

HCS SB 187 -- CONCENTRATED ANIMAL FEEDING OPERATIONS

SPONSOR: Cauthorn (Guest)

COMMITTEE ACTION: Voted "do pass" by the Committee on Agriculture Policy by a vote of 16 to 4.

This substitute changes the laws regarding concentrated animal feeding operations (CAFO). The substitute:

(1) Requires the Missouri Clean Water Commission to promulgate rules regulating the establishment, permitting, design, construction, operation, and management of CAFOs;

(2) Requires that regulatory or local controls imposed by any form of local government concerning the establishment, permitting, design, construction, operation, and management of CAFOs must be consistent with the provisions of the substitute except, local controls may be more restrictive if they are justified by a regulatory impact report. The regulatory impact report must prove that state laws and regulations are insufficient to protect human health and the environment and contain a description of the costs imposed on CAFOs;

(3) Requires that by January 1, 2007, certain counties having more restrictive controls than those provided in the substitute prepare a regulatory impact report justifying their controls or be consistent with the statutory provisions; and

(4) Clarifies that the terms "point source" and "water contaminant source" as defined for the purposes of the Missouri Clean Water Law are not to include agricultural stormwater discharges and return flows from irrigated agriculture.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that the bill is friendly to the environment and to agriculture and establishes uniform statewide concentrated animal feeding operation requirements.

Testifying for the bill were Senator Cauthorn; Missouri Pork Association; Missouri Cattlemen's Association; Missouri Ag Industries Council, Incorporated; Missouri Egg Council; Missouri Corn Growers Association; and Missouri Poultry Federation.

OPPOSERS: Those who oppose the bill say that the current law works well, and local county control of concentrated animal feeding operations is essential in protecting human health, quality of life, property values, and water quality.

Testifying against the bill were Missouri Farmers Union; Concerned Citizens of Platte County; Missouri Rural Crisis Center; Missouri Association of Counties; Missouri Association of County Commissioners; Missouri Farm Bureau; Sierra Club; and Office of the Attorney General.

Roland Tackett, Legislative Analyst