

Legislative Update

February 19, 2010

Important note: if there's a bill you think is important to cattlemen and it's not included on the tracking list below, please contact Jodie at the SDCA office immediately - 605.945.2333 or executive@sd cattlemen.org.

As "Crossover Day" approaches next Tuesday, the day bills must be out of their house of origin, bills continue through the system. There is always a flurry of activity in the days leading up to crossover day and floor calendars will be very long next Monday and Tuesday evening as the legislative body works to make the deadline.

The largest issue looming over everyone's head is the balancing of the state's budget. Ideas such as "sweeping" an account (if an agency or state fund has a balance, the money can be taken) or cutting entire programs within an agency are floating around the Capitol, causing everyone to stay alert. Agriculture continues to watch and listen to prevent cuts impacting producers. A lot can and must happen in the next three weeks.

Over the past several days, SDCA has received member inquiries on **HB 1202**, which would provide for the assessment of some agricultural land as non cropland. While it wasn't included previously in our updates, we have been monitoring the progress of HB 1202. Recall that SDCA was one of several ag groups that worked a couple of years ago to implement a new productivity system for valuing ag land for tax purposes. This is the first year assessments have been based on the new methodology and HB 1202 seeks to refine certain practices. The coalition that worked to pass the bill continues to work toward the implementation of the productivity methodology with minimal and clear adjustments. Once the implementation of the new methodology is well underway, we recognize further refinements will need to be made and the coalition continues to work together in making the methodology work for all ag producers.

However, at the current time, HB 1202 raises uncertainties that may negatively impact the implementation of the productivity methodology, including:

- Does the bill create a shift within agriculture (from non crop to crop land – especially considering CRP)?
- Is it in the best interests of producers to have to wait ten years before asking for an adjustment from crop to non crop valuation? *It should be noted that, under current law, the directors of equalization have the authority and tools to locally adjust land from crop to non crop valuation.*
- Does it create doubt in the new valuation methodology overall if adjustments are needed in the first year of implementation?

In addition to the issue addressed by HB 1202, the coalition continues to discuss a variety of refinements to the productivity methodology which will need to be addressed in the 2nd or 3rd year of assessments under the new system. SDCA welcomes member input in this process and we appreciate your help in ensuring the system works in the best interest of South Dakota's producers.



Another bill that members expressed interest in was **HB 1274** which would have repealed certain restrictions related to the location of apiaries (bees). This bill would have removed the 3 mile set back that currently restricts where bee keepers can place their hives. SDCA has policy supporting such a move, but unfortunately HB 1274 didn't come to our attention until the hearing in House Ag last week where the bill was defeated. However, SDCA has expressed our interest in working with the SD Department of Ag and other interested parties to seek a solution that will ensure private property rights are upheld.

Other bills of interest this week and the respective action are...

Following brief testimony, **HB 1218** which would have provided for the election of the Secretary of Ag was sent to the 41st day by the committee. The defeat was supported by Ag Unity which is a coalition of over 22 organization including SDCA.

HB 1113 specifies certain animal species for animal damage control. Currently the law refers to "coyotes, feral dogs, fox, and other wild animals in this state that are injurious to livestock, poultry, game land, and the public health." HB 1113 was sent to the House floor and will be heard on Monday. Attempts were made to amend the bill to re-instate "other wild animals", which HB 1113 removes, and extend the list of animals, both of which failed. Opposed by Ag Unity, specific concerns are:

- Proponents did not identify a specific problem that needed to be solved;
- HB 1113 restricts the species that fall under the purview of the ADC program, which is a disservice to taxpayers and sportsmen that support the program. The proposed language fails to recognize species such as mink, muskrats, mountain lions, wolves, and others.
- The ADC program was created in 1974 to help all South Dakota citizens experiencing livestock losses and property damage. The current law provides guidance yet flexibility to address issues as they arise.

HB 1187 prohibits the killing, injury, or interference with a law enforcement support animal and establish certain penalties regarding those actions including a Class 6 felony. HB 1187 passed the Judiciary Committee on a 11-2 vote and moves to the House floor for consideration.

Other bills of interest include:

HB 1013 authorizes the Department of Environment and Natural Resources to accept certain documents submitted with electronic signatures. Passed Senate 33-0.

HB 1056 makes an appropriation from the coordinated natural resources conservation fund to the State Conservation Commission and to declare an emergency. Passed House 67-0.

HB 1057 revises and updates certain provisions relating to dairy production and inspection. Do pass House Ag 7-4.

HB 1058 restructures the South Dakota Weed and Pest Control Commission. Passed Senate Committee, placed on the consent calendar.

SDCA members are encouraged to contact Jodie at the SDCA office at 605.945.2333 or executive@sdcattlemen.org if you have any questions regarding SDCA's legislative issues.

Useful Contact Information:

- SDCA Office: 605-945-2333
- House Lobby: 605-773-3851 (to leave a message for your Representative)
- Senate Lobby: 605-773-3821 (to leave a message for your Senator)
- *Additional information regarding the bills, legislative committees, etc. can be found on LRC's website at <http://legis.state.sd.us/index.aspx>.*