

H.B. 229

PROTECTIONS FOR AGRICULTURAL PRACTICES

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 13, 2008 2:49 PM

Representative **Michael E. Noel** proposes the following amendments:

1. *Page 1, Lines 16 through 18:*

16 sound agricultural practices {~~;~~**and**
17 ~~—————~~**provides an exception for air, water, or land pollution, and hazards to another**
18 **person**} .

2. *Page 2, Lines 47 through 51:*

47 constitute a public nuisance under Subsection (1) {~~unless the [agricultural operation has a~~
48 **substantial adverse effect on the public health and safety.] activity:**
49 ~~————— (i) causes air, land, or water pollution that creates a substantial adverse effect on the~~
50 **public health and safety; or**
51 ~~————— (ii) constitutes an immediate safety hazard to at least one person~~} .

3. *Page 3, Lines 59 through 63:*

59 practices [are presumed to be reasonable and] do not constitute a nuisance {~~unless the~~
60 **[agricultural operation has] activity:**
61 ~~————— (a) causes air, land, or water pollution that creates a substantial adverse effect on the~~
62 **public health and safety[.]; or**
63 ~~————— (b) constitutes an immediate safety hazard to at least one person~~} .