

Minutes: House Agriculture and Natural Resources Tuesday, February 18, 2025 7:45 AM

Roll Call

Present: Rep. Auch, Rep. Goodwin, Rep. Hunt, Rep. Ladner, Rep. Nolz, Rep. Peterson (Drew), Rep. Rice, Rep. Vasgaard, Rep. Van Diepen, Rep. Wittman, Rep. Gosch, and Rep. Overweg
Excused: Rep. Ismay

The meeting was called to order by Representative Overweg

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 13TH

Moved by: Gosch
Second by: Wittman
Action: Prevailed by voice vote

HB 1236 : expand the safety zone within which hunting and trapping are restricted.

Presented by: Representative Rebecca Reimer
Proponents: Pat West, Meade County Sheriff, Self, Sturgis, South Dakota (Handout(s) 1)
Fred Lamphere, Belle Fourche Sheriff, Self, Belle Fourche, South Dakota
Cody Korzan, Self, Kimball, SD
Carey L. Story, Self, Chamberlain, SD
Lorie Korzan, Self, Kimball, SD
Jason Alan Glodt, South Dakota Landowner and Outfitter Alliance, Pierre
Opponents: George Morey Vandel III, South Dakota Wildlife Federation, Pierre
George Morey Vandel III, South Dakota Waterfowl Association, Webster
Paul Lepisto, SD Division of the Izaak Walton League of America, Pierre

MOTION: DO PASS HB 1236

Moved by: Auch
Second by: Gosch
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER HB 1236 TO THE 41ST LEGISLATIVE DAY

Moved by: Goodwin
Second by: Hunt
Action: Failed by Majority Members Elect (3-9-1-0)

Voting Yes: Goodwin, Hunt, and Vasgaard

Voting No: Auch, Ladner, Nolz, Peterson (Drew), Rice, Van Diepen, Wittman, Gosch, and Overweg

Excused: Ismay

Revert to previous motion

MOTION: DO PASS HB 1236

Moved by: Auch
 Second by: Gosch
 Action: Prevailed by Majority Members Elect (10-2-1-0)

Voting Yes: Auch, Ladner, Nolz, Peterson (Drew), Rice, Vasgaard, Van Diepen, Wittman, Gosch, and Overweg

Voting No: Goodwin and Hunt

Excused: Ismay

HB 1262 : terminate bounty payments for nest predators, transfer moneys to the general fund, and declare an emergency.

Presented by: Representative Scott Odenbach

Proponents: George Morey Vandell III, South Dakota Waterfowl Association, Webster
 George Morey Vandell III, South Dakota Wildlife Federation, Pierre
 Paul Lepisto, SD Division of the Izaak Walton League of America, Pierre
 Julie Anderson, Self, Rapid City, SD
 Nancy D. Hilding, Prairie Hills Audubon Society of Western SD, Black Hawk
 Kathleen Wolfgang, Self, Nemo, SD
 Alexey Egorov, Self, Brookings, SD

Opponents: Tom Kirschenmann, Department of Game, Fish and Parks
 Madison Strand, South Dakota Upland Outfitters Association, Selby

MOTION: AMEND HB 1262

1262A

On page 1, line 1, of the Introduced bill, after "predators" delete ", transfer moneys to the"
 On page 1, line 2, of the Introduced bill, after "the " delete "general fund, "
 On page 1, line 22, of the Introduced bill, after "predator." delete "Section 3. The state treasurer shall transfer \$500,000 from the department of game, fish and parks fund to the general fund. "
 On page 2, line 1, of the Introduced bill, delete " 4" and insert a digit three

Moved by: Wittman
 Second by: Gosch
 Action: Prevailed by voice vote

MOTION: DO PASS HB 1262 AS AMENDED

Moved by: Gosch
 Second by: Nolz
 Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER HB 1262 TO THE 41ST LEGISLATIVE DAY

Moved by: Peterson (Drew)

Second by: Van Diepen
Action: Prevailed by Majority Members Elect (7-5-1-0)

Voting Yes: Auch, Goodwin, Ladner, Peterson (Drew), Vasgaard, Van Diepen, and Overweg

Voting No: Hunt, Nolz, Rice, Wittman, and Gosch

Excused: Ismay

HB 1215 : provide rulemaking authority for the licensure of fishing guides, hunting guides, and outfitters, and to provide a penalty.

Presented by: Representative Roger DeGroot

Proponents: George Morey Vandel III, South Dakota Wildlife Federation, Pierre
George Morey Vandel III, South Dakota Waterfowl Association, Webster
Paul Lepisto, SD Division of the Izaak Walton League of America, Pierre
Dana Rogers, South Dakota Wildlife Federation, Pierre

Opponents: Scott Simpson, Department of Game, Fish and Parks
Jason Alan Glodt, South Dakota Landowner and Outfitter Alliance, Pierre
Mike Allen, Self, Chamberlain, SD
Madison Strand, South Dakota Upland Outfitters Association, Selby
Nathan Sanderson, South Dakota Retailers Association, Pierre
Justin G. Smith, Tourism Coalition of South Dakota, Yankton
Lyssa R. Bruzelius, South Dakota Missouri River Tourism Association, Pierre
Garry Allen, Alliance of Guiders, Self, Chamberlain, SD

MOTION: DEFER HB 1215 TO THE 41ST LEGISLATIVE DAY

Moved by: Van Diepen
Second by: Ladner
Action: Prevailed by Majority Members Elect (10-2-1-0)

Voting Yes: Auch, Hunt, Ladner, Nolz, Peterson (Drew), Rice, Vasgaard, Van Diepen, Gosch, and Overweg

Voting No: Goodwin and Wittman

Excused: Ismay

HB 1116 : repeal a reporting requirement and adopt provisions regarding the use of industrial hemp.

Presented by: Representative Jessica Bahmuller

Proponents: Katie Sieverding, South Dakota Industrial Hemp Association, Pierre

MOTION: AMEND HB 1116

1116A

On page 1, line 1, of the Introduced bill, after "requirement" delete " and adopt provisions"
On page 1, line 1, of the Introduced bill, after "regarding" delete " the use of"

On page 1, line 4, of the Introduced bill, after "Dakota:" delete "Section 1. That § 39-14-39 be AMENDED:

"

On page 1, line 5, of the Introduced bill, after "AMENDED:" delete "39-14-39. "

On page 1, line 5, of the Introduced bill, after "39-14-39. " delete "Terms used in this chapter mean:

- (1) "Brand name," any word, name, symbol, or device, or any combination thereof, identifying the commercial feed of a distributor or registrant and distinguishing it from that of others;
- (2) "Commercial feed," any material except unmixed seed, whole or processed, if not adulterated within the meaning of §§ 39-14-46 to 39-14-52, inclusive, which that is distributed for use as feed or for mixing in feed;
- (3) "Contract feeder," a person who, as an independent contractor, feeds commercial feed to animals pursuant to a contract whereby the commercial feed is supplied, furnished, or otherwise provided to the person and whereby the person's remuneration is determined all or in part by feed consumption, mortality, profits, or amount or quality of product;
- (4) "Customer formula feed," commercial feed which that consists of a mixture of commercial feeds and feed ingredients, each batch of which is manufactured according to the specific instructions of the final purchaser;
- (5) "Distribute," to offer for sale, sell, exchange, or barter, commercial feed; or to supply, furnish, or otherwise provide commercial feed to a contract feeder;
- (6) "Distributor," any person who distributes;
- (7) "Drug," any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in animals other than man, and articles other than feed intended to affect the structure or any function of the animal body;
- (8) "Feed ingredient," each of the constituent materials making up a commercial feed;
- (9) "Label," a display of written, printed, or graphic matter upon or affixed to the container in which a commercial feed is distributed, or on the invoice or delivery slip with which a commercial feed is distributed;
- (10) "Labeling," all labels and other written, printed, or graphic matter upon a commercial feed or any of its containers or wrappers or accompanying a commercial feed;
- (11) "Manufacture," to grind, mix, or blend, or further process a commercial feed, for distribution;
- (12) "Mineral feed," a commercial feed intended to supply primarily mineral elements or inorganic nutrients;
- (13) "Official sample," a sample of commercial feed taken by the secretary of agriculture and natural resources or his the secretary's agent in accordance with the provisions of § 39-14-62, 39-14-66, or 39-14-67;
- (14) "Percent" or "percentages," percentages by weights;
- (15) "Pet," any domesticated animal normally maintained in or near the household of the owner of the animal;
- (16) "Pet food," any commercial feed prepared and distributed for consumption by dogs and cats;
- (17) "Pet treat," any edible product intended for pets and specialty pets, which does not provide complete and balanced nutrition and is provided intermittently for training, reward, or entertainment;
- (18) "Product name," the name of the commercial feed which that identifies it as to kind, class, or specific use;
- (18)(19) "Specialty pet," any domesticated animal pet normally maintained in a cage or tank, such as gerbils, hamsters, canaries, psittacine birds, mynahs, finches, tropical fish, goldfish, snakes, and turtles;
- (19)(20) "Specialty pet food," a commercial feed prepared and distributed for consumption by specialty pets; and

(20)(21) "Ton," a net weight of two thousand pounds avoirdupois."

On page 2, line 30, of the Introduced bill, after "avoirdupois." delete "Section 2. That a NEW SECTION be added to chapter 39-14:

"

On page 2, line 31, of the Introduced bill, after "39-14:" delete "Industrial hemp or any substance derived from industrial hemp may be used in this state as an ingredient in pet food, specialty pet food, pet treats, and horse feed, provided that the industrial hemp or substance derived from industrial hemp contains a concentration of no more than three-tenths of one percent tetrahydrocannabinol."

On page 3, line 1, of the Introduced bill, after "tetrahydrocannabinol." delete "Section 3. That a NEW SECTION be added to chapter 39-18:

"

On page 3, line 2, of the Introduced bill, after "39-18:" delete "Any balm or lotion product containing industrial hemp may be used in this state as an animal remedy, provided:

(1) It is applied topically;

(2) It complies with the requirements of this chapter; and

(3) It contains a concentration of no more than three-tenths of one percent tetrahydrocannabinol."

Moved by: Wittman
Second by: Nolz
Action: Prevailed by voice vote

MOTION: DO PASS HB 1116 AS AMENDED

Moved by: Wittman
Second by: Gosch
Action: Prevailed by Majority Members Elect (12-0-1-0)

Voting Yes: Auch, Goodwin, Hunt, Ladner, Nolz, Peterson (Drew), Rice, Vasgaard, Van Diepen, Wittman, Gosch, and Overweg

Excused: Ismay

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1116 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Wittman
Second by: Nolz
Action: Prevailed by voice vote

Mary Kirk, Committee Secretary

/s/ MARTY OVERWEG
Marty Overweg, Chair