

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

516A0468

HOUSE AGRICULTURE & NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB1229** -

2/19/97

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 pursuant to § 34A-2-27. The fee is two hundred fifty dollars for operations with two thousand  
11 or more animal units, one hundred seventy-five dollars for operations with one thousand to one  
12 thousand nine hundred ninety-nine animal units, and one hundred dollars for operations with less  
13 than one thousand animal units. The obligation to pay the fee is on the person filing the  
14 application for the water pollution control permit or the person required to obtain plans and

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

5       There is hereby established in the environment and natural resources fee fund established in  
6 § 1-40-30 the concentrated animal feeding operation administrative subfund. The subfund  
7 consists of moneys from public and private sources including legislative appropriations, federal  
8 grants, gifts, and fees received pursuant to this section. The subfund shall be maintained  
9 separately and be administered by the Department of Environment and Natural Resources in  
10 order to defray the expenses associated with administering the concentrated animal feeding  
11 operation program. Expenditures from the subfund shall be appropriated through the normal  
12 budget process. Unexpended funds and interest shall remain in the subfund until appropriated by  
13 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.