

DAKOTA RURAL ACTION RESOLUTIONS 2012

IMMEDIATE ACTION RESOLUTIONS

1. LIVESTOCK CONCENTRATION AND OPEN MARKETS (adopted 2003, amended 2010, 2011)

WHEREAS, in 1919 the Federal Trade Commission declared that the "Big Five" Packers were "in the position to monopolize all the nation's food supply"; and

WHEREAS, in 1920 the "Big Five" controlled roughly two thirds of cattle slaughter; and

WHEREAS, the Packers & Stockyards Act of 1921 was enacted to strengthen existing antitrust laws and to prevent these or other companies from monopolizing the meat industry; and

WHEREAS, in 1983 the top four slaughterers had approximately 36% of the fed steer and heifer market, in 1993 the top four slaughterers controlled approximately 70% and now control over 86%; and

WHEREAS, a few major corporations together control major shares of the livestock slaughter industries; and

WHEREAS, these same corporations have major livestock feeding operations and are huge grain processors, and they thereby manipulate the prices paid to producers, and they influence prices paid by consumers; and

WHEREAS, captive supply levels continue to increase; and

WHEREAS, the Packers and Stockyards Act remains unenforced, thus forcing smaller packing firms out of business and preventing the emergence of new meat processing ventures; and

WHEREAS, the U.S. Justice Department has recently demonstrated (in the monopoly case against Microsoft) that they have the resources to take on economic giants in anti-trust cases; and

WHEREAS, the proposed changes will not restrict the use of forward contracts, premium branded products or independent marketing agreements; and

WHEREAS, Dakota Rural Action's Petition for Rulemaking was published in the Federal Register and opened it up for comment in January, 1997, resulting in over 1,700 comments of support nation-wide, including 290 comments from South Dakota; now

THEREFORE BE IT RESOLVED that Dakota Rural Action call on the US Secretary of Agriculture, the US Assistant Secretary, and the Grain Inspectors Packers and Stockyards Administration Administrator, to institute immediately the following administrative changes:

1. Prohibit packers from procuring livestock for slaughter through the use of a forward contract, unless the contract contains a firm base price that can be equated to a fixed dollar amount on the day the contract is signed, and the forward contract is offered or bid in an open, public manner;

2. Prohibit packers from owning and feeding livestock, unless the livestock are sold for slaughter in an open, public market; and

BE IT FURTHER RESOLVED that Dakota Rural Action strongly support and continue to urge the US Secretary of Agriculture and the U.S. Justice Department to relentlessly pursue investigation of concentration in the livestock packing industry, and enforcement of the laws that preserve and protect us from the monopolization of our food system; and

BE IT FURTHER RESOLVED that Dakota Rural Action call on the U. S. Justice Department to stop further mergers of food industry companies that would expand their monopolization of our food system; and

BE IT FURTHER RESOLVED that Dakota Rural Action urge concrete action by public officials to ensure that a safe and affordable meat supply is available to consumers; that fair and profitable prices are paid to producers; and that open, competitive markets are restored; and

BE IT FURTHER RESOLVED that a portion of the check off money collected to promote beef be repurposed and instead used to help pay for the enforcement of the Packers and Stockyards Act.

2. SUSTAINABLE AGRICULTURE (adopted 2003, Amended 2010)

WHEREAS, Sustainable Agriculture refers to a movement in agriculture dedicated to maintaining the productivity of the community of agriculture, environmental quality, ecological functions and socioeconomic improvements for rural communities; and

WHEREAS, Sustainable Agriculture offers a viable option for smaller diversified farms and ranches struggling in the current drive towards huge specialized farms; and

WHEREAS, these smaller diversified farms hold tremendous value for our rural communities, our state, and our country; and

WHEREAS, crops and animals grown under organic conditions, which is one portion of Sustainable Agriculture, are the fastest growing segment in food sales; and

WHEREAS, industrial scale agriculture uses chemicals and techniques which negatively impact the environment and, in the case of huge industrial animal production, can have devastating environmental effects; and

WHEREAS, there are growing concerns about the safety and health of our food supply including concerns about Genetically Modified Organisms, lax border and import inspections, and reductions on the effectiveness of USDA food inspections; and

WHEREAS consumers and Sustainable Agriculture practitioners are exploring new marketing and production methods largely without state or federal support; now

THEREFORE BE IT RESOLVED that Dakota Rural Action support sustainable agriculture legislation that

1. Encourages research to support interdisciplinary science;

2. Encourages extension programs to deliver needed information to farmers, retailers, and consumers;
3. Creates marketing policies that encourage local and regional food systems and markets;
4. Offers subsidy programs which ensure safety nets for farmers, incentives to protect the environment, and transitions to more sustainable practices.

3. RENEWABLE ENERGY POLICY (adopted 2003, amended 2010, 2011)

WHEREAS, South Dakota is one of the top states in the nation for wind energy potential; and

WHEREAS, South Dakota's solar resource and cold climate create an environment for high photovoltaic potential; and

WHEREAS, rural communities can gain economic benefit from responsible energy development; and

WHEREAS, a balanced energy policy promotes national security; now

THEREFORE BE IT RESOLVED that Dakota Rural Action promote South Dakota's renewable energy development by

1. Advocating for a Renewable Energy Standard (RES);
2. Advocating for community-based renewable energy developments;
3. Informing landowners and others of renewable energy development benefits, policy incentives, and industry practices;
4. Advocating for the elimination of state barriers to renewable energy development;
5. Advocating for the South Dakota Legislature to pass a net metering bill;
6. Collaborating with other entities to influence decisions in transmission regulation, distribution, and usage.

4. MANDATORY ANIMAL IDENTIFICATION - formerly the National Animal Identification System (NAIS) - currently referred to as Animal Disease Traceability Framework (adopted 2003, amended 2005 and 2008, 2009, 2010)

WHEREAS, Dakota Rural Action supports mandatory country-of-origin labeling, which was signed into law in the 2002 Farm Bill, and requires that only meat that has been born, raised and processed in the United States can be labeled as U.S. product; and

WHEREAS, Dakota Rural Action does not support mandatory animal identification for the domestic herd since country-of-origin labeling has already been enacted; and

WHEREAS, the proposed framework does not provide any additional information to consumers regarding the origin of their food; and

WHEREAS, Dakota Rural Action has concerns about the expense to producers of implementing a Traceability Framework; and

WHEREAS, Dakota Rural Action has concerns about who will have access to the information collected by a Traceability Framework and whether that information could be used by the meat packing industry to further manipulate the livestock market; and

WHEREAS, Dakota Rural Action has concerns about producer liability and does not want meat packers or retailers foisting their violations back onto the producer; now

THEREFORE BE IT RESOLVED, that Dakota Rural Action call on Congress to not enact any legislation requiring mandatory animal identification of the domestic herd; and

BE IT FURTHER RESOLVED, if a mandatory national identification program ever comes into existence, all livestock, whether imported or domestic, be identified and traced; and

BE IT FURTHER RESOLVED, if mandatory animal identification ever comes into existence that it be controlled and administered by each state's Animal Industry Board in accordance with the adopted federal regulations rather than by a private administrator; and

BE IT FURTHER RESOLVED, that the Animal Industry Board release information only for confirmed cases when an animal health problem arises necessitating an animal to be traced to its source.

5. RIGHT TO REFFERAL (adopted 2004, amended 2010)

WHEREAS, Dakota Rural Action (DRA) realizes that many of the registered voters in South Dakota wish to have the opportunity to vote on whether Conditional Use Permits should be issued after being acted upon by the respective county Board of Adjustments; and

WHEREAS, the citizens of South Dakota have successfully held off the legislature's attempts to take away local control from the citizens; and

WHEREAS, DRA respects the rights of the citizens of South Dakota to have the opportunity to vote through the democratic process on decisions that affect their lives and the economic viability of their community; now

THEREFORE BE IT RESOLVED, that DRA support legislation or any initiative that protects the rights of citizens of South Dakota to the initiative and referendum process, and

BE IT FURTHER RESOLVED, that DRA oppose legislation or initiatives that restrict the access of citizens of South Dakota to the initiative and referendum process.

6. SOUTH DAKOTA GAME, FISH AND PARKS (adopted 2004, amended 2010)

WHEREAS, the current rift in relationships between landowners and the South Dakota Game, Fish and Parks is causing unnecessary hard feelings between both hunters and landowners; now

THEREFORE BE IT RESOLVED that Dakota Rural Action support the efforts of "South Dakota Residents for Game, Fish and Parks Reform" efforts, including but not limited to

1. Providing for legislative oversight of the South Dakota Game, Fish and Parks Department;
2. Providing for legislative rather than only gubernatorial review of the South Dakota Game, Fish and Parks land acquisitions;
3. Reforming aerial hunting regulations in order to make them more landowner and agriculture-friendly;
4. Abolishing the "open fields doctrine" in South Dakota by requiring Conservation Officers to have "probable cause: or "reasonable suspicion a crime is being committed" before entering private property;
5. Encouraging more walk-in hunting, funding and designations and encourage the South Dakota Game, Fish and Parks to act more landowner-friendly by:
 - a. consulting with landowners regarding game populations,
 - b. consulting with landowners regarding hunting access,
 - c. providing transferable licenses, coupons for landowners or other incentives,
 - d. adequately funding depredation programs,
 - e. providing more open communication with neighboring landowners before any land acquisition,
 - f. requiring that conservation officers attend a course taught by landowners on landowner relations.

7. BIOFUELS (adopted 2006, amended 2010, 2011, 2012)

WHEREAS, The United States and the world are feeling the political and economic impacts of an over-reliance on foreign oil; and

WHEREAS, biofuels are produced from crops and crop residues produced domestically; and

WHEREAS, the future availability of petroleum is no longer assured; and

WHEREAS, some biofuels are a better alternative for the environment than fossil fuel; and

WHEREAS, the production of biofuels has a large component of farmer- and community-owned manufacturing, changing the harmful economic dynamic of the centrally owned and controlled fossil fuel industry; and

WHEREAS, Rural towns have and will continue to benefit from biofuels production and manufacturing; now

THEREFORE BE IT RESOLVED, that Dakota Rural Action call on the federal, state and local governments to support the development of small scale biofuels, and

BE IT FURTHER RESOLVED, that DRA encourage planning within communities to mitigate anticipated effects of a declining fossil fuel supply, particularly petroleum; and

BE IT FURTHER RESOLVED, that DRA only supports the development of biofuel sources which have a 'net energy yield' of greater than one, defined as the ratio of energy output of the fuel divided by the sum of energy inputs required to produce the fuel.

8. CLIMATE CHANGE (adopted 2007, amended 2010)

WHEREAS, reducing greenhouse gas emissions to the levels necessary to avoid serious climatic disruption requires the introduction of new energy technologies and other climate friendly technologies, the use of which results in low or no emissions of greenhouse gases or in the capture and storage of greenhouse gases; and

WHEREAS, dollars invested in clean energy result in high-quality manufacturing and construction jobs, as well as jobs in operations, maintenance, finance, sales, shipping, and other industries in the United States and South Dakota; and

WHEREAS, climate-friendly technologies can improve air quality by reducing harmful pollutants from stationary and mobile sources, and can enhance energy security by reducing reliance on imported oil, diversifying energy sources, and reducing the vulnerability of energy delivery infrastructure; and

WHEREAS, other industrialized countries are undertaking measures to reduce greenhouse gas emissions, which provide the industries in those countries with a competitive advantage in the growing global market for climate-friendly technologies; and

WHEREAS, our forests and farmlands act as natural carbon storehouses, or *sinks*, offering major opportunities to slow the buildup of gases responsible for climate change and thus reduce global warming; and

WHEREAS, a single policy, like a 20 percent by 2020 Renewable Energy Standard, would create 1,250 jobs, \$906 million in new capital investment, \$152 million in income to farmers and rural land owners and \$15 million in new local tax revenues in South Dakota, and other policies offer even greater benefits; now

THEREFORE BE IT RESOLVED that Dakota Rural Action support renewable energy, renewable fuels, energy efficiency, and effective programs that help slow climate change.

9. SODSAVER RESOLUTION (adopted 2007, amended 2010)

WHEREAS, remaining grassland without a cropping history is a natural ecosystem that sustains healthy populations of wildlife, provides for beneficial livestock grazing, prevents soil erosion, protects water quality, and stability to the rural economy; and

WHEREAS, grassland without a cropping history is generally not as suitable for crop production as are historically cropped areas; and

WHEREAS, the ranching and recreational opportunities associated with grassland without a cropping history provide economic diversity such as grazing, hay, seed stock hunting, and tourism income and thus provide diversity and stability to the rural economy; and

WHEREAS, public funds are used to compensate crop losses, bolster grain prices, and fund conservation programs on recently converted grassland, creating an incentive for farmers to convert native grassland without consideration of the environmental and economic impact, thus creating additional expenses for taxpayers who ultimately fund these incentives; and

WHEREAS, crop insurance subsidy and disaster payments significantly reduce financial risk for converting grassland without a cropping history, resulting in inflated land prices and creating an economic disadvantage to potential property owners who wish to manage grassland; now

THEREFORE BE IT RESOLVED that Dakota Rural Action oppose the conversion of grassland without a cropping into any form of conventional or non-conventional crop-based agriculture and encourage the sustainable management of remaining grassland without a cropping history as rangeland and wildlife habitat; and

BE IT FURTHER RESOLVED that Dakota Rural Action support a federal Sodsaver provision which disallows the payment of farm subsidies, crop insurance subsidies, and/or federal or state disaster relief for the financial assurance of crops planted on grassland without a cropping history converted after January 1, 2011.

10. OIL AND GAS TRANSPORTATION (adopted 2008, amended 2010)

WHEREAS, oil and gas development companies seek to build transportation pipelines in and through South Dakota; and

WHEREAS, this development can be hazardous to human and animal health, environmentally toxic, and in conflict with property rights; and

WHEREAS, the cost of cleanup from leaking pipelines is not predictable and can be a multi-million dollar expense to the state and local governments; now

THEREFORE BE RESOLVED, that Dakota Rural Action oppose oil and gas pipelines that are not built to the highest standard for safety and environmental protection and which conflict with private property rights, and good land stewardship; and

BE IT FURTHER RESOLVED, that Dakota Rural Action call on the state of South Dakota to pass legislation requiring an environmental bond to be posted by the pipeline developer and used by state and local agencies to pay for environmental clean-up and landowner compensation, and to be returned to the developer only after the pipeline has been decommissioned for an adequate amount of time to determine long term environmental damages.

11. SUPPORT FOR LOCAL FOOD PRODUCTION AND DIRECT MARKETING (adopted 2008)

WHEREAS, available agricultural sector in South Dakota represents part of a secure regional food supply, which leads to energy and economic efficiencies; and

WHEREAS, the general public is increasingly interested in locally produced food; and

WHEREAS, locally raised and marketed meat, Community Supported Agriculture Farms, and Farmers Market are a few of the local strategies offering profit potential and economic opportunity for South Dakota producers; and

WHEREAS, meat, produce, eggs, milk, and fruit raised on South Dakota farms have an excellent reputation for quality and flavor; and

WHEREAS, work still needs to be done to help producers find local markets for their products; and

WHEREAS, there appears to be increasing demand for local foods and the need for new producers to provide products; and

WHEREAS, for years South Dakota has experienced a drop in the number of farmers; and

WHEREAS, raising meats, fruits, and vegetables as close as possible to the kitchens of the end-user minimizes the carbon footprint of the entire food system; now

THEREFORE BE IT RESOLVED that Dakota Rural Action work to advance policies that

1. Assure the continuance of a safe, local food supply;
2. Maintain the South Dakota meat inspection service's "at least equal to" status with the federal government's USDA food safety inspection service;
3. Provide options for direct marketing between consumers and food producers;
4. Support policies and programs helping beginning and transitional farmers learn and develop the skills they need to be sustainable;
5. Support policies and programs helping establish unique marketing opportunities for producers who are focused upon the local market.

12. SUPPORT FOR SOUTH DAKOTA RAW MILK FARMERS TO PRODUCE AND MARKET VALUE-ADDED PRODUCTS (adopted 2010)

WHEREAS, a viable raw dairy milk sector in South Dakota represents part of a secure regional food supply, which leads to energy and economic efficiencies; and

WHEREAS, the general public is increasingly interested in raw milk and products made from raw milk, including cream, soft and hard cheeses aged 60 days or less, yogurt, and kefir; and

WHEREAS, legislation passed in the 2010 South Dakota state legislative session legalized the production and sale of raw milk only, meaning South Dakota state law does not allow the production and sale of raw milk products which are economically important value-added products; and

WHEREAS, locally raised and marketed raw milk and raw milk products offer profit potential and economic opportunity for South Dakota producers; and

WHEREAS, raw milk and raw milk products produced on South Dakota farms have an excellent reputation for quality and flavor; and

WHEREAS, work still needs to be done to help producers find local markets for their products, specifically retail outlets at which to sell raw milk and raw milk products; and

WHEREAS, there appears to be increasing demand for raw milk and raw milk products and there is a need for new producers to provide products; and

WHEREAS, for years South Dakota has experienced a severe drop in the number of dairy farmers; and

WHEREAS, producing raw milk and raw milk products as close as possible to the kitchens of the end-user minimizes the carbon footprint of the entire food system; now

THEREFORE BE IT RESOLVED that Dakota Rural Action work to advance policies that

1. Assure the continuance of a safe, local food supply including raw milk and raw milk products;
2. Maintain the South Dakota dairy farm inspection service's "at least equal to" status with the federal government's USDA food safety inspection service;
3. Provide options for direct marketing between consumers and raw milk producers, and also retail outlets for producers;
4. Help beginning and transitional raw milk producers learn and develop the skills they need to be sustainable;
5. Establish marketing opportunities for producers who focus on the local market.

13. ENERGY EFFICIENCY POLICY (Adopted 2011)

WHEREAS, energy costs have risen considerably and are projected to increase further; and

WHEREAS, the majority of our energy comes from fossil fuels not originating in South Dakota; and

WHEREAS, energy efficiency is the most cost effective way to lower energy costs and reduce our dependence on fossil fuels; and

WHEREAS, according to a 2011 Department of Energy study \$427 a year is wasted per household due to inefficient buildings; and

WHEREAS, assuming 2006 energy prices, the Building Codes Assistance Project estimates that South Dakota businesses and homeowners would save an estimated \$26 million annually by 2020 and an estimated \$50 million annually by 2030 in energy costs; and

WHEREAS, it is most cost effective to incorporate energy efficiency strategies at the onset of construction; and

WHEREAS, South Dakota lacks many of the regulations ensuring buildings are constructed in an efficient manner; now

THEREFORE BE IT RESOLVED, Dakota Rural Action support the recommendations set forth by the South Dakota Energy Codes Work Group including:

1. Adopting a statewide residential building code, and
2. Requiring simple disclosure form for homebuyers whether a home meets the residential energy code, and if not, how the home does not meet the code, which is centrally collected and maintained by the State, and
3. Exempting energy codes from local jurisdiction authority to modify, amend, or delete from building codes adopted by local units of government

STANDING RESOLUTIONS

1. INTERSTATE SHIPMENT OF STATE INSPECTED MEAT AND POULTRY

WHEREAS, because the safety of food and the health of consumers is paramount, it is essential to pass regulations to eliminate burdens on commerce posed by unwholesome, adulterated, improperly marked, mislabeled and improperly packaged meat and poultry products; and

WHEREAS, many states including South Dakota, already have meat inspection practices established for small packing plants and have a good track record of setting up inspection programs at considerably less cost than the USDA in these small plants; and

WHEREAS, the 2008 Farm Bill Livestock Title includes language allowing selected establishments in State meat or poultry inspection programs to receive Federal inspection from State inspectors, and ship products in interstate commerce; and

WHEREAS, USDA has not taken action to implement the provisions directed to them in the 2008 Farm Bill; now

THEREFORE BE IT RESOLVED that Dakota Rural Action encourage USDA to implement the provisions and programs laid out in the 2008 Farm Bill related to interstate shipment of meat as soon as possible and before the next Farm Bill is enacted; and

BE IT FURTHER RESOLVED that DRA calls on the SD Congressional delegation to preserve funding for enactment and enforcement of those interstate shipment of meat provisions in the federal budget and work to strengthen them in the upcoming Farm Bill; and

BE IT FURTHER RESOLVED that Dakota Rural Action believe that any Federal rule-making implementation and/or state legislative solution should be designed to

1. Provide for interstate shipment of meat and poultry products produced at establishments under State inspection;
2. Improve food safety and consumer confidence in the food supply;
3. Increase the viability of small meat and poultry establishments;
4. Insure the viability of state meat and poultry inspection programs;
5. Provide for seamless meat and poultry inspection programs in the United States; and

BE IT FURTHER RESOLVED that Dakota Rural Action oppose any legislation that would repeal section 301 of the Federal Meat Inspection Act and or section 5 of the Poultry Products Inspection Act; and

BE IT FURTHER RESOLVED that Dakota Rural Action support the establishment of a seamless national inspection program whereby the federal and state inspection programs would enforce, at a minimum, a single set of statutes and regulations and that a "State inspected" seal would be sufficient evidence of the highest safety of all meat and poultry in commerce, and states wishing to impose additional food safety requirements for products to qualify for a State Seal of inspection should be permitted to do so; and

BE IT FURTHER RESOLVED that Dakota Rural Action call on the SD Department of Agriculture and the SD Legislature to explore options of agreements with neighboring states to make cross border transactions of state inspected meat possible, to open up marketing options for meat producers near our borders and allow for a wider market area for state inspected meat processors located on those borders.

2. TRANSGENIC CROPS (amended 2011)

WHEREAS, consumers in this country as well as consumers in many countries we trade heavily with have shown a lack of interest in buying transgenic crops and products; and

WHEREAS, the European Union, Japan and other countries have put in place strict labeling rules regarding transgenic crops and some countries have outright banned the importation or growing of transgenic crops; and

WHEREAS, Monsanto is currently developing transgenic wheat and transgenic alfalfa, which if introduced to the world market, would destroy South Dakota's wheat and alfalfa market; and

WHEREAS, the planting of transgenic crops and products over the past several years has far outpaced our understanding of their immediate and long-term economic effects; and

WHEREAS, farmers planting transgenic crops may also be at risk for the damage they may cause to neighboring farmers planting non-transgenic crops or practicing organic farming; and

WHEREAS, the exchange of genetic material between transgenic crops, conventional crops, and wild plants and organisms is known to occur in which transgenic material and any adverse characteristics it confers or promotes can be irrevocably dispersed into the wider environment; and

WHEREAS, a moratorium on the planting and growing of transgenic wheat and alfalfa will enhance the value and protect the reputation of the state's non-transgenic wheat and alfalfa products, conferring a significant marketing advantage while preserving the state's economic health; and

WHEREAS, much of the world's food supply contains genetically modified ingredients with little to no disclosure to consumers; and

WHEREAS, the agricultural practices by a few multi-national corporations have already gone too far; now

THEREFORE BE IT RESOLVED that Dakota Rural Action call for the establishment of a moratorium on the planting and growing or use of transgenic plants without a full Environmental Impact Study; and

BE IT FURTHER RESOLVED that Dakota Rural Action call for the clear labeling of foods containing genetically modified materials and public education to assist consumers in making informed food choices.

3. SOUTH DAKOTA'S MINIMUM WAGE

WHEREAS, a living wage would help South Dakota's workers out of poverty; and

WHEREAS, minimum wage workers are grossly underpaid for the value of their work; and

WHEREAS, increasing the minimum wage can spur rural, low income economies through increased consumption; and

WHEREAS, increasing consumption resulting from increasing the minimum wage can increase employment; now

THEREFORE BE IT RESOLVED that Dakota Rural Action support a living wage.

4. "ILLINOIS BRICK CASE"/INDIRECT SELLER COLLECTION

WHEREAS, the 1977 ruling by the United States Supreme Court in the "Illinois Brick Case" bars plaintiffs from collecting damages in anti-trust cases even though proven, unless they have had direct dealings with price fixers; and

WHEREAS, nearly all agriculture producers do not have direct dealings with those who have the ability to fix agricultural product prices and therefore cannot receive compensation for proven damages; now

THEREFORE BE IT RESOLVED that Dakota Rural Action support reversal of the United States Supreme Court ruling in the "Illinois Brick Case", to permit indirect sellers to collect damages in anti-trust cases.

5. SINGLE-MEMBER HOUSE DISTRICTS (adopted 2007)

WHEREAS, South Dakota currently elects two members to the House of Representatives from each legislative district; and

WHEREAS, single-member districts allow for direct election by a majority of the voters and creates government accountability based on a more localized electorate; and

WHEREAS, the success of Dakota Rural Action's work depends on fairly elected and locally accountable members of the House of Representatives especially in rural communities; now

THEREFORE BE IT RESOLVED, that Dakota Rural Action support a constitutional amendment to create single member districts for the election of a South Dakota House of Representatives composed of no less than twice the number of members as the Senate.

6. REPEAL OF THE SOUTH DAKOTA GAG LAW ON STATE AGENCIES (adopted 2003)

WHEREAS, in 1995 and 1996 the South Dakota Legislature passed South Dakota Law 1-27-27 through 1-27-32 (commonly known as the "gag law") which says that any state agency which is authorized by law to investigate, examine, or audit the papers, books, records, financial condition, or other information held by or concerning a private entity may not disclose that it is conducting such an investigation, examination or audit; and

WHEREAS, violation of this law is classified as a felony offense; and

WHEREAS, this law had to be amended in 1997 because it was found to be unconstitutional and made it impossible for environmental inspectors to comply with federal law which requires full public disclosure of companies that pollute the environment; and

WHEREAS, this law has since been used to block citizens from knowing if specific enforcement measures are being taken by state agencies, including information related to any investigations which may be occurring within South Dakota; and

WHEREAS, the public has a right to know whether state agencies are enforcing the law; and

WHEREAS, there are other state and federal laws to protect the rights of individuals under investigation; now

THEREFORE BE IT RESOLVED that Dakota Rural Action support the repeal of South Dakota Codified Law 1-27-27 through 1-27-32 (commonly known as the "gag law").

7. HORSE PRESERVATION AND SLAUGHTERING (adopted 2007, amended 2012)

WHEREAS, Dakota Rural Action has high respect and appreciation for the horse in the American landscape, and is mindful of the contribution of horses to the economy, history and character of the United States; and

WHEREAS, the horse deserves protection, compassion, and humane treatment during ownership, transport, sale, and processing; and

WHEREAS, Dakota Rural Action opposes all legislation that prohibits the slaughter of equines for market in the United States of America; and

WHEREAS, the closing of all equine processing facilities in the USA has led to escalating incidents of neglect, starvation, and abandonment of horses and unregulated transport of horses to slaughter plants outside the borders of the USA; and

WHEREAS, foreign transporters and slaughter plants may practice sub-standard, inhumane treatment of horses; now

THEREFORE BE IT RESOLVED, that Dakota Rural Action support legislation and court rulings that allow the sale, possession and transport of horses intended for processing; domestic ownership, control and location of equine processing facilities; and funding for Food Safety and Inspection Service inspectors in facilities that slaughter horses; and

BE IT FURTHER RESOLVED that DRA opposes any legislation and/or regulations that prohibit the slaughter of equines for market; and

BE IT FURTHER RESOLVED that DRA cooperate with any entity attempting to re-establish equine processing facilities within the borders of the USA to help ensure the safety and humane treatment of horses to the point of slaughter.

8. OPPOSITION TO EXPANSION OF THE POWDER RIVER TRAINING COMPLEX (adopted 2008, amended 2011)

WHEREAS, the United States Air Force and Ellsworth Air Force Base is proposing an expansion to its Powder River Training Complex which would

1. Expand and enhance the existing Powder River Complex (PRC), which currently has both airspace and ground-based Air Force training assets in South Dakota, Wyoming, Montana, and North Dakota;
2. Add new airspace with a floor of 500 feet and eliminate some existing airspace;
3. Support additional ground-based simulated threat emitters under the Military Operations Areas (MOAs);
4. Authorize use of defensive chaff and flares throughout the special use airspace;
5. Permit supersonic flight above 10,000 feet throughout the special use airspace;

6. Support large force (over 20 aircraft) exercises (Federal Register: May 29, 2008 Volume 73, Number 104); and

WHEREAS, the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321, et seq.) requires the Federal Government to coordinate with counties which have a Natural Resource Plan; and

WHEREAS, jet plane take-offs produce 120 decibels, and noise levels greater than 85 decibels are hazardous to hearing and regular exposure of more than one minute at 110 decibels or louder can cause permanent hearing loss; and

WHEREAS, the breaking of the sound barrier, spreading of chaff and loud over flights are a direct threat to the Sage Grouse and all other wildlife, and

WHEREAS, there are no provisions for airborne access to any municipal or private airstrips except Rapid City Regional severely limiting private air travel, crop dusters, ambulance aircraft ability to travel with no provision for reimbursement of fuel or time consumption; and

WHEREAS, chaff is composed of aluminum-coated glass fibers that reflect radar being released in packets of 0.5 to 100 million fibers, which is determined to be necessary by the Department of Defense, but is known to affect human health, public safety by interfering with air traffic control radar and weather radar observations, electrical equipment, and impacts to wildlife and food supplies in an agricultural area are unknown; and

WHEREAS, flares burn at 2000 degrees and pose a serious fire risk if they are ejected as proposed at less than 1500 feet over an area that depends on voluntary fire departments and duds (flares which failed to ignite) that fall to the ground can endanger people or animals as they contain magnesium and lead; and

WHEREAS, official Air Force policy precludes wind energy development due to radar interference; now

THEREFORE BE IT RESOLVED, that Dakota Rural Action call for full coordination between the US Air Force, Ellsworth Air Force Base and the impacted local governments and agencies to ensure minimal impact of the expanded airspace to human and animal health, the environment and natural resources, and use of local infrastructure necessary for maintaining a rural quality of life; and

BE IT FURTHER RESOLVED, that if this expansion is approved, damage claims be handled on a local level by elected officials of each county, city, or township, and

BE IT FURTHER RESOLVED, that any airspace used by the Air Force be rented from the landowner, with annual payments (not perpetual easements) to compensate for the use of the land including, but not limited to impacts to agriculture and wind energy production potential.

9. FARM INDUSTRY SECURITY

WHEREAS, a safe, secure, plentiful and healthy private sector agricultural and livestock industry are critical to the survival of any nation; and

WHEREAS, the autonomy and purity of America's food supply and food producing industry is increasingly threatened by biological and economic adversaries unfriendly to the strategic viability of the United State's agricultural and food sector; and

WHEREAS, it is the responsibility of our elected officials to enact and execute laws to protect our borders and our nation's ability to have a fully internal food supply capability at all times; and

WHEREAS, agricultural trade shall never be subject to treaties, agreements, terms or conditions which put at risk the ability of our nation to continually and fully provide a sufficient diet for all our citizens; and

WHEREAS, it is paramount that no cartel or institution be permitted to violate the anti-trust laws protecting our production industries, and the citizens of the United States from unfair trade practices either internally or externally; and

WHEREAS, the leaders of the agricultural and livestock industries in the United States should come together to demand the long-overdue and absolutely necessary step of protecting America's ability to feed itself independently of any and all other nations; now

THEREFORE BE IT RESOLVED that Dakota Rural Action direct its congressional delegations to initiate the necessary steps to have the United States' agricultural and livestock industries declared National Security Industries and protected as such, thus requiring protection of our borders from the importation or transportation of agricultural and livestock commodities into or across our territory in any manner inconsistent with full protection of the America's biological and financial security; and

THEREFORE BE IT FURTHER RESOLVED that Dakota Rural Action formally request that South Dakota's congressional delegation and the United States Justice Department undertake an investigation into the pricing and labeling practices of the commodities industry and take appropriate action to insure that industry is operating in full compliance with all anti-trust laws currently in effect.

10. CHECK-OFF REFORM (adopted 2002, amended 2011)

WHEREAS, all agricultural industries which have mandatory check-off policies requiring the producer to fund programs and activities are supposed to benefit the producer; and

WHEREAS, under the present arrangement the Boards administering the check-off moneys are not accountable to producers and therefore the Boards have frequently operated to promote the interests of the board members rather than the producers; and

WHEREAS, the producers have no effective say on how or where the check-off dollars are spent; and

WHEREAS, some check-off boards have worked to effectively suppress the voices of producers; and

WHEREAS, the United States Supreme Court in a 6-3 decision struck down a mushroom check-off as a violation of mushroom processors' First Amendment right to free speech; and

WHEREAS, beef, pork and many other check-offs are similar in structure to the mushroom check-off; and

WHEREAS, check-off funds are being used to promote livestock feeding arrangements, which are detrimental to independent producers; now

THEREFORE BE IT RESOLVED that Dakota Rural Action support court actions which will determine the constitutionality of check programs; and

BE IT FURTHER RESOLVED that Dakota Rural Action advocate replacing these check-offs with programs that incorporate the following:

1. A democratic system to elect the boards which administer the commodity check-off dollars;
2. A mechanism to assure that there is geographical balance among the check-off boards;
3. A prohibition against bloc voting by any organization on behalf of its members who do not vote;
4. A system which allows producers to direct where their check-off dollars are spent;
5. A system which prohibits check off funds from being used to promote contract feeding; and

BE IT FURTHER RESOLVED that if the check-off programs are not administered in a manner consistent with the provisions of this resolution, Dakota Rural Action advocate:

1. A provision whereby producers can opt out of the check-off;
2. A regularly scheduled vote by producers to insure that the check-off still meets with the approval of producers;
3. A system to easily refund check-off dollars; and

BE IT FURTHER RESOLVED that check-off dollars are for research, education, and promotion and enforcement of the Packers and Stockyards Act of 1920

11. FARM POLICY (adopted 2002)

WHEREAS, grain and livestock producers are being driven off the land because our nation's agriculture policy is serving big agribusiness interests at the expense of family farmers, taxpayers, and the environment; and

WHEREAS, concentration of corporate power has reached a point that government is the only entity powerful enough to challenge the complete take-over of this nation's food system; now

THEREFORE BE IT RESOLVED that Dakota Rural Action call on Congress to replace the Freedom to Farm Act with new legislation that will

1. Increase market prices to producers by setting a floor price or loan rate at farmer's cost of production plus a profit that provides for an average family living;
2. Develop a mechanism that balances supply with demand, resulting in a stable food system;
3. Extend commodity loans from nine to eighteen months;
4. Re-establish a farmer-owned grain reserve with storage payments at the commercial rate;
5. Ban ownership, control or feeding of livestock by packers for more than 14 days prior to slaughter;
6. Require mandatory price reporting of livestock and grain sales;
7. Require country of origin labeling for livestock born, raised and slaughtered in the US;
8. Prohibit price discrimination and formula pricing in livestock markets;
9. Provide guaranteed fairness for farmers involved in contracts with packers and processors;
10. Provide bargaining rights for contract farmers;
11. Expand the Packers and Stockyards Act's anti-trust provisions to cover other aspects of agriculture;
12. Expand USDA authority to review, investigate and require modification of agribusiness mergers;
13. Require inspection and certification of imported agricultural products to ensure that such products meet standards at least equivalent to US standards for food safety, environmental, and worker protection.

12. COUNTRY OF ORIGIN LABELING (adopted 2003, moved to standing 2010, amended 2011)

WHEREAS, the current federal standards require mandatory country of origin labeling of some meat, fruit or produce at the retail level; and

WHEREAS, USDA inspection stamps do not guarantee that meat products are 100% US grown, although many consumers assume that meat marked with the USDA stamp is domestically grown; and

WHEREAS, the World Trade Organization (WTO) has issued a preliminary ruling that the U.S. country of origin labeling (COOL) rule violates provisions of WTO's agreement on Technical Barriers to Trade (TBT)

WHEREAS, consumers should have the choice of whether to buy US grown or foreign meat products, recognizing that many other countries do not have inspection and health safety standards as stringent as the US; now

THEREFORE BE IT RESOLVED that Dakota Rural Action urge USDA to continue to fully implement Country of Origin labeling as instructed and intended in the 2008 Farm Bill and to include that labeling for all fruit and produce as to where it was raised and processed and meat products as to where the livestock was born, raised, slaughtered and processed, and

BE IT FURTHER RESOLVED that DRA encourages and supports USTR's stringent defense of the U.S. Country of Origin Labeling law through the WTO dispute resolution process.

13. CORPORATE FARMING (adopted 2003, moved to standing 2010)

WHEREAS, South Dakotans place a priority on prosperous rural communities, clean environment, and viable family farms; and

WHEREAS, the South Dakota Family Farm Act was enacted in 1973 to preserve family farms and prohibit non-family corporate farming, and a vote of the people in 1988 strengthened this act by prohibiting non-family corporate breeding-to-finish hog facilities from operating with in South Dakota; and

WHEREAS, the will of South Dakotans to prevent non-family farm corporations from operating in South Dakota [was affirmed in 1998 with the passage of Article XVII, Sections 21-24 of the South Dakota Constitution (commonly known as Amendment E)]; and

WHEREAS, there are political and economic forces attempting to do away with South Dakota's limits on corporate farming; and

WHEREAS, family farming has been the heritage and backbone of South Dakota agriculture since statehood; and

WHEREAS, family farming combines three requirements of private enterprise (labor, management and capital) to promote economic viability for rural communities; and

WHEREAS, non-family corporations are formed to reduce or eliminate risk and individual responsibility; and

WHEREAS, certain agricultural corporations are threatening rural farm families through vertical integration, economic concentration, and environmental pollution; and

WHEREAS, there continue to be attempts by non-family farm corporations to locate concentrated animal feeding operations in South Dakota; and

WHEREAS, livestock feeding is an important form of agricultural development in South Dakota, so long as ownership, operation and control of feeding operations benefit South Dakota's family farm livestock producers; and

WHEREAS, the vision and purpose of South Dakota agriculture should be the viable future of family farming; and

WHEREAS, that vision must come from grassroots leadership; now

THEREFORE BE IT RESOLVED that DRA opposes measures that will allow artificial entities (limited liability companies) to use the corporate veil to reduce or eliminate individual responsibility for ventures into production agriculture in South Dakota.

14. GLOBALIZATION (adopted 2003, moved to standing 2010)

WHEREAS, Dakota Rural Action supports a trade system that strengthens the health, environment, food sovereignty, working conditions and labor rights of all countries; and

WHEREAS, vibrant national economies are essential to a healthy global community; now

THEREFORE BE IT RESOLVED, that Dakota Rural Action support trade laws, agreements, and treaties that guarantee the following rights and principles:

1. The right and ability of any nation and its political subdivisions to maintain and operate policies and programs that protect the interests of property, public health, safety, welfare and services;
2. Adherence to transparent competitive market principles and enactment of adequate anti-trust/anti-dumping remedies in order to prevent and counteract instances of market collusion, predatory practices, and declining market competition;
3. The inspection and testing of imported commodities and products to assure that they are mined, grown and/or produced under standards that are consistent with all domestic laws and regulations;
4. The importer and/or seller of any commodity, product, or service is liable for any violation of domestic laws and regulations;
5. The jurisdiction and venue for legal challenges and violations of domestic laws and regulations shall reside in the pertinent domestic court;
6. All imported products, services, and commodities shall be purchased in an open, competitive and transparent market system;
7. All imported products have an identified fair market value that may be used as the basis for a tax to maintain and build the national infrastructure;
8. The application of quotas and/or tariffs on any commodity or product of any country when currency exchange rate differences put domestic producers at a competitive disadvantage;
9. The laws, jurisdiction, or sovereignty of a country and its political subdivisions are not undermined by trade treaties or agreements;
10. Trade treaties and agreements are negotiated and enacted through a transparent democratic process; and

BE IT FURTHER RESOLVED, that Dakota Rural Action support Fair Trade recognized products.

15. "BIG BOX" DISCOUNT RETAIL CHAINS (adopted 2005, moved to standing 2010)

WHEREAS, Dakota Rural Action works to support independent producers and local businesses and has policy statements which defend

1. Workers' rights to earn a living wage;
2. Fair labor practices and robust public health and safety policies;
3. Trade systems that strengthen the health, environment, food sovereignty, working conditions and labor rights of all countries;
4. Adherence to competitive market principles that guard against declining market competition and competitive disadvantages for domestic producers; and

WHEREAS, Dakota Rural Action maintains that economic development efforts in the state of South Dakota and its local communities should improve the local wage scale, enhance the local infrastructure, and capitalize on the skills, creativity and imaginations of our fellow South Dakotans; and

WHEREAS, "big box" discount retail chains have increasingly failed to uphold the employment and procurement standards outlined herein, thereby causing

1. Lower socio-economic conditions for their workers, including higher dependence on public assistance programs costing billions of tax dollars each year;
2. Excessive tax burdens on local communities to provide new infrastructure and maintenance to serve the "big box" premises;
3. Competitive disadvantages to local businesses selling like-kind merchandise, resulting in the closure of many smaller retail stores; and

WHEREAS, the Board of directors of Dakota Rural Action have adopted the following position, dated May 21, 2005: that "products, materials and supplies necessary for the maintenance and operation of Dakota Rural Action be acquired through locally owned and operated businesses;" now

THEREFORE BE IT RESOLVED, that Dakota Rural Action encourage its members and all residents of South Dakota to make conscientious shopping decisions and urge them to adopt a similar position as stated above for their household, family, and business needs when possible; and

BE IT FURTHER RESOLVED, that Dakota Rural Action call on state and local governments to quit providing corporate welfare, including local tax abatements, to "big box" discount retail chains.

16. SOUTH DAKOTA'S REGRESSIVE TAXES (adopted into standing 2010, amended 2011)

WHEREAS South Dakota's tax structure is highly regressive, meaning the state and local tax burden falls harder on the lower incomes than those more well off; and

WHEREAS, due to this disproportionate tax burden on low income families, South Dakota's tax structure is ranked by the Institute on Taxation and Economic Policy as one of the "Terrible Ten" most regressive state tax structures in the nation; and

WHEREAS sales tax is one of the most regressive taxes, especially when it is imposed on food and utility bills, as it is in South Dakota; and

WHEREAS regressive taxes work against DRA's values and the people of South Dakota; and

WHEREAS regressive taxes create a situation inhibiting the upward mobility of low income families; and

WHEREAS education institutions in South Dakota are experiencing debilitating cuts in funding due to lack of state revenues; and

WHEREAS short comes in state funding forces counties to make up the gap with increased property taxes; and

WHEREAS sales tax loopholes in 2011 equaled \$500 million each year in estimated revenue; and

WHEREAS the purpose of sales tax exemptions is to encourage new businesses in South Dakota, benefit people in need and embolden programs that benefit all South Dakotans; now

THEREFORE BE IT RESOLVED that Dakota Rural Action support policy initiatives to reduce the regressivity of South Dakota's tax structure by:

1. Removal of sales tax from food,
2. Creation of a personal income tax that exempts the first \$40,000 of federal taxable income,
3. Creation of a corporate income tax that exempts the first \$40,000 of federal taxable income,
4. Requires the state legislature to review the sales tax loopholes every five years to ensure exemptions reflect current economic well-being for the state

17. OPPOSITION TO SDSU PRESIDENT DAVID CHICOINE'S POSITION ON MONSANTO BOARD OF DIRECTORS (adopted 2009, amended 2011, moved to standing 2012)

WHEREAS, South Dakota State University was founded as a land grant college, with a specific mission to educate the farm community and to provide scientific expertise to production agriculture; and

WHEREAS, Dr. David Chicoine is employed as President of South Dakota State University with an annual salary of \$321,360 plus benefits; and

WHEREAS, Dr. Chicoine has now been appointed to the Board of Directors of the Monsanto corporation, in which capacity he is receiving substantial additional compensation; and

WHEREAS, Monsanto sells and actively promotes agricultural chemicals and genetically modified crops, with a detrimental impact on the natural environment, on neighboring organic farmers, and on genetic biodiversity; and

WHEREAS, Dr. Chicoine's dual role creates a clear conflict of interest and also has ominous implications for academic freedom within the academic community, possibly including a chilling effect on professors and researchers at SDSU who might wish to study the impact of Monsanto's products and sales practices on the future of South Dakota's farm and ranch community; and

WHEREAS, the negative impacts of corporate agribusiness interests on land grant and public higher education research and service are well documented, particularly in regards to research and outreach for small and sustainable agriculture; now

THEREFORE BE IT RESOLVED that Dakota Rural Action call upon the South Dakota Board of Regents to require Dr. David Chicoine to choose between his role as President of South Dakota State University and his service on the Board of Directors of Monsanto, since it is a clear conflict of interest for him to remain in both positions.

18. MORATORIUM ON URANIUM MINING (adopted 2012)

Whereas surface and ground water are an important resource in South Dakota;

Whereas water quality has never been returned to its original standard following in-situ uranium mining;

Whereas uranium mining releases radioactive contaminants hazardous to health;

Whereas in-situ uranium mining has never been tried or tested in South Dakota;

Whereas the proponents of uranium mining in South Dakota constitute a company that has never undertaken in-situ uranium mining;

Whereas the existing supply of extracted uranium already is ample to address any present or future national security concerns;

Therefore be it resolved that Dakota Rural Action calls for a moratorium on all uranium mining in South Dakota until it can be proven safe.