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COMMITTEE REPORT

April 22, 2010

**H. 4589**

Introduced by Reps. Gambrell, D.C. Moss, Frye, V.S. Moss and White

S. Printed 4/22/10--H.

Read the first time February 17, 2010.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 4589) to amend Section 46‑7‑110, Code of Laws of South Carolina, 1976, relating to animal facility waste management training and certification programs, so as to exempt, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting Section 46-7-110(C) beginning on page 1, line 40 and inserting:

/ (C) Notwithstanding the provisions of subsection (B) or any other provision of law, cattle stockyard owners and operators are exempt from the training and certification requirements of this section.”/

Renumber sections to conform.

Amend Title to conform.

JEFF D. DUNCAN for Committee.

**A** **BILL**

TO AMEND SECTION 46‑7‑110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ANIMAL FACILITY WASTE MANAGEMENT TRAINING AND CERTIFICATION PROGRAMS, SO AS TO EXEMPT CATTLE STOCKYARD OWNERS AND OPERATORS AND CATTLE PRODUCERS FROM THESE TRAINING AND CERTIFICATION REQUIREMENTS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46‑7‑110 of the 1976 Code, as added by Act 340 of 2002, is amended to read:

“Section 46-7-110. (A) Clemson University, in conjunction with the Department of Health and Environmental Control, shall create a training and certification program for owners or operators of an animal facility as defined in Regulation 61‑43 which must include, but is not limited to, understanding relevant regulations, issues, standards, principles, and practices regarding siting and management of an animal facility and land application of animal waste; controlling vectors, testing for toxic metals, organic materials, and other elements; and implementing emergency procedures and spill prevention protocols.

(B) An operator of an animal facility and waste utilization area must be trained and certified according to South Carolina Department of Health and Environmental Control Regulations on the operation of animal waste management under the program created in subsection (A).

(C) Notwithstanding, the provisions of subsection (B) or any other provision of law, cattle stockyard owners and operators and cattle producers are exempt from the training and certification requirements of this section.”

SECTION 2. This act takes effect upon approval by the Governor.

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