

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1371

Page 1, line 1, after "to" insert "create and enact a new section to chapter 10-06.1 of the North Dakota Century Code, relating to animal feeding operations and concentrated animal feeding operations; to"

Page 1, line 4, after "landholdings" insert "; and to provide a penalty"

Page 2, line 14, after the underscored comma insert "which is an authorized animal feeding operation or concentrated animal feeding operation as determined by the department of environmental quality."

Page 3, after line 21, insert:

"**SECTION 3.** A new section to chapter 10-06.1 of the North Dakota Century Code is created and enacted as follows:

**Animal feeding operations or concentrated animal feeding operations - Requirements - Divestiture of land.**

1. Any person that has an agricultural landholding not exceeding one hundred sixty acres [64.75 hectares] for the purpose of operating a cattle backgrounding operation, a cattle finishing feedlot operation, or a facility for raising or producing poultry, poultry products, milk, dairy products, swine, or swine products, which is an authorized animal feeding operation or concentrated animal feeding operation as determined by the department of environmental quality, must:
  - a. Begin construction of the facilities used in the animal feeding operation or concentrated animal feeding operation within one year of obtaining the agricultural landholding; and
  - b. Have a fully operational animal feeding operation or concentrated animal feeding operation within three years of obtaining the agricultural landholding.
2. If the animal feeding operation or concentrated animal feeding operation is inactive for three consecutive calendar years, as determined by the agriculture commissioner, the person that has the agricultural landholding immediately must divest itself of the land. If the person fails to divest itself of the land within the required time, the attorney general shall take action under section 10-06.1-24."

Renumber accordingly