



# SD DAIRY PRODUCERS NEWS

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## SDDP 14th Annual Meeting Thursday, February 2nd at 3:00pm

### Save the Date:

The 2023 SD Dairy Annual Open Membership Meeting will be held on Thursday, February 2nd at the SDSU Raven Precision Ag Building on campus in Brookings, SD. As in past years, the SDDP Annual Meeting is in conjunction with the Midwest Dairy SD District Meeting which kicks off with a noon lunch. The SDDP meeting is expected to begin around 3:00pm. Agenda items include:

- Review of 2022 outcomes and look ahead to 2023
- Approval of proposed 2023 working budget
- Election of 3 board positions with terms ending in 2023
- Approval of resolution supporting Ag Development

*Please contact Tom Peterson at 605.251.2439 with any questions or to confirm attendance.*

*You are Invited*  
**TO ATTEND YOUR DISTRICT MEETING!**

**Thursday, February 2nd, 2023 | 12:00 PM**  
**SDSU Raven Precision Ag Building - Room 176**  
**Brookings, SD**

- Noon Lunch
- Local Elections (District and Division)
- Checkoff In Action Panel Presentation
- SD Dairy Producers Annual Meeting
- Interact and network with fellow SD Dairy Farmers

The day concludes with a social at 5:00 PM and annual Dairy Drive basketball game at SDSU Frost Arena.



*RSVP is appreciated.*  
*Text or call Tom Peterson at 605-251-2439 with any questions and to RSVP.*

## Legislative Update: SDDP Lobbyist's Lorin Pankratz and Brenda Forman



# South Dakota Dairy Producers

## 2023 Legislative Update

### January 22, 2023

The first few days of Session are when we hear rumors, speculation, and wild supposition about various pieces of legislation that we could encounter. We won't really know which of these will actually be brought in for three more weeks. The last day for legislators to introduce legislation is February 1, unless they have enough votes to suspend the rules or – if truly desperate – ~~hoghouse~~ an existing bill.

Money discussions are already occupying a lot of legislative attention. The Governor's budget address outlined her plans to spend \$7.2 billion, up from \$5.8 billion last year. Among special appropriation requests:

- An additional \$3 million for the bioproducts research and development facility in Brookings
- An additional \$1 million for the dairy research and extension farm at SDSU
- \$5.8 million to demolish and reconstruct several Ag Experiment Station structures at SDSU
- \$6.25 million to rehabilitate the rail line from Milbank to Sisseton
- An extra \$9 million for the Dakota Complex building on the State Fair grounds



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## Legislative Update Continued:

There has been some chatter in the hallways about how to strengthen landowner rights, particularly regarding eminent domain for the proposed CO2 pipelines and the Gregory County Pumped Storage site. We have not yet seen any pipeline bills, but HB 1058, introduced by Representative Overweg and Senator Tobin, would remove the Gregory County project from the state's water resources projects list. We are not entirely sure what effect this would have, other than provide a chance to talk about the project.

Other bills of potential interest include HB 1029 to clarify the county zoning and appeals process, a DANR bill to change the pesticide applicator license application date from the end of February to the last day of March, and a Department of Revenue bill to clarify that out-of-state implement dealers need to remit sales tax for sales into South Dakota.

Senator Schoenbeck and Representative Deutsch have filed SB 44 to repeal the legislation creating the river basin natural resource districts. This legislation was passed in 2015.

The second week of the Legislative Session saw relatively few new bills introduced. As of noon on January 20<sup>th</sup>, a total of 183 bills have been introduced, along with ten concurrent resolutions and five joint resolutions. This Thursday is the last day for unlimited bill introduction; after that each legislator is limited to no more than three additional bills, with all bills introduced by February 2. Very few legislators bump up against that three-bill limit.

On Tuesday, the House Ag Committee will be taking up HB 1058, to remove the Gregory Pump Storage project from the state's water resources list, and HB 1090, to clarify protections for agricultural operations from nuisance claims.

Ag groups are discussing among themselves, and with others, about foreign ownership of agricultural land. One proposal, supported by Governor Noem and being carried by Senator Erin Tobin and Representative Gary Cammack, would create a committee to review potential sales of ag land to foreign entities. In addition, Rep. Carl Perry introduced HB 1069 to prohibit acquisition of agricultural land by foreign governments. This bill has been referred to House State Affairs committee.

House Ag Committee took up several bills brought by DANR:

HB 1025 increases the fees for registering an apiary. We had very sweet testimony about why this bill needed to be passed...but resisted the temptation. The bill passed unanimously.

HB 1028 changes the expiration date for pesticide applicator licenses from the end of February to March 31. It also clarifies that bad actors in other states cannot get licensed here.

HB 1029 clarifies that conditional uses under the county zoning ordinances can be approved by a majority vote of those who are present and voting, to address times when a zoning board member might be absent. The bill also clarifies that the two-year time limit for a special permitted use, conditional use, or variance starts following completing of any final appeal of the county zoning decision. The clock for any time limits related to timely completion of a project starts ticking when actual construction begins.

In addition to the foreign ownership bill, Rep. Carl Perry from Aberdeen introduced HB 1066 to require E-30 to be used in the state motor vehicle fleet, and HB 1068 to prohibit deceptive practices in advertising and sale of food products as meat and poultry. After visiting with several ag lobbyists, Rep. Perry indicated that he will withdraw the bills.

## SDDP Bill Watch List:

Bill	Title	Comments	Status	Position
<a href="#">SB 18</a>	revise the appropriation for a livestock and equestrian complex at the State Fair, and to declare an emergency.	Provides additional funding for the DEX Center Completion		TBA   Support
<a href="#">HB 1029</a>	revise certain provisions regarding the county zoning and appeals process.	Re-instates majority of those present and voting and provides clarity on two-year to begin construction timeline	House 1.23.23	Support



# SD DAIRY PRODUCERS NEWS

**SDDP Bill Watch Continued:**

<a href="#">HB 1031</a>	make an appropriation for the revised construction costs of the dairy research and extension farm at South Dakota State University, and to declare an emergency.	Adds an additional \$1,000,000 of general funds to the project.		Support
<a href="#">HB 1068</a>	prohibit deceptive practices in the advertising and sale of food products as meat and poultry.		Withdrawn by sponsor	
<a href="#">HB 1069</a>	prohibit the acquisition of agricultural land by foreign governments.		Withdrawn by sponsor	
<a href="#">HB 1090</a>	modify protections for agricultural operations from nuisance claims.	Updates terminology, protects change of operation type; adds agri-tourism to statute; allows for compensatory damages; clarifies punitive damages		TBA Support

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