

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

516A0468

HOUSE ENGROSSED NO. **HB1229** - 2/21/97

Introduced by: Representatives Chicoine, Broderick, Brown (Jarvis), Davis, Lockner, Lucas, Moore, and Waltman and Senators Hunhoff, Hutmacher, Kloucek, and Reedy

1 FOR AN ACT ENTITLED, An Act to make certain livestock operations subject to certain
2 environmental fees.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 34A-2 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 In addition to any other tax or fee levied by law, and notwithstanding the provisions of
7 § 34A-2-117, there is hereby imposed an annual fee on all concentrated animal feeding
8 operations that are required to operate under a general or individual water pollution control
9 permit issued under chapter 34A-2 or required to obtain approval of plans and specifications
10 submitted after July 1, 1997, pursuant to § 34A-2-27. The fee is two hundred fifty dollars for
11 operations with two thousand or more animal units, one hundred seventy-five dollars for
12 operations with one thousand to one thousand nine hundred ninety-nine animal units, and one
13 hundred dollars for operations with less than one thousand animal units. The obligation to pay
14 the fee is on the person filing the application for the water pollution control permit or the person
15 required to obtain plans and specifications approval and accrues on July first of each year. By

1 August first of each year, the Department of Environment and Natural Resources shall submit
2 a billing to each person obligated to pay the fee. The fee is due and payable by September
3 thirtieth and shall be remitted to the Department of Revenue.

4 There is hereby established in the environment and natural resources fee fund established in
5 § 1-40-30 the concentrated animal feeding operation administrative subfund. The subfund
6 consists of moneys from public and private sources including legislative appropriations, federal
7 grants, gifts, and fees received pursuant to this section. The subfund shall be maintained
8 separately and be administered by the Department of Environment and Natural Resources in
9 order to defray the expenses associated with administering the concentrated animal feeding
10 operation program. Expenditures from the subfund shall be appropriated through the normal
11 budget process. Unexpended funds and interest shall remain in the subfund until appropriated by
12 the Legislature.

1 **BILL HISTORY**

2 2/3/97 First read in House and referred to Agriculture & Natural Resources. H.J. 261

3 2/11/97 Scheduled for Committee hearing on this date.

4 2/13/97 Scheduled for Committee hearing on this date.

5 2/13/97 Scheduled for Committee hearing on this date.

6 2/13/97 Deferred to 41st legislative day, AYES 7, NAYS 6. H.J. 461

7 2/13/97 Deferred to another day. H.J. 461

8 2/18/97 Scheduled for Committee hearing on this date.

9 2/18/97 Agriculture & Natural Resources Do Pass Amended, Passed, AYES 8, NAYS 5.

10 H.J. 526

11 2/18/97 Agriculture & Natural Resources Title Amended.

12 2/20/97 Motion to Amend, Passed. H.J. 619

13 2/20/97 House of Representatives Do Pass Amended, Passed, AYES 54, NAYS 14. H.J. 619