



Legislative Session — 2024

The initial pace of the first week was faster than typical, with much enthusiasm and some optimism. The day before Session officially began, there was a Supreme Court hearing on legislative conflicts of interest, a landowner-rights rally in the Rotunda, and an Executive Board committee hearing on the Governor's "Freedom Works Here" advertising contract.

During the first week, 26 committee hearings were held, starting with the Joint Committee on Appropriations right after the Governor's State of the State address on Tuesday. For the past two years, the state has collected over \$2 billion in sales, use, and excise taxes, which sounds like a lot of money. Yet, South Dakota has the third lowest per-capita state tax burden at \$2,721. (Florida and New Hampshire are lower.) The appropriators were told to expect a return to "normal" for sales tax collections, now that the wave of federal funds is ebbing.

Grain Legislation

SB 22 is the Public Utilities Commission (PUC) bill to clarify that the license year for a grain buyer is from July 1 through June 30. It received unanimous approval from the Senate Ag Committee.

Taxes

The House Taxation committee passed the bill that would make last year's sales tax cut permanent. Currently, the state general sales and use tax rate is 4.2%, but is slated to go back to 4.5% on July 1, 2027. The Legislative Research Council estimates that, if this bill passes, the state would likely generate \$114 million less in sales tax receipts in FY27. The bill passed the House on a vote of 54-12. It may face a harder time in the Senate.



Senate Taxation committee discussion heard from Senator Herman Otten expressing concerns that the valuations for agricultural land were decreasing. From his perspective, it seems that "farmers aren't paying their fair share."

Energy

- The Public Utilities Commission failed in their attempt to increase the minimum application fee from \$8,000 to \$20,000 for a permit to build an energy conversion or transmission facility. HB 1052 was deferred

(Continued on page 3)

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South Dakota Wheat Commission 2024 — A Year of Transition



Dr. Jonathan Kleinjan

Greetings to the wonderful friends of the South Dakota Wheat Commission on this first day of 2024.

This will be a year of transition for the Commission and the big changes will start on January 18th when Dr. Jonathan Kleinjan joins our staff. Many of you have had the great opportunity to work with Jon in his current role as Extension Agronomist at South Dakota State University. A native of Brookings County SD Jon has distinguished himself both in service to the producers of our state and also as a distinguished leader within the soybean industry. Jon remains active as a farmer of wheat and row crops. He will bring exceptional expertise and perspective to future efforts in defining wheat as the premier rotation crop in soil health initiatives.

Jon will work alongside current Executive Director Reid Christopherson in preparation for Reid's retirement on June 7th of this year. Reid Christopherson has served as Executive Director since May 2014.



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Legislative Session *(Continued from page 1)*

to the 41st Legislative Day by the House State Affairs Committee.

- The PUC brought in a bill to require hydrogen pipelines to be permitted by the PUC. The bill received unanimous approval from the House Committee on Commerce and Energy.

- We anticipate multiple bills dealing with pipelines, eminent domain, and landowner rights. So far only one has been officially introduced: HB 1079 would require property owner permission or a siting permit prior to entry for an examination and survey.

- The bill to repeal the Petroleum Release Compensation Board within the Department of Agriculture and Natural Resources received unanimous approval from Senate Commerce Committee. This is an advisory board that has, apparently, issued all the advice needed on the issue.

- SB 78 is a bill to give retailers that sell E15 fuel a five-cent-per-gallon fuel tax refund. The first version of the bill would have taken that money away from the state highway fund. The current version leaves the highway fund alone and re-directs existing money in the ethanol infrastructure incentive fund. This fund receives 1.5 of the revenue from the petroleum release compensation and tank inspection fee. It cur-

rently has a balance of \$774,116.

- What a difference a year makes. Last year the Senate Commerce and Energy Committee voted 8-1 to defeat a bill that would remove the Gregory County pumped storage facility from the state water resources project list. This year, the same committee gave unanimous approval to the bill.

Foreign Ownership of Ag Land

Once again, it's like *deja-vu*. Two years ago Rep. Tina Mulally brought in a resolution asking the legislature to mandate a summer study on foreign ownership of agricultural land in South Dakota. The resolution failed in Senate Ag Committee.

She brought in the same resolution this year, with the addition of a reference to Gov. Noem's letter citing "the Communist Party of China's efforts to amass U.S. land." However, just prior to its first committee hearing, Rep. Mulally withdrew the resolution.

Rep. Trish Ladner withdrew her bill to limit assessment increases for owner-occupied homes and shift the property tax burden to agricultural and commercial property.

Complete legislative information is available on the Legislative Research Council website at sdlegislature.gov.

Broad list of bills affecting agriculture as a whole.

Bill	Title
SB 4	Revise provisions regarding township contracts for snow removal.
SB 14	Expand authorization for the conditional taking of coyotes from snowmobiles.
SB 16	Make appropriations for water and environmental purposes and to declare an emergency.
SB 32	Provide for the distribution of tax revenue from certain gross receipts occurring on fairgrounds.
SB 51	Revise property tax levies for school districts and to revise the state aid to general and special education formulas.
SJR 502	Providing legislative approval for a future use water permit application by the Lewis and Clark Regional Water System.
HB 1001	Repeal the expiration of a reduction in certain gross receipts and use tax rates.
HB 1009	Modify the observation of time in South Dakota.
HB 1030	Update statutory and regulatory references pertaining to water pollution.
HB 1031	Update the development and implementation of conservation district standards.
HB 1032	Extend to veterinarians provisions governing drugs, medicines, and various biological products that are prepared for animal use.
HB 1033	Address the administration of State Conservation Commission functions by the Department of Agriculture and Natural Resources.
HB 1034	Require hydrogen pipelines to be permitted by the Public Utilities Commission.
HB 1037	Require the producers of wind and solar energy infrastructure to implement or participate in a wind and solar energy infrastructure stewardship program.
HB 1040	Limit annual valuation increases on owner-occupied single-family dwellings.
HB 1065	make an appropriation for the design and construction of a multi-use building on the grounds of the State Fair and to declare an emergency.
HCR 6002	To provide for an interim study regarding foreign ownership of agricultural land.

By Peter Sexton

Cover Crops Following Wheat

Cover crops can provide forage for livestock, improve soil quality and help manage excess water. This article provides an overview of cover crops and basic information needed to determine what and when to plant.

In South Dakota an opportunity exists for cover crops to be planted following the harvesting of small grains in July and August. Cover crops capture energy from sunlight that would otherwise be lost from the ecosystem. Benefits of cover crops may include: reduced erosion, decreased compaction, potential for reducing N losses and reduced N fertilizer requirements, increasing trapping of snow, improved traffic ability, increased production of game birds, improved nutrient recycling, and improved management of excess water.

Like any tool, cover crops can have a negative impact, if not used wisely. For example, cover crops have the potential to use soil moisture that otherwise might be available to the following crop. They can also reduce the following yield in the cash crop, if they do not winterkill. For cover crops that winterkill, the effect on soil moisture is dampened by the recharge of soil moisture over the winter. Cover crops that grow into the fol-

lowing spring will use more moisture, and legumes will fix more N than those that winterkill.

Depending on the circumstances, an overwintering cover crop may be a positive or a negative factor. In a wet spring, the use of moisture and improved traffic ability, associated with the overwintering cover crop, may be an asset. In a dry spring, the overwintering cover crop may be a liability. Obviously, the dryer the environment, the more likely that water use by the cover crop can have a negative impact on the following year crop yields. In many situations the water used by the cover crop can be replaced by increased snow capture.

Planting date and composition

Delaying planting reduces the amount of generated biomass. This reduction is attributed to a decrease in heat units. Cover crops can be planted as a solid stand of a single species or a mixture of plants. Solid stand, planting rates, planting depths, and salt tolerances are provided in Table 7.1. Many growers, who use cover crops, plant a mixture because:

Cover Crop Rules of Thumb

- The smaller the seed size, the longer it will take for the plant to put on substantial growth.
- When selecting species and planting densities, be sure to consider disease issues for the following crop.
- Most cool and warm season grasses (including oats, barley, rye, sorghum and corn) can act to varying degrees as secondary hosts for the wheat curl mite.
- Choose cover crops that are broadly different from the next cash crop.
- To decrease surface residue plant cover crops high in N (legumes) or low in fiber (Brassicas.)
- To increase residue, plant cover crops high in C and fiber (millet or sorghum.)
- Plant as soon as possible.
- Buy seed with an objective of minimizing seed cost.

Cover Crops (continued from page 4)

Table 7.1. Seeding depth, salt tolerance, and full seeding rate of selected cover crops. To determine seeding rates of mixtures, multiple the full rate times the desired composition.

Plant	Composition %	Rate lbs/acre
Canola	30	5x0.3=1.5
Sugar Beet	30	4x0.3=1.2
Barley	40	50x0.4=20

Plant	Seeding depth	Salt Tolerance rating	Seeding rate lbs/acre
	Inch		
Canola	0.25-0.75	good	5
Turnip	0.25-0.5	poor	4
Radish	0.25-0.5	poor	8
Barley	0.75-2	good	50
Rapeseed	0.25-0.75	good	5
Oat	0.5-1.5	fair	70
Lentil	1-1.5	poor	30
Sugar beet	0.25-0.5	good	4

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National Wheat Yield Contest 2023 Winners

The National Wheat Yield Contest is thrilled to announce the achievements of its 24 national winners, hailing from 12 different states, who have achieved an average yield of 144 bushels per acre across all categories. Additionally, we proudly recognize the 83 state winners representing 28 states, with their remarkable yields averaging 127 bushels per acre across the various categories, including Winter Wheat-dryland, Winter Wheat-irrigated, Spring Wheat-dryland, and Spring Wheat-irrigated. It is worth noting that some dryland category winners are determined by high yield, while others are evaluated based on their percentage over the county average.

One of the highlights this year is the exceptional resilience demonstrated by wheat growers. Despite facing adversity, with 59% of winter wheat production affected by drought on May 9, and 75% of spring wheat production impacted on July 25, these dedicated individuals have showcased their unwavering commitment to maximizing their wheat productivity in spite of environmental challenges. The entry deadlines for the contest, falling on May 15 and August 1 for winter and spring wheat, received robust participation, defying the odds posed by prolonged drought in the central and southern plains, as well as the challenging conditions in spring wheat areas.

“Eastern soft winter wheat areas had tremendous yields this year, and millers are happy with the quality of wheat coming from these areas. It is exciting to see the potential when the genetics, management, and environment are all aligned in the wheat grower’s favor.” Commented Bernard Peterson, Chairman of the National Wheat Foundation, and farmer in Loretto, KY.

The contest not only emphasizes high yield but also places great importance on quality. The 24 national winners will submit grain samples for detailed analysis of milling and baking qualities, with expert panels assessing the wheat samples for quality. Outstanding quality will be rewarded with \$250 awards at the reception, and these exceptional quality winners will be officially announced in mid-January.

In recognition of their outstanding achievements, the national winners will be honored with a trip to the Commodity Classic in February 2024, hosted in Houston, TX. The accolades will culminate in a special celebration at the National Wheat Foundation Winner’s Reception on February 28, 2024.

These remarkable individuals not only demonstrate exceptional yields but also exemplify the unwavering spirit and dedication within the wheat industry, setting a high standard for excellence and innovation.

The contest would not be possible without the help of our tremendous partners: John Deere, WestBred, BASF, U.S. Wheat Associates, Croplan, Eastman, The McGregor Companies, AgriMaxx, Ardent Mills, BushelFarm, Dyna-Gro, GrainSense, Limagrains Cereal Seeds, Mennel, North Carolina Small Grain Growers Association, Ohio Corn&Wheat, PlainsGold, UniSouth Genetics, UPL, Grain Craft, Grow Pro, Kansas Wheat, Michigan Wheat, Miller Milling, North Dakota Mill, and Northern Crops Institute.

An additional thanks to Progressive Farmer/DTN, the official publication of the National Wheat Yield Contest.

2023 NATIONAL WINNERS

Winter Wheat — Dryland

Bin Buster — Dick Judah, OR
 1st — Derek Berger, OR
 2nd — Randy Eschenburg, MI
 3rd — Kent Edwards, OH
 4th — Guy Gochenour, VA
 5th — William Willard, MD
 1st — % Over County Marc Arnusch, CO
 2nd — % Over County Brett Arnusch, CO
 3rd — % Over County Travis Freeburg, NE
 4th — % Over County Casey Cantwell, CO
 5th — % Over County David Ebers, OK

Winter Wheat-Irrigated

Bin Buster — Chris Gross, WA
 1st — Gary Reynolds, ID
 2nd — Nick Suwyn, MI

Spring Wheat-Dryland

Bin Buster — Brad Disrud, ND
 1st — John Wesolowski, MN
 2nd — Lance Olson, ND
 3rd — Trevor Stout, ID
 1st — % Over County Austin Kautzman, ND
 2nd — % Over County Jason Signalness, ND
 3rd — % Over County Devan Laufer, ND

Spring Wheat-Irrigated

Bin Buster — Dallin Wilcox, ID
 1st — Jess Blatchford, OR
 2nd — Jeff Bieber, ND

For more details on the National Wheat Yield Contest, visit yieldcontest.wheatfoundation.org. For questions on sponsorship of the 2024 contest, contact Anne Osborne aosborne@wheatworld.org.

South Dakota Winners

Robert Holzworth	Spring Wheat	TW 63.9	Moisture 11.9	Protein 13.2	BPA 103.43
Levi Neuharth	Winter Wheat	TW 58.1	Moisture 11.8	Protein 11.8	BPA 51.63

Wheat Yield Contest for 2024 begins May 15, 2024

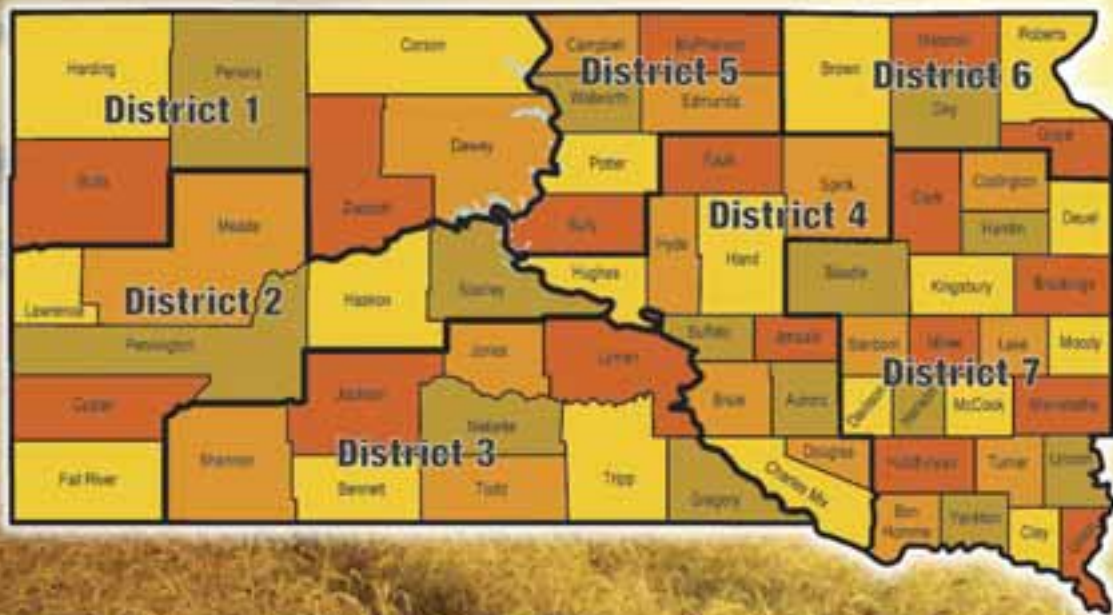
2024 Wheat Yield Contest

Seven Districts will award two prizes each

1st – \$500 2nd – \$300

www.sdwheat.com to apply

May 15, 2024, is the application
deadline for spring and winter wheat.



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We fight every day to ensure that life on the family farm continues to prosper and grow. We need your involvement and thank you for your continued support.

SDWI's current top priorities are:

- Helping shape the Farm Bill
- Preserving the farm safety net by protecting crop insurance
- Protecting land owner rights
- National farm program spending
- Shortline rail and transportation
- Agricultural research
- Free trade and marketing

SDWI officers, board of directors, and staff have been actively representing wheat farming interest in many policy areas in Pierre and Washington, DC.



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