department of Health and Environment. A violation would be a misdemeanor punishable by a fine of at least \$100 but not exceeding \$500. The modified version removes the civil penalty provision.

The committee expressed numerous concerns. Representative Schwartz moved to table **HB 2572** and request an interim study. Seconded by Representative Feuerborn, the motion carried.

The meeting adjourned at 12:35 p.m.

HOUSE BILL NO. _____

By

AN ACT concerning crimes, criminal procedure and punishment;
creating the crime of unlawful entry of a confined feeding
facility.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Unlawful entry of a confined feeding facility is the entry of any person upon the premises of a confined feeding facility without maintaining compliance with bio-security protocol and standards submitted by the owner of such facility and filed by such owner with the Kansas department of health and environment.

(b) As used in this section: (1) "Confined feeding facility" means the same as provided in K.S.A. 65-171d, and amendments thereto; and

(2) "person" means the same as provided in K.S.A. 21-3110, and amendments thereto, and includes an employee of the United States environmental protection agency, the Kansas department of health and environment and the Kansas animal health department.

(c) Unlawful entry of a confined feeding facility is a misdemeanor punishable by a fine of at least \$100 but not exceeding \$500.

(d) The provisions of this section are part of and supplemental to the Kansas criminal code.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.