

FILED JAN 23 '01

SENATE FILE
BY KIBBIE

64

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to confinement feeding operations by providing
2 for the siting of certain operations, imposing requirements
3 relating to construction permits, and making penalties
4 applicable.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 64
AGRICULTURE

1 confinement feeding operations regulated by the department of
2 natural resources. A confinement feeding operation is a type
3 of animal feeding operation in which animals are kept in areas
4 which are totally roofed. The bill creates new Code section
5 331.309, which provides that a county may adopt a siting
6 ordinance for confinement feeding operations in which swine
7 are kept. The bill provides that the ordinance must provide
8 for methods and procedures required for review and approval of
9 site proposals. As part of this process, the county must
10 establish a confinement feeding operations siting commission
11 to review proposals for the construction or expansion of a
12 confinement feeding operation.

13 The bill also amends Code section 455B.200A, which requires
14 the department to issue permits for the construction of animal
15 feeding operation structures, including structures which are
16 part of confinement feeding operations. These structures
17 include confinement buildings and manure storage facilities.
18 The section provides that small animal feeding operations are
19 exempt from the permitting requirements. The section does not
20 require that any certain type of structure must be constructed
21 under a permit.

22 The bill provides that a person must obtain a construction
23 permit to construct an animal feeding operation structure
24 which is part of a confinement feeding operation in which
25 swine are kept.

26 The bill provides that a county's siting ordinance does not
27 apply to a confinement feeding operation having an animal
28 weight capacity of 300,000 pounds or less. The bill provides
29 that the department's construction permit requirements do not
30 apply to a confinement feeding operation having an animal
31 weight capacity of 200,000 pounds or less.

32 Pursuant to Code section 455B.191, a person who constructs
33 an animal feeding operation without a permit is subject to a
34 civil penalty of \$5,000 for each day of the violation.

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**SENATE FILE 64
FISCAL NOTE**

A fiscal note for **Senate File 64** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

SUMMARY

Senate File 64 amends provisions regulating confinement feeding operations. The Bill establishes a Confinement Feeding Operations Siting Commission for each county to review and approve new and expanding confinement feeding operations construction. The Bill also requires operations with more than 200,000 pounds of average animal weight be required to obtain a construction permit for all confinement feeding operation structures.

ASSUMPTIONS

1. The average cost for salary and benefits for a full-time engineer to inspect and approve construction permits is \$55,000 per year.
2. There is no cost for a construction permit for a confinement feeding operation.

FISCAL IMPACT

The estimated fiscal impact of Senate File 64 is an increase in General Fund expenditures of \$110,000 and an increase of 2.00 FTE positions for FY 2002 and for subsequent years.

SOURCE

Department of Natural Resources

(LSB 1338SS, DPK)

FILED JANUARY 31, 2001

BY DENNIS PROUTY, FISCAL DIRECTOR

