



Policy Update

September 20, 2024

Action Alert: EPA Draft Insecticide Strategy Farmer/Producer Petition Sign-On

EPA is proposing a [draft ESA Insecticide Strategy](#) to bring its pesticide program into compliance with the Endangered Species Act (ESA). Concerningly, the proposal is incredibly complex, and restrictions could be costly or unsuitable for many producers. Examples include:

- **Producers/applicators will need to determine their compliance obligations for every field under production** – which includes factors such as whether a field exists in one or more of ten PULAs; runoff potential in counties in which you farm; the slope, soil type, or distance to unmanaged areas; crop type produced; what insecticides are being used and what pests are being treated; application type (foliar, soil, seed treatment, etc.); weather conditions, including humidity, wind speed, and direction; existing runoff/erosion or spray drift mitigations on a field; among other conditions.
- **It is likely to be costly for many producers.** It would require insecticide users to attain "points" by implementing [certain runoff/erosion reduction practices](#) (rate reductions, reduced tillage, cover crops, vegetative filter strips, contour farming, riparian areas, mulching, water retention systems, etc.) to use most insecticides.
- **It is likely to leave significant crop areas untreated and vulnerable to pests.** The draft would require downwind spray drift buffers as great as 320 feet for aerial application or 230 feet for ground application (these distances could be reduced by using coarser spray droplets, partially treating a field, installing windbreaks, or other mitigations.)

Click [here](#) to sign on to the letter. The deadline is 12:00 P.M. Eastern Time on Saturday, September 21, 2024.

Early Voting Begins Today: Below are SDFB's Policy Positions on the Following Ballot Measures.

Initiated Measure 28

Sales Tax Removal on Anything Sold for Human Consumption – VOTE NO

This initiated measure claims to repeal the tax on food. But the truth is, it repeals the tax on ANYTHING sold for human consumption, including tobacco products. As a result, passing IM-28 will create a gigantic hole in our state budget. Though the measure claims to have good intentions, it's actually very bad for South Dakotans. **Passing IM-28 will set us up for a state income tax** — which the vast majority of South Dakotans **DO NOT WANT**.

- IM-28 eliminates sales taxes on MANY items other than food, cutting up to **\$646 million in annual funds to the state.**
- IM-28 will kill cities and towns, preventing them from collecting sales taxes **on the same items, cutting \$50 million from local budgets.**

- IM-28 is a trap — deliberately setting us up for a state income tax, increase in property taxes, and/or increase in sales tax.

SDFB POSITION: OPPOSED – VOTE NO

Constitutional Amendment F

Medicaid Expansion Work Requirement – VOTE YES

This constitutional amendment allows for the State of South Dakota to impose a work requirement on the Medicaid Expansion eligibility group in South Dakota. Listed below are some reasons why SDFB is SUPPORTIVE to this amendment.

- South Dakota’s welfare programs should care for those who cannot care for themselves – the elderly, the young, and the disabled. Amendment F allows the state to require **able-bodied, working-aged people** who enroll in Medicaid to work or go to school, to support themselves and their families.
- If Amendment F passes, a work requirement will still require approval from the federal government and from the state legislature. This will allow for reasonable exceptions to the work requirement, like for parents of young children, students, those with serious health issues, or those looking for work.

SDFB POSITION: SUPPORT – VOTE YES

Referred Law 21

The Repeal of New Requirements for Linear Transmission Facilities, Surcharges on Certain Pipeline Companies, and a Landowner Bill of Rights – VOTE YES

This measure repeals Senate Bill 201. SB 201 was passed during the 2024 Legislative Session and was created to hold pipeline companies responsible:

- It provides landowner protections by requiring the pipeline companies to be **liable** and **compensate** the landowner for any damages to fields, drain tile, pastures, etc.
- SB 201 allows for counties to impose a \$1 per linear foot annual surcharge on carbon pipelines with 50 percent going to affected landowners in the form of property tax relief.
- The bill also clarified the Public Utilities Commission’s siting authority over linear projects and allows the PUC to make local ordinances a condition of a permit.
- SB 201 is not an endorsement of CO2 markets or pipelines. It simply provides process-based parameters as well as protections and compensation for those who may be affected.
- Repealing SB 201 will not block the development of a carbon pipeline.
- Repealing SB 201 **DOES NOT** affect the use of eminent domain.

SDFB POSITION: SUPPORT – VOTE YES TO UPHOLD THE LAW

Initiated Measure 29

Recreational Marijuana – VOTE NO

This initiated measure seeks to legalize the recreational use, possession, and distribution of marijuana. Listed below are some reasons why SDFB is OPPOSED to this measure.

- Legalization will harm workforce availability and workforce safety.
- Employers already struggle to retain a reliable workforce, and legalizing marijuana would further complicate this issue.
- The allowance of “home grown” cannabis will be impossible to regulate.

SDFB POSITION: OPPOSED – VOTE NO

Please click [here](#) for more information on the general election.

Contact for Questions

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