

SS SCS HS HCS HB 257 -- AGRICULTURE

(Vetoed by the Governor)

This bill adds and modifies provisions relating to agriculture.

STATE GRASS

The Missouri native grass (*Andropogon gerardii*), known as "Big Bluestem," is designated as the official state grass.

NET OPERATING LOSS

A net operating loss on agricultural activities claimed in the tax year in which the loss occurred may be carried forward for more than 20 years and carried backward for more than two years.

GROWERS DISTRICT AUTHORIZATION ACT

Missouri producers raising agricultural crops for food, feed, industrial, and pharmaceutical uses may form a grower's district. Organizational requirements, rights, and responsibilities are established.

VALUE-ADDED AGRICULTURAL PRODUCTS

Value-added agricultural products are defined as resulting from:

- (1) The use of a crop to produce another product;
- (2) A change in the physical state of the original agricultural product;
- (3) A product whose value has been enhanced by special production methods; or
- (4) Physical segregation of an agricultural product that enhances its value.

TAX CREDITS

Agricultural Product Utilization Contributor Tax Credits and New Generation Cooperative Incentive Tax Credits may be taken against taxes owed in the year offered.

The required number of employees in a employee-qualified capital project is reduced from 100 to 60 for investors to receive a new generation cooperative incentive tax credit.

POINT SOURCE

The term "point source," defined for the purposes of the Clean Water Commission, is not to include agricultural storm water discharges and return flows from irrigated agriculture.

UNGULATES

Interstate and intrastate movement of privately owned domestic or exotic ungulates is placed under the jurisdiction of the Department of Agriculture. Any costs associated with inspections by the department are at the owner's expense.

CONTAMINATED WATER

Contaminated water from an animal confinement facility or an animal waste application system, excluding lagoons, that is totally confined to the owner's property and does not reach the waters of the state is not to receive a notice of violation if the cleanup begins within 24 hours and is remediated as soon as possible.

BONDS FOR WATER AND SEWER PROJECTS

In addition to amounts authorized prior to August 28, 2004, the bill authorizes the Board of Fund Commissioners to issue additional bonds for grants and loans pursuant to several sections in Article III of the Missouri Constitution. The authorizations are for:

- (1) \$10 million of bonds for water pollution control, drinking water system improvements, and storm water control pursuant to Section 37(e);
- (2) \$10 million of bonds for rural water and sewer projects pursuant to Section 37(g); and
- (3) \$20 million in bonds for storm water control plans, studies, and projects in first classification counties and the City of St. Louis pursuant to Section 37(h).

VETERINARIANS

Veterinarians licensed by the state are authorized to impose restrictions on animals, persons, and vehicles to prevent the spread of contagious diseases, toxic agents, or radioactively contaminated animals and poultry. Any person who obstructs the veterinarian imposing restrictions is guilty of a class A misdemeanor.

A veterinarian may put a lien against livestock for nonpayment of veterinary care if the payment is one calendar year overdue.

PHYSICAL THERAPISTS

Licensed physical therapists or their assistants may provide rehabilitation services for animals pursuant to a written prescription of a licensed veterinarian.

CONCENTRATED ANIMAL FEEDING OPERATIONS

Provisions of Chapter 640, RSMo (Department of Natural Resources), are repealed relating to concentrated animal feeding operations and reenacted in Chapter 644 (Water Pollution) with the following changes:

(1) The Missouri Clean Water Commission is to promulgate rules regulating the establishment, permitting, design, construction, operation, and management of Class I concentrated animal feeding operations; and

(2) Prior to filing an application to acquire a construction permit, the owner or operator of a Class IA concentrated animal feeding operation is to provide certain information to the Department of Natural Resources, the county government, and all adjoining property owners with property within one and one-half times the buffer distance.