

## **E. State and Provincial Laws and Lawsuits; Farm Security, Protection |**

*Moderator: Senator Eddie Fields, Oklahoma*

- a. Iowa, *Senator Annette Sweeney*
- b. Idaho, *Senator Jim Patrick*
- c. North Carolina, *Senator Brent Jackson*
- d. Animal Confinement Bills, *Gary Baise, OFW Law*

Two members spoke about protecting the rights of farmers to take action against those who lie on job applications. Senator Patrick from Idaho talked about his bill that resulted from persons gaining access to a dairy operation after lying on their job application and how he worked with governor and AG. While he acknowledged that they lost the case he did specifically say that the 9<sup>th</sup> circuit upheld the portion of law criminalizing lying on your job application.

Senator Sweeney from Iowa talked about a similar bill in Iowa. There were reports of a chicken production operation that was apparently abusing their chickens. In 2012 she helped lead passage of a bill which said a person couldn't lie on job application if it was knowingly detrimental to employer, although it was ultimately determined to be unconstitutional. She then spent several minutes discussing about tactics used by extreme animal ag groups to trespass on ag production facilities

Senator Brent Jackson discussed the North Carolina Farm Act focusing specifically on the issue of nuisance due to the ongoing lawsuits regarding hog production facilities. The most recent iteration specifically stated what would and would not be considered a nuisance in any future cases, since obviously they could not legislate existing cases.

Gary Baise from OLW provided a summary highlighting the 9<sup>th</sup> circuit case regarding Senator Patrick's law. But also stressed that you need a local prosecutor to take action and sometimes they are fearful of the animal ag groups. He then discussed right to farm statutes and the importance of going back and showing how long the farms have been in operation (statute of repose). He then talked about CA prop 12 and the space requirements and how cage free versus cages and impact on potential diseases