

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

400B0247

HOUSE ENGROSSED NO. **SB30** - 2/19/98

Introduced by: The Committee on Agriculture & Natural Resources at the request of the
Department of Environment and Natural Resources

1 FOR AN ACT ENTITLED, An Act to provide for the proper disposal of waste tires and to
2 provide for penalties for any violation thereof.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 34A-6 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any person hauling or transporting any waste tire as defined in subdivision 34A-6-61(25),
7 originating from a wholesaler or retailer shall ensure the proper disposal of the waste tire at a
8 department approved waste tire collection or processing site, or that it is used in some other
9 manner approved by the department. The board may promulgate rules, pursuant to chapter 1-26,
10 setting forth the requirements and procedures for department approval of waste tire collection,
11 processing sites, or other approved uses for waste tires. Any waste tire hauler or transporter who
12 intentionally disposes of any waste tire in a manner inconsistent with the provisions of this
13 section is subject to a civil action by the State of South Dakota in circuit court for the recovery
14 of a civil penalty of not more than ten thousand dollars per day per violation, or for costs to clean
15 up sites not approved, or both. The violator is also subject to the criminal penalties provided for

1 in § 34A-6-87.

1 **BILL HISTORY**

2 1/13/98 First read in Senate and referred to Agriculture and Natural Resources. S.J. 25

3 1/20/98 Agriculture and Natural Resources Do Pass Amended, Passed, AYES 8, NAYS 0.

4 S.J. 112

5 1/22/98 Senate Deferred to another day. S.J. 168

6 1/23/98 Senate Do Pass Amended, Passed, AYES 34, NAYS 0. S.J. 182

7 1/26/98 First read in House and referred to Agriculture and Natural Resources. H.J. 249

8 2/12/98 Scheduled for Committee hearing on this date.

9 2/12/98 Scheduled for Committee hearing on this date.

10 2/12/98 Agriculture and Natural Resources Do Pass, Passed, AYES 9, NAYS 4. H.J. 596

11 2/14/98 House of Representatives Deferred to another day. H.J. 703

12 2/17/98 House of Representatives Deferred to another day. H.J. 717

13 2/18/98 Motion to Amend, Passed. H.J. 752

14 2/18/98 House of Representatives Do Pass Amended, Passed, AYES 61, NAYS 8. H.J. 753