

SESSION OF 2006

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2899**

As Agreed to March 28, 2006

Brief*

HB 2899 would amend a section of law which currently prohibits the importation or possession, or both, of feral swine into the state.

The definition of the term "feral swine" would be enhanced by including swine whose reversion from the domesticated state to the wild state is apparent; or an otherwise freely roaming swine having no visible tags, markings, or characteristics indicating that such swine is from a domestic herd, and reasonable inquiry within the area does not identify an owner. The current language defining feral swine as an untamed or undomesticated hog, boar, or pig, would be retained.

The bill would make it unlawful to:

- Import, possess, or transport live feral swine in Kansas; or
- Intentionally or knowingly release any hog, boar, pig, or swine to live in a wild or feral state upon public or private land.

Violations of these two provisions would continue to be subject to a civil penalty of not less than \$1,000 nor more than \$5,000 for each violation. Each day a violation occurs would continue to be a separate violation.

In addition, the bill would make it unlawful to:

- Engage in, sponsor, instigate, assist, or profit from the release, killing, wounding, or attempted killing or wounding of feral swine for the purpose of sport, pleasure, amusement, or production of a trophy.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

Violation of this provision would be subject to a civil penalty of not less than \$250 nor more than \$2,500 for each violation.

Owners or legal occupants of land, or their employees, would not be prevented from killing feral swine when the feral swine are found on their premises or when destroying property. Owners or legal occupants of land could authorize designees to kill feral swine on their premises or when destroying property. These individuals would be required to have a permit issued by the Livestock Commissioner in their possession at the time of the killing of the feral swine. In addition, the Livestock Commission would be authorized to promulgate rules and regulation necessary to administer provisions of the bill.

Conference Committee Action

The House conferees agreed to all Senate amendments. In addition, the Conference Committee agreed to give authority to the Livestock Commissioner to promulgate rules and regulations to administer the provisions of the bill.

Background

This bill was requested by the Livestock Commission of the Animal Health Department. At the hearing on the bill, the Livestock Commissioner indicated that feral swine are a threat to the disease status of the state's domestic herd. In addition, the Commissioner stated that under current law it is not illegal to hunt feral swine and that by not prohibiting hunting, the state law promoted illegal activity with respect to feral swine. Other proponents included representatives of the Kansas Pork Council and the Kansas Livestock Association. There were no opponents to the bill.

The House Committee on Agriculture amended the bill to:

- Make it illegal to transport feral swine;
- Clarify that it is unlawful to import, transport, or possess live feral swine; and
- Provide that owners or legal occupants of land or their designees would not be prevented from killing feral swine when found on their premises or when destroying property.

The Senate Committee on Agriculture amended the bill to:

- Make a person engaging in, sponsoring, instigating, assisting, or profiting from the release, killing, wounding, or attempted killing or wounding of feral swine for the purpose of sport, pleasure, amusement or production of a trophy subject to a civil penalty of not less than \$250 nor more than \$2,500 rather than subject to the civil penalty of not less than \$1,000 nor more than \$5,000;
- Permit employees of owners or legal occupants of land to kill any feral swine when found on the owner's or legal occupants' premises or when destroying property; and
- Require designees of owners or legal occupants of land to obtain a permit to kill feral swine from the Livestock Commissioner and have it in their possession when killing feral swine.

The fiscal note on the original bill indicates that there would be no fiscal impact and could be implemented with current resources.