

IN THE SENATE

SENATE BILL NO. 1070

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1 RELATING TO BEEF CATTLE ANIMAL FEEDING OPERATIONS; AMENDING
2 CHAPTER 49, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW
3 SECTION 22-4909A, IDAHO CODE, TO PROVIDE FOR THE EFFECT OF FEDERAL
4 ENVIRONMENTAL PROTECTION AGENCY ENFORCEMENT ACTIONS ON
5 ADMINISTRATIVE OR CIVIL ENFORCEMENT ACTIONS INITIATED BY THE
6 DIRECTOR OF THE DEPARTMENT OF AGRICULTURE AND TO PROVIDE
7 FOR THE EFFECT OF FEDERAL ENVIRONMENTAL PROTECTION AGENCY
8 ENFORCEMENT ACTIONS ON CERTAIN ORDERS ISSUED BY THE DIRECTOR.
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10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Chapter 49, Title 22, Idaho Code, be, and the same is hereby amended
12 by the addition thereto of a NEW SECTION, to be known and designated as Section 22-4909A,
13 Idaho Code, and to read as follows:

14 22-4909A. EFFECT OF FEDERAL ENVIRONMENTAL PROTECTION AGENCY
15 ENFORCEMENT ACTION. In any case in which the United States environmental protection
16 agency initiates an enforcement action regarding an alleged noncompliance at a beef cattle
17 animal feeding operation, any pending administrative or civil enforcement action initiated by
18 the director regarding the same alleged noncompliance shall be deemed void. If a compliance
19 order addressing the alleged noncompliance has already been issued by the director, that order
20 shall remain in full force and effect.