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FLOOR DEBATE

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fees. Are they going to have to...I mean, now this is an operation that is out there operating now, not paying an annual fee as far as I know. So what inspections are required, what annual fees, what updates of nutrient plans? How is life going to change?

SENATOR CUDABACK: Senator Schrock.

SENATOR SCHROCK: Senator Raikes, it won't change a lot if the operation doesn't change. There will be an inspection and there will be an annual fee. That is the big change, is the annual fee to help offset the costs of the program. For most people it won't be life any different. The process will take a little longer for people who are constructing and building a new facility. That's because we're giving more time for comment up-front. But for most producers, they won't see a difference. And that was the goal of the bill and that's what we are trying to do.

SENATOR RAIKES: One additional question, Senator. You said there's a fee on a per-head basis. Are you going to go by my count?

SENATOR CUDABACK: Senator...

SENATOR SCHROCK: When you apply to DEQ for a construction permit, you will have to state the capacity of your facility. Now, if your facility holds 2,000 animals and you only have 1,500 head in it, you're going to pay the 2,000 animal rate. So it's based on the capacity of your facility, even if you don't have it full. If you have it more than what the capacity states, then you will be in violation of the law.

SENATOR RAIKES: Okay. One additional question I thought of, Senator. As I understand it with the new federal requirements now, for example, in most kinds of livestock feeding operations but cattle you are required, I believe, to contain 100 percent of a 25-year, 24-hour storm. Is that the case?

SENATOR SCHROCK: I think that's correct and I don't believe that has changed.