

SDARL Class VI, Seminar 3, Pierre, SD

January 25-27, 2011

Tuesday, January 25, 2011

On January 25, 2011, Class VI of SDARL met at the Foss Building in the Matthews Training Center. This was the first day of a three day session in Pierre. We started the afternoon off with a very good discussion with the brand new S.D. Secretary of Agriculture, Walt Bones (SDARL Class II Alumni). Secretary Bones started the discussion with a presentation on South Dakota Department of Agriculture (SDDA). He started by saying the Agriculture is the number one industry in S.D. with a \$20.7 Billion economic impact. He also mentioned the SDDA's budget, which is 4/10ths of one percent of the State's total FY 2011 budget. He then went through all of the divisions of the department, which includes the Office of the Secretary, Agricultural Policy, Agricultural Development, Agricultural Services, Wildland Fire Suppression Division, Resource Conservation and Forestry, and State Fair Park. After his presentation about the department, he allowed Class VI to ask him questions. There were many question about how will he view the issues on the budget challenges and what he thinks the future of agriculture will look like. Then Secretary Bones wanted to hear from Class VI and what issues are important to them. Some of the issues were water management/zoning; farm to market roads; education of the misinformed; up and coming farmers; land issues; regulation issues; turf wars; federal regulation; getting buffalo into the school lunch program; raw food (milk market); Farm Bill 2012; farmer-owned marketing coops (to be price makers instead of price takers); and feed vs. fuel. On all the whole, discussion was very good.

After we finished with Secretary Bones, Tony Leif and Doug Hofer with Game, Fish, and Parks (GF&P) came in to speak about their department. Tony Leif, Director of Wildlife Division, gave an overview of his division. He spoke about the values the division holds which are as follows: wildlife enhances the quality of life in South Dakota; wildlife is a public trust resource; Hunting, fishing, and trapping are fundamental wildlife management practices and legitimate recreational activities; and land stewardship and partnership with private landowners are critical to sustaining wildlife for the future. Doug Hofer, Director of the Parks division, then gave an overview of that department. Doug mentioned that they work closely with tourism and that there was close to eight million visitors to the parks last year; and 65% of those were by South Dakota residents. He also mentioned that tourism was very strong and generated about \$1 billion. After the overviews of each division, Class VI had the chance to ask them questions. Of course, the main question was about the budget and we were told that the Wildlife division does not use any of the general funds and that most of the budget cuts will come from the Parks division. The Parks division will reduce their budget by 22%, per Governor Daugaard's request. There was a question of what is the total land that GF&P has. The Parks division oversees 102,065 acres, with Custer state park being the biggest at 72,000 acres. For game production there is about 300,000 acres. The last issue that was discussed was about the new outdoor campus that is being built in Rapid City. This campus will be completed this May.

Lastly, Class VI enjoyed a very nice dinner at the Cattleman's Club restaurant in Pierre. Cheri Rath, Executive Director of South Dakota Value-Added Agriculture Development Center (SDARL Class II

Alumni) gave us an overview of what that organization does. She talked about the type of projects that come across her desk, processes of finding funding for these projects, and the partnerships she has with SDSU, SDDA, and other professional services.

GSM: Danci Baker & Tyler Melroe

Reporter: Sarah Jorgensen

Wednesday, January 26, 2011

SDARL Executive Director, Dan Gee welcomed Class VI back for the second day of Seminar 3. A review of the day's agenda was entertained.

Introduction of **Mary Duvall, South Dakota Farm Bureau Communications Director** (SDARL Class 2).

Ms. Duvall's topic was the legislative process and what is done by a lobbyist and how to be an effective one. Ms. Duvall welcomed Class VI's questions, which really drove her topic.

She explained that the SD Legislators meet for 38 days as the SD Citizens voted that they can meet for up to 40 days. She noted that 313 bills had been introduced so far and there is usually 500-700 annually. There are 13 standing committees.

The process for "**How an Idea is turned into Law**" is as follows. Anyone can submit an idea to a legislator. The idea is then give to the Legislative Research Council, who drafts the idea into a bill. The bill can start in either the House or the Senate. The President Pro Tempore and Speaker of the House, assign the bills to committees. The bill is then scheduled for public hearing in committees. The public hearing is the public's opportunity to discuss the bill with the committees. The committee decides what bills will go to the House or Senate floor, usually with a recommendation to Pass or Fail. If the Floor passes the bill, then the bill must go to the Chamber (House or Senate) for which the bill has not yet been voted. If the bill passes both the House and Senate, it will then go to the Governor, who can then establish it into Law. Terminology "the 41st day" kills the bill. If the bill is amended in the first Chamber, than it goes back to the other Chamber, as both need to approve the same wording of each bill.

Legislator **Term Limits** in South Dakota will not exceed eight years. However, once a Legislator meets their term limit, say in the House, then they could run for the Senate for another eight.

Ms. Duvall noted that it takes a new Legislator some time to learn the process, yet they are expected to hit the ground running and shouldn't take a lot of time to watch and learn. Starting in year 2011, there is a strong Republican Leadership. She noted that there are 70 House seats; filled this year by 50 Republicans, 19 Democrats and 1 Independent. And of the 35 Senate seats, 30 are Republican and 5 are Democrat.

So what is a Caucus? Both the Republicans and Democrats have separate Caucus's. The Republican's is not open to the public, however the Democrats is. This is a time for the Legislators to discuss bills and processes and "float" ideas. Most decisions are made in Caucus. There are three types of Resolutions: 1) Joint, 2) Concurrent, 3) Commemorative.

So what does a Lobbyist do? Lobbyists outnumber Legislators in South Dakota 3 to 1. They communicate how members or citizens feel about a bill to the Legislators. They can also be the “research arm” for Legislators who are not as familiar with the topic of the bill. They also communicate back to the members on what is happening in legislation. The lobbyists must really know their stuff and be willing to research the topic if they are not familiar with it. It is not unlikely for lobbyists to share information with one another. Their evenings may be spent with Legislators to establish personal relationships. The evenings are not a time to discuss business, unless the Legislator brings it up.

How affective are members or citizens? Members or citizens have just as much effectiveness as lobbyists. Legislators appreciate hearing from real people, the people they are serving.

Contacting a Legislator. Ms. Duvall suggested that most Legislators prefer to receive e-mail as most of them don’t have Secretaries or Aids. When contacting them be brief and to the point. Identify one’s self and say where you’re from. Identify the specific issue or bill and whether you support it or not. Leave good contact information for them to return to you. If the topic is urgent then telephone them. If they vote in favor of the bill you support, then be sure to send them a thank you.

Testifying before a committee. Persons can come and go from committee hearings. However, if you are to testify, make sure you sign in at the podium either as Proponent or Opponent. Recognize the Chair and the committee, introduce yourself and briefly describe how your support or not support the topic. Thank them for their time. After all the testimonies the committee is open to ask questions. They will discuss the bill and then make a decision by using the voting process. Lobbyist must register, but citizen may simply show up and testify.

An **affective lobbyist** is most affective when representing multiple clients. When they tell the truth, even if it’s uncomfortable. When they work with the Legislators to solve their issue. And work hard to establish personal relations. The less honest the lobbyist, the less likely for them to succeed. Legislation might function without Lobbyists; however Legislators might not be as informed.

The **Legislative Research Council** represents all Legislators and it’s their job to research topics on bills. There is 30 staff in South Dakota and more may be added during session. There are fewer Summer Interim Studies due to the very tight budget.

What the most that has **changed** over the years? Where there was once lots of paper and binders, there is now electronic information. The process is more citizen-friendly as the committee sessions are broadcasted and replayed via audio and text.

Introduction of Dr. Dustin Oedekoven, South Dakota State Veterinarian, discussing the South Dakota Industry Board.

Dr. Oedekoven met with the Legislators and part of his work is to help educate them. An example he shared was that some didn’t consider horses as livestock.

He reviewed the Organization and the value of having the Industry Board made up of the different livestock sectors. (Bison industry is not represented) The state veterinarian is appointed by the SD

Industry Board. Statute 40-3 and 40-5 are really the meat of the Board. The responsibility in Law is SDCL40-3 through 40-17 and some of the line items are: Protect Animal Health, Imports of live animals, Animal ID, Meat Inspection, Inhumane treatments of animals, Regulate Auction Markets and Inspections, Animal Health Emergency.

In year 2010 there were **562,657 Cattle imported** from 46 states & Canada. It's tracked by the Health Certification from Vet. and Permit process. There is a Class 6 felony if breeched. In year 2010 there were **1.2 million cattle exported** from the state, which included Rodeo Stock.

Diseases:

Anthrax: South Dakota has it and it's important to think ahead. Not really identified when and where it occurs. If owner anticipates they might have it, they should vaccinate for it. Occurs most during climate extremes; drought or high moisture. The Anthrax spores are picked by the livestock from the soil.

Trich. Cases: Herd mngt. plan is lacking

Tuberculosis: South Dakota has been free of this.

Brucellosis: South Dakota is free of this now (there still are sources in Bison & Elk in Yellowstone Nat. Park)

The **Animal Traceability Framework** was announced in February of 2010. This occurred when USDA flushed NASIS, leaving it up to each state. In early year 2011 there will be a minimum standard put out by USDA for states to meet.

Expecting around February 25, 2011 on an interim rule on the **Federal Register on Brucellosis Rule**. The current rule is about 100 years old and an effort is being made to update the language. Brucellosis is less of a problem today than in the past. The intent of the revision is to 1) reduce the regulatory burden to the states. 2) reduce the number of slaughter surveillance and 3) reduce Federal spending for Brucellosis and redirect that money to areas such as Yellowstone National Park.

Depopulation of infected species is not socially acceptable. The term "depopulation" is not the proper wording as the public's perception is likely different than what really happens.

Dr. Oedekoven encouraged everyone to comment during Public Comment Period.

**Comments from the Dept. of Environmental and Natural Resources (see Handout Attached)
Introduction of Secretary of DENR, Steve Pirner and PE, Natural Resources Eng. Dir, Kent Woodmansey**

DENR's Mission is to 1) Protect Public Health, 2) Protect the Environment, 3) Promote a successful business climate.

Protect Public Health by cleaning up Contamination spills or seepages.

Protect the Environment by inspecting statewide Air Quality and also Water Quality, ensuring all water is good for beneficial uses such as fisheries, recreation and consumption. Also Water Quantity by managing services and water rights. Waste disposal for proper handling. Minerals and Mining such as sand/gravel pits, uranium, oil & gas wells and ensure reclamation of each.

Promote Business Climate by funding environmental projects for compliance and economic growth, collecting natural resource data and making data available for public and commercial use.

Current **High Priorities** are to 1) use up Federal Stimulus Funds, 2) extinguish underground fires at construction debris disposal sites, 3) Veblen Dairies, 4) Hyperion Energy Center, 5) New Oil Field near Bear Butte, 6) Wharf Expansion 7) PowerTech(USA) Inc. proposed Uranium Exploration, 8) Looming Missouri River Issues, 9) Adjust to changing Fed EPA Requirements.

Secretary Prinar wrapped up by review the Federal dollars used by South Dakota and the 2011 budget.

Mr. Kent Woodmansey also had a series of slides (see handout) discussing the permitting of Concentrated Animal Feeding Operations (CAFO's).

So far in South Dakota there are about 400 Total CAFO permits. He also reviewed the use of Nutrient Management Plans, General Permit Compliance and Enforcement tools.

Some of the future issues are farm group litigation of EPA on the 2008 CAFO rules. One this is resolved, South Dakota can finish what needs done, so don't have to do it twice.

Notice of Surface Water Discharge for point source application of pesticides to water of the state in South Dakota (permit # SDGA10000) is **open for Public Comment**.

Class 6 was excused at 11:45 for lunch and to catch up with Legislators, self-guided tour of the Capitol and to become familiar with where the Committee Rooms were, etc.

Democratic Caucus:

15 Class VI SDARL members attended the Democratic Caucus. Representative Steve Street was sure to acknowledge SDARL and welcome the members. He encouraged us to continue to advocate for Agriculture and to consider representing Agriculture as a South Dakota Legislator.

Members of SDARL Class VI attended **both Chambers of the House and Senate** as they went into session. Senator Tidemann, recognized SDARL and Class VI members before the Senate floor. Likewise, Class VI SDARL was recognized in the House.

SDARL Class VI stood for a **Group picture on the Capitol Marble steps** before returning to the Matthews Training Center in the Foss Building for afternoon discussion.

Washington DC:

SDARL Program Director, Michelle Robbins handed out each member's flight schedule and ticket receipt. **Make sure this is brought with you to the airport.** Check in as individuals, even if the airline asks if will be checking in as a group. Must have picture ID and a Driver's License is adequate for USA travel. Reviewed "Obtaining a Passport" requirements.

Introduction of South Dakota Schools and Public Lands Commissioner, Jarrod Johnson

Commissioner Johnson comes from a 5th generation strong agricultural background. He was elected to Schools and Public Lands in year 2006 and sworn in, in year 2007. The Commissioner is seen as a Trust Fund Custodian.

Sections 16 and 36 are traditionally the sections in a township which are recognized as School and Public Lands in each county of South Dakota. The fees collected on the School land go to support Kindergarten through 12th grade. The fees collected on Public Lands goes to a public building fund. Approximately 9 million dollars goes back to 152 districts annually. There is about 757,900 acres in School and Public Lands and leased to the public for 5 or 10 year leases. The leasee pays the property tax, plus the Animal Unit Month (AUM) rate for grazing rental.

Weed and Pest Control is conducted by the leasee, but product provided by the Commission at the leasee's request.

Review of Budget: Unlike many other departments, 100 percent of the Commission's budget comes from the General Fund. The questions were raised about renting the hunting rights to this land also. This is a decision that is made by the Attorney General and has been discussed before.

Ethanol Subsidies Debate amongst SDARL Class 6:

Proponents: -It's a Young Industry with growth potential

- The industry supports small ethanol plants and South Dakota
- Without ethanol blends, fuel tax likely to be raised in order to abide by the "Going Green" requirements
- Supports the use of Vtech \$.45 to blend
- Jobs will be sacrificed without ethanol (people employed in the industry)
- Ethanol provides livestock byproduct feed opportunities
- It's an example of how to incentivize new renewable energy ideas

Opponents: - concern for land (health) and livestock (was once grass) on the land

- Difficult to transport the fuel where it's most needed (larger populations)
- Need for validating the \$\$ numbers that demonstrate the pros and cons
- Byproduct energy from the plants are going unused and wasted
- If demand supports ethanol, shouldn't need a subsidy
- If subsidy is removed, prepare for EPA enforcement to mandate its use
- Competitive price of energy as compared to use of corn for livestock feed or food for people.

GSM Team: Danci Baker & Tyler Melroe

Reporter: Lealand Schoon

Thursday, January 27, 2011

Class VI awoke to another beautiful sunny day in the heartland. The class then proceeded to the capitol, where they sat in on a committee meeting of their choice.

In the Senate Appropriations Committee where Senator Corey Brown, of Gettysburg, is the Chairman, three bills were brought forward SB-10, SB-11 and SB-37. To find out more about these check out the website www.legis.state.sd.us. We found these committee meetings very interesting, as well as informative because you are able to hear the real nuts and bolts of a bill.

Class VI then traveled east of town to the Mickelson Criminal Justice Building. Here we met with SD Attorney General, Marty Jackley. He explained to us how the 380 employees he has investigate and prosecute crime. While at the Mickelson Criminal Justice Building we got an in-depth tour from two Division of Criminal Investigation (DCI) Agents. They explained the workings of the crime lab and also the amount of training the SD Law Officers receive at this facility. This facility also houses the state's Emergency Operations Center that is used for a command post during severe natural disasters.

The class then returned to the Capitol to meet with the Governor's Chief of Staff, Dusty Johnson. Chief of Staff Johnson explained that he is the chief operating officer, or in layman's terms the day-to-day manager of the state. He is a very energetic and enthusiastic man. When asked the one thing citizens should know about their government he explained that all of these people are very hard workers who take their positions and responsibilities very seriously, many times not going home until well after the sun has set.

The only way to end a wonderful three-day seminar in the city of Pierre is to meet with the Governor. Class VI had the honor to sit around the table with Governor Dennis Daugaard and find out a little more about him. Governor Daugaard is a strong believer in agriculture and recognizes it as the backbone of our state. He also feels that our state is in a good spot because of the strong personal connection that its citizens have with agriculture.

Everyone is encouraged to take a trip to Pierre and spend a day at the Capitol. You are welcome in the committee meetings and everyone is more than willing to take a few minutes out of their busy day to visit with you. Check the website and contact your legislator. They all express the need to know what we think. Well, that's it from three very educational days in Pierre.

GSM Team: Danci Baker & Tyler Melroe

Reporter: Corey Eberhart