

CCS HCS SCS SB 631 -- AGRICULTURE

This bill changes the laws regarding agricultural education in private schools; exhibiting livestock; grain dealers; agricultural crimes; trucks hauling livestock, agricultural products, or milk; corporate ownership of agricultural land; and videotaping of animal abuse and establishes the Agritourism Promotion Act.

AGRICULTURAL EDUCATION IN PRIVATE SCHOOLS (Section 178.530, RSMo)

The State Board of Education within the Department of Elementary and Secondary Education is required to develop standards for agricultural education that may be adopted by an appropriately accredited private school in order to qualify the school to apply to the state chapter of the Future Farmers of America for the approval of a local chapter. The standards must be consistent with the federal Vocational Education Act, but the local chapter will not be eligible to receive state or federal agricultural vocational education funding except for the funding the school would otherwise be eligible for agricultural vocational education and must annually reimburse the department for the cost of oversight and maintenance of the program.

EXHIBITION OF LIVESTOCK (Section 262.255 and Sections 1 and 2)

The Missouri State Fair Commission and the governing bodies of all national, state, and local fairs and expositions that include the exhibition of livestock must permit all qualifying 4-H and Future Farmers of America members to exhibit livestock at a fair or exposition in Missouri.

The bill requires the governing bodies of all national, state, and local fairs; expositions; and pet shows that include the exhibition of livestock or domestic animals to permit livestock breeders and domestic animal owners to exhibit livestock and animals at a fair, exposition, or pet show in Missouri.

The State Fair Commission or the governing body has the authority to establish rules and fees for participation in its individual events.

MISSOURI GRAIN DEALER LAW (Section 276.401)

The definition of "grain dealer" or "dealer" as it applies to the Missouri Grain Dealer Law is revised to exempt a manufacturer or processor of feed whose total grain purchases from producers during his or her fiscal year do not exceed 50,000 bushels, who pays for all grain purchases from producers at the time he or she takes possession of the grain, and whose resale of the grain is

solely in the form of manufactured or processed feed or feed by-products or whole feed grains to be used by the purchaser as feed. Currently, a manufacturer's or processor's total grain purchases cannot exceed \$100,000 and he or she must meet the specified conditions in order for him or her not to be considered a grain dealer under these provisions.

VEHICLES HAULING LIVESTOCK, AGRICULTURAL PRODUCTS, OR MILK (Section 304.180)

Currently, a vehicle or combination of vehicles hauling livestock with a total gross weight of more than 85,500 pounds cannot operate on U.S. Highway 36 from St. Joseph to U.S. Highway 65 and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36. The bill prohibits these vehicles from operating on U.S. Highway 36 from St. Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa state line to U.S. Highway 36, on U.S. Highway 63 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63 from U.S. Highway 36 to State Highway 17. The weight limit cannot apply to a vehicle operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.

The bill allows a vehicle or a combination of vehicles weighing 85,500 pounds or less to haul milk from a farm to a processing facility on highways other than the interstate highway system. The weight limit cannot apply to a vehicle operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.

CORPORATE OWNERSHIP OF AGRICULTURAL LAND (Sections 350.015 and 350.017)

Currently, a corporation not already engaged in farming as of September 28, 1975, cannot engage in farming or acquire agricultural land in Missouri except under certain circumstances. The bill exempts agricultural land in use as of September 28, 2007, by a corporation, limited liability company, or a limited liability partnership for the production of swine or swine products in Worth, Gentry, or Daviess counties from this provision. However, a company is prohibited from expanding its operations on the land except for repairing, maintaining, or rebuilding any of its buildings or conducting activities in order to meet state or federal laws.

AGRITOURISM PROMOTION ACT (Sections 537.850, 537.856, and 537.859)

The Agritourism Promotion Act is established that allows for the registration of any person who is engaged in a business that provides agritourism activities in Missouri. The bill:

(1) Defines "agritourism activity" as any activity that allows the general public for recreational, entertainment, or educational purposes to view or enjoy rural activities including, but not limited to, farming and ranching activities or historic, cultural, or natural attractions;

(2) Defines "inherent risks of a registered agritourism activity" as dangers or conditions that are an integral part of an agritourism activity, including the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others;

(3) Allows any person who is engaged in a business providing an agritourism activity to register with the Director of the Department of Agriculture as an AgriMissouri member;

(4) Requires every registered agritourism operator to post and maintain signage at the agritourism location that contains a specified warning notice that there is no liability for certain injuries or the death of a participant in a registered agritourism activity;

(5) Specifies that a registered agritourism operator is not liable for an injury to or the death of a participant resulting from the inherent risks of agritourism activities if the warning is posted as required unless the injury to the participant was by the operator's willful or wanton conduct, the operator had actual knowledge or should have known of a dangerous condition and does not make the dangerous condition known to a participant and the dangerous condition injures the participant, or the operator fails to use that degree of care that an ordinarily careful and prudent person would use under the same or similar circumstances; and

(6) Specifies that the operator has an affirmative defense to liability in any action for damages for personal injury, death, or property damage arising from the operation of a registered tourism activity if the injured person assumed the risk or deliberately disregarded conspicuously posted signs, verbal instructions, or other warnings regarding safety measures during the activity or if any equipment, animals, or appliances used by the injured person during the activity were used in a manner or for a purpose other than that for which a reasonable person should have known they were intended.

VIDEOTAPING OF ANIMAL ABUSE (Sections 578.005 and 578.013)

If any individual employed at a location where farm animals are harbored videotapes or otherwise makes a digital recording of suspected animal abuse or neglect to a farm animal, he or she

must submit the videotape or digital recording to a law enforcement agency within 24 hours of the recording. The videotape or recording cannot be spliced, edited, or manipulated in any way prior to its submission. An intentional violation is a class A misdemeanor.