

STATE OF KANSAS

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SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **SB 405**, on page 1, following line 5, by inserting:

"New Section 1. (a) (1) Prior to the establishment of a poultry confined feeding facility in any county in the state on or after July 1, 2018, the board of county commissioners, by resolution, shall permit or deny any poultry confined feeding facility, that is used for the confined feeding of 125,000 or more poultry per year, to be established within the county. Such resolution shall be published once each week for two consecutive weeks in the official county newspaper. The resolution shall take effect 60 days after final publication, unless a valid petition in opposition to the same is filed.

(2) If, within 60 days of the final publication of the resolution, a valid protest petition to submit the resolution to the qualified electors of the county is signed by qualified electors of the county, equal in number to not less than 5% of the electors of the county who voted for the office of secretary of state at the last preceding general election at which such office was elected and is filed with the county election officer, the county election officer shall submit the question, as established in subsection (c), of whether such confined feeding facility shall be allowed to be established in such county at the next state, county or special election.

(b) (1) The board of county commissioners, upon a petition filed in accordance with subsection (b)(2), shall submit to the qualified electors of the county a proposition to permit such poultry confined feeding facility to be established within the county.

(2) A petition to submit a proposition to the qualified voters of a county pursuant to this section shall be filed with the county election officer. The petition shall be signed by qualified electors of the county equal in number to not less than 5% of the electors of the county who voted for the office

of secretary of state at the last preceding general election at which such office was elected. The following shall appear on the petition:

"We request an election to determine whether a poultry confined feeding facility that is used for the confined feeding of 125,000 or more poultry per year shall be allowed to be established in \_\_\_\_\_ county."

(c) In any election established pursuant to this section, the following shall appear on the ballot:

"Shall a poultry confined feeding facility that is used for the confined feeding of 125,000 or more poultry per year be allowed to be established in \_\_\_\_\_ county?"

(d) If a majority of the votes cast and counted are in opposition to allowing such poultry confined feeding facility to be established in such county, the county election officer shall transmit a copy of the result to the secretary of state, who shall publish in the Kansas register the result of such election and that such poultry confined feeding facility is not allowed to be established in such county.

(e) If a majority of the votes cast and counted is in favor of the proposition, the county election officer shall transmit a copy of the result to the secretary of state, who shall publish in the Kansas register the result of such election and that such poultry confined feeding facility is allowed to be established in such county.

(f) The election provided for by this section shall be conducted, and the votes counted and canvassed, in the manner provided by law for question-submitted elections of the county.

(g) (1) As used in this section, "poultry confined feeding facility" means a building, lot, pen, pool or pond: (A) Used for the confined feeding of 125,000 or more poultry per year for food, fur or pleasure purposes; (B) is not normally used for raising crops; and (C) in which no vegetation intended for animal food is growing.

(2) "Poultry confined feeding facility" does not include a facility used for the confined

feeding of any animal other than poultry.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "the department of health and environment" and inserting "poultry facilities"; also in line 1, after "to" by inserting "petition to establish poultry confined feeding facilities in a county;"; in line 2, by striking "poultry facilities;"

Senator \_\_\_\_\_