

# Senate Amendment 5201

## Amendment Text

PAG LIN

1 1 Amend [Senate File 2037](#) as follows:  
1 2 #1. Page 1, by striking lines 1 through 28 and  
1 3 inserting the following:  
1 4 "Sec. \_\_\_\_ NEW SECTION. 331.309 CONFINEMENT  
1 5 FEEDING OPERATIONS - SITING ORDINANCE.  
1 6 1. As used in this section:  
1 7 a. "Animal feeding operation structure" means the  
1 8 same as defined in section 455B.161.  
1 9 b. "Animal weight capacity" means the same as  
1 10 defined in section 455B.161.  
1 11 c. "Confinement feeding operation" means the same  
1 12 as defined in section 455B.161.  
1 13 2. Notwithstanding section 335.2, a county may  
1 14 adopt a confinement feeding operations siting  
1 15 ordinance, pursuant to section 331.302. The purpose  
1 16 of the ordinance shall be to provide authority to a  
1 17 county to approve the site of the construction or  
1 18 expansion of a confinement feeding operation,  
1 19 including confinement feeding operation buildings and  
1 20 related animal feeding operation structures in order  
1 21 to preserve and protect natural resources, including  
1 22 water sources and fragile environmental locations;  
1 23 lessen congestion and overcrowding of confinement  
1 24 feeding operations, especially near cities; and to  
1 25 protect the health and welfare of the public. The  
1 26 ordinance shall provide for a method and procedure  
1 27 required to approve the site. In administering the  
1 28 ordinance, the county shall establish a confinement  
1 29 feeding operations siting commission which shall  
1 30 review each proposal for the construction or expansion  
1 31 of a confinement feeding operation, and recommend to  
1 32 the county board of supervisors that the board approve  
1 33 or disapprove the proposal. The board shall appoint  
1 34 five members of the commission. A member shall not  
1 35 reside in a city. At least three members shall be or  
1 36 have been actively engaged in animal agriculture. A  
1 37 confinement feeding operations siting ordinance shall  
1 38 not apply to a confinement feeding operation, if  
1 39 either of the following apply:  
1 40 a. Only bovine or poultry are confined in the  
1 41 confinement feeding operation.  
1 42 b. The confinement feeding operation has an animal  
1 43 weight capacity of less than three hundred thousand  
1 44 pounds."  
1 45 #2. Title page, line 2, by striking the words  
1 46 "county zoning" and inserting the following:  
1 47 "siting".  
1 48 #3. By renumbering as necessary.

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2 1  
2 2 EUGENE [FRAISE](#)  
2 3 BILL [FINK](#)  
2 4 EMIL J. [HUSAK](#)  
2 5 PATTY [JUDGE](#)  
2 6 JOHN P. [KIBBIE](#)  
2 7 MARY A. [LUNDBY](#)

2 8 ANDY [MCKEAN](#)  
2 9 JOHN W. [JENSEN](#)  
2 10 TOM [FLYNN](#)  
2 11 ALBERT G. [SORENSEN](#)  
2 12 [SF 2037.5](#)07 76  
2 13 da/jw