Six weeks of the 2021 SD Legislative session have been completed with three weeks remaining. There are four days until Crossover day, so all bills must be out of the committee in the house of origin by next Wednesday. There were a few committee meetings of extended length this past week and likely will be this coming week also.

The SDFB Board of Directors were in Pierre Wednesday and Thursday this week, and even though the meetings and activities for county leaders was cancelled, there were about 15 to 20 who joined in hosting legislators for a social and dinner on Wednesday evening and at the Capitol on Thursday morning. SDFB served lunch at the Capitol for legislators on Thursday as well.

The big news this week is that Gov. Noem signed SB 87, the SDFB health benefit plan law! Senator Cammack and Representative Blare joined SDFB leaders for the signing by the Governor on Thursday, Feb. 18.

**Action on Priority Bills**

**HB 1038**, a bill to fund the SD Conservation Commission, was passed by Senate Appropriations and sent to the Senate floor.

**HB 1042**, a bill to enhance and improve the vegetative buffer program, passed the Senate 35 to 0 and was sent to the Governor.

**HB 1046**, a bill to limit liability of local units of government, businesses and other entities from frivolous or nuisance lawsuits related to the pandemic, was signed by the Governor.

**HB 1053**, a bill to charge electric vehicles an annual fee of $50 for their use of the highways, passed Senate Transportation 6 to 1 and was sent to the Senate floor.

**HB 1085**, a bill to redefine the law regarding classifying land as agricultural will be heard in Senate Tax committee on Wednesday, Feb. 24. This bill clarifies the statute and is intended to prevent hobby farms, rural homes with view sheds, etc., from skirting the law which is intended to have agriculture as the primary use of the land. It had a difficult time passing the House and needs some contact from you with your Senators. **This is a good bill and needs some help from ag producers!**

**HB 1110**, the Governor’s bill to prohibit the performance of abortions due to Down’s syndrome, passed the House State Affairs committee 13 to 0 and was sent to the House.

**HB 1112**, a bill to extend the shooting safety zone to 300 yards around homes and livestock, was heard in House Ag, and didn’t receive enough votes for final committee action. It will be considered again on Feb. 23.
HB 1140, a bill to clarify the duties of conservation officers on private property, passed the House 41 to 28 and was sent to Senate Judiciary.

ACTION NEEDED – ACTION ALERT
HB 1219, a bill to create a multi-state compact for the shipment of state inspected meat, will be heard in House Ag on Tuesday, the Feb. 23. This bill was amended on Tuesday in committee. The new language contains a number of concerns, if it passes.

1. The Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA) requires that meat sold in interstate commerce must bear the federal mark of inspection.
2. South Dakota’s state meat inspection program is administered by the South Dakota Animal Industry Board (AIB). The state inspection program has been annually designated as “at least equal to” by USDA Food Safety Inspection Service (FSIS) since 1968.
3. State inspected product does not have the federal mark of inspection.
   • Cooperative interstate shipment (CIS) program allows for the federal mark to be applied to product at select state inspected establishments.
4. HB 1219 authorized states to enter into a compact to allow for states to recognize each other’s inspection programs, and to allow for interstate commerce of those state inspected meat products.
   • Because the meat would not bear the federal mark of inspection, it would be in violation of the FMIA.
5. FSIS has indicated that changes to South Dakota’s law to allow for an agreement as outlined in HB 1219 would put the state program in jeopardy, including the following:
   • Loss of recognition as an “at least equal to program”. With no federal authorization for a state program, product at all 32 state inspected establishments would be condemned.
   • Loss of $960,000 in annual federal funding. The program is funded 50/50 federal and state general funds.
   • Loss of eligibility to participate in the CIS program.

South Dakota has been working toward participating in the Cooperative Interstate Shipment (CIS) agreement with Food Safety Inspection Service, the USDA agency in charge of meat inspection. Eight other states have CIS programs, including North Dakota and Iowa. Passing 1219 would cancel the path to become CIS certified. The only other state that is looking at the compact called for in 1219 is Montana.

There is too much at risk for livestock producers, small meat processors and the state’s economy to pass HB 1219. PLEASE CONTACT YOUR AG COMMITTEE MEMBERS THIS WEEKEND AND ASK THEM TO VOTE NO ON 1219.

House Ag Committee Members: Overweg, Hoffman, Blare, Chase, Finck, Goodwin, Ladner, Marty, Schneider, Vasgaard, Wink, York, and Lesmeister.

HCR 5003, provides for a vote of the people to change the Constitution, to require that any future ballot measure raising taxes by $10 million over a 5 year period OR obligates state spending by $10
million over a five year period, would require approval by 60% of the voters rather than a simple majority. 5003 passed the House 56 to 12 and was sent to Senate State Affairs.

**HCR 6006**, a resolution urging Congress to adopt the 50/14 rule for every meat packing plant passed the House Ag committee and will be on the floor next week. Even though it is only a resolution, and not a law, 6006 suggests removing present marketing opportunities from livestock feeders by having the federal government mandate the what and how of livestock marketing. A one size rule for the nation does not recognize the pattern of livestock marketing practices feeders presently use and takes away options presently used.

**SB 52**, a bill to extend the general permit length for livestock operations from 5 years to 10 years, passed the House 54 to 14 and was sent to the Governor.

**SB 113 and 115**, bills to expand the definition of properties that receive a less expensive classification for tax purposes were both sent to the 41st day (killed) in Senate Tax committee. SB 113 said if you owned 1 or more horses, the land was agriculture. SB 115 changed present law, which provides for 1 garage in the owner-occupied category, to as many out buildings as you have, would all receive the O-O classification.

**SB 123**, a bill to provide for group and individual input on initiated ballot measures passed the Senate 32 to 3 and was sent to House Local Government.

If you have any questions or comments, please contact me.

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**Helpful Links:**

View the SDFB bill-tracker list here:  
https://www.sdfbf.org/Policy-Advocacy/State-Legislative

View the details on any bill by clicking this link and typing in the bill number:  
https://sdlegislature.gov/Session/Bills/44

Find contact information for the Legislators here:  
https://sdlegislature.gov/Legislators/Contacts/44