

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

903C0629

SENATE BILL NO. 164

Introduced by: Senators Kloucek and Lange and Representatives Chicoine, Hanson,
Kazmerzak, Lockner, Lucas, and Nachtigal

1 FOR AN ACT ENTITLED, An Act to provide emergency payments for certain pork producers
2 through a temporary fee on processed pork products, to make an appropriation therefor, and
3 to declare an emergency.

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

5 Section 1. For purposes of this Act, the term, producer, means an operating entity that
6 directly owns and markets feeder pigs or market weight hogs for slaughter. Producer includes
7 a family farm and a family farm corporation. Producer does not include individual stockholders
8 or shareholders of a family farm corporation or any other corporation unless the person has
9 another basis for qualifying as a producer.

10 Section 2. Any producer may apply to the Department of Agriculture for an emergency
11 support payment. Application shall be made by June 30, 1999, on a form provided by the
12 department. Documentation required by the department, including copies of livestock sales slips,
13 shall accompany the application.

14 Section 3. The maximum support payment to a producer may not exceed five thousand
15 dollars. The payment amount is calculated by multiplying ten dollars by the number of feeder pigs
16 and the number of market-weight slaughter hogs sold by the producer during the calendar year

1 1998.

2 Section 4. Not later than sixty days after receipt of a properly completed application, the
3 department shall make payments to producers from money appropriated for the purpose pursuant
4 to this Act.

5 Section 5. Any facility that slaughtered more than two thousand swine in the state during
6 calendar year 1998 is liable for a fee in the amount of five cents on each pound of pork shipped
7 from the facility for human consumption between the dates of July 1, 1999, and December 31,
8 1999. The fee shall be paid monthly, not later than the twenty-fifth day of the following month,
9 to the department accompanied by a form provided by the department. The department shall
10 deposit the temporary fee on pork products in the general fund.

11 Section 6. There is hereby appropriated from the general fund the sum of fourteen million
12 dollars (\$14,000,000), or so much thereof as may be necessary, to the Department of Agriculture
13 to make emergency support payments to producers as provided in this Act.

14 Section 7. The secretary of agriculture shall approve vouchers and the state auditor shall
15 draw warrants to pay expenditures authorized by this Act.

16 Section 8. Any amounts appropriated in this Act not lawfully expended or obligated by
17 June 30, 2000, shall revert in accordance with § 4-8-21.

18 Section 9. Whereas, this Act is necessary for the immediate preservation of the public peace,
19 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and
20 effect from and after its passage and approval.