

## Kansas Farm Bureau 2009 Resolutions

### **Status of Previous Resolutions**

**GEN-1**

All Kansas Farm Bureau policies are subject to review at any meeting of the voting delegates. It is our policy to keep our resolutions as current as possible without specifically restating all details of continuing policies every year.

The resolutions adopted at the four previous Annual Meetings are reaffirmed, except as they have been modified or supplemented by later resolutions, including those adopted at the 90<sup>th</sup> Annual Meeting. All other resolutions shall be deemed to have lapsed except the Board of Directors may specifically find that a prior resolution provides the only basis for action on a current issue. In any instance where the Board finds it necessary to reinstate a lapsed resolution, it shall bring this fact to the attention of the Resolutions Committee and the voting delegates for appropriate action at the next Annual Meeting.

### **AGRICULTURE**

#### **A Voice for Agriculture**

**AG-1**

The resolutions and policy guidelines of our organization are determined by farmers and ranchers. Farm Bureau will speak out for farmers and ranchers at every appropriate opportunity, giving voice to the concerns of agricultural producers. We will seek to cooperate with other organizations to tell the agriculture story of providing safe, plentiful and economical food and fiber for the nation and the world.

We will work diligently to implement our adopted policy positions in a manner that furthers good public policy for agriculture and the state.

#### **Agricultural Bankruptcy**

**AG-2**

We support legislation that provides unpaid cash agricultural product sellers a super priority claim above all other liens, except current statutory agricultural liens, when a handler files for bankruptcy.

Farmers should not be required to deliver commodities under contract to bankrupt purchasers, unless they have been paid in full at or before delivery.

Farmers should not be required to repay money already received for delivered commodities.

We support the recognition of scale tickets or warehouse receipts as valid certificates of title that prevent such commodities from being listed as an asset in federal bankruptcy hearings. We support legislation ensuring farmers be allowed to remove commodities in which they have retained ownership at any time during bankruptcy proceedings.

The proceeds of agricultural product sales should be held in trust, out of bankruptcy and away from creditors, to assure payment to the seller of those agricultural products.

We support holding proceeds from pre-paid contracts for agricultural supplies and inputs out of bankruptcy to help assure delivery of product or reimbursement to the buyer.

## **Agricultural Chemicals and Fertilizer**

**AG-3**

We support complete and detailed labeling of all agricultural chemicals. Persons who use agricultural chemicals in accordance with product label instructions should not be held liable for environmental damage. We oppose the intentional misuse of agricultural chemicals.

We support the ability of producers to manage production in a manner that lends to timely nutrient and plant protection application.

We encourage regulatory agencies to recognize modern agricultural practices and to promulgate regulations that allow producers and dealers to be responsive to agronomic, weather, environmental and production management needs.

We oppose regulations in the storage, handling, application and transportation of agricultural inputs that create additional expense to agricultural dealers and producers without positive cost-benefit analysis.

We support a uniform, safe, effective and scientifically based system of regulating agricultural chemicals, fertilizers and pesticides, which is consistent with state and federal law and administered by appropriate state and federal authorities.

We strongly support the continued exemption in Kansas law, which allows for the bartering or trading of services applying fertilizer or restricted use pesticides and other agricultural practices.

No governmental agency should have the authority to ban, or continue the ban on, the manufacture or use of any agricultural chemical unless there is conclusive, reliable scientific proof that such use is detrimental to society.

We support procedures that allow chemicals currently prohibited from regular use to be utilized by certified applicators in an emergency to control agricultural pest infestations.

We support the availability of state funding to provide cost-share monies to producers building facilities for the storage and handling of fertilizers and farm chemicals.

We encourage educational efforts to increase the knowledge applicators and producers have regarding chemical impacts on sensitive crops.

## **Agricultural Commodity Storage**

**AG-4**

We support the continuation of an effective and adequately funded state grain warehouse program requiring licensing and bonding of all commercial elevators and grain warehouses in Kansas.

We recommend and support legislation to require grain dealers and grain brokerage firms to be bonded or otherwise provide proof of financial responsibility.

We recommend licensing and bonding regulations be strengthened to protect farmers in the storage of agricultural commodities in private or public storage facilities.

## **Agricultural Contracting**

**AG-5**

We strongly support the ability of producers, both as individuals and collectively, to enter into production and/or marketing enterprises, including contractual and cooperative enterprises in an environment free from unfair trade practices.

Producers must have the ability to seek professional legal, financial and agricultural production advice on contract terms, obligations and responsibilities. Producers should be allowed to discuss and compare contracts with other producers. Disclosure of contract terms must not require revelation of trade secrets or require a producer to divulge personal financial information or production practices.

Contracts should include a readable, understandable summary of material risks.

We support a priority lien for a producer for amounts due under a production or marketing contract. We encourage private organizations, governmental agencies and educational institutions to develop and promote educational programs and materials that provide technical and practical information about contract production, marketing contracts and cooperative businesses.

Contractors should be prohibited from prematurely terminating a contract with a producer who has complied with the provisions of the contract.

## **Agricultural Credit**

**AG-6**

Farmers and ranchers need a variety of credit facilities to finance operating and ownership expenses. Special programs should be designed at federal and state levels to specifically deal with credit and financing issues of young farmers and ranchers who are entering or expanding agricultural operations.

We support the low-interest agriculture production loan program and request adequate allocations to assist financially stressed agricultural producers during times of low commodity prices, weather related losses or sanctions on export markets.

Any changes to lending procedures, statutes, rules or regulations should not disadvantage agricultural producers. Specific agricultural liens exist under current law. We oppose any measures that would eliminate or pre-empt this statutory prioritization of lien holders.

## **Agricultural Product Utilization**

**AG-7**

We support increased efforts to develop, promote and utilize products derived from the crops and livestock produced by our nation's farmers and ranchers.

We support consumer education, promotion efforts and incentives, including retailers' incentives, to expand the production and use of agricultural-based alternative and renewable fuels.

We support elimination of the mandatory labeling requirement for ethanol. Suppliers should be encouraged to identify or voluntarily label pumps as a promotional tool.

We support reduced state fuel tax rates on biodiesel and ethanol blends of E20 and greater. As additional blends of ethanol become

available, they should be taxed at a rate similar to E85. Biodiesel should be taxed at a lower rate than 100% fossil-based diesel.

We encourage the state to develop and implement an aggressive plan for increasing bio-fuel usage in state vehicles and machinery. We recommend all state fuel purchases be bio-fuels by 2010.

“Bio-diesel blend” fuels should contain at least 2% methyl esters.

We support additional research and development to find non-traditional farm products that have the potential to become viable enterprises for agricultural producers.

The state should authorize incentives encouraging farmers and ranchers to invest in producer-owned cooperatives and value-added businesses.

## **Agritourism**

**AG-8**

We support the provisions of the Agritourism Promotion Act including limits on the liability of landowners who invite the public onto their land to experience by observation and participation, rural agricultural culture and natural attractions.

Tax credits should continue to offset the high cost of liability insurance premiums and encourage others who may desire to augment their farm income through agritourism activities.

## **Animal Care**

**AG-9**

We support the Kansas Animal Health Department as an independent agency, which is best suited to protect and preserve the animal health and safety of the state’s livestock industry.

We support the current voluntary herd testing and certification program for Johne’s disease, and encourage continued federal assistance of testing costs.

We support state and federal efforts to eradicate feral swine in Kansas as part of their disease mitigation efforts.

We support research on animal stress and livestock production practices, along with practical ways to implement proven research findings on farms and ranches. Research utilizing animals is necessary to ensure more effective human and veterinary medical practices.

We support aggressive educational programs by Farm Bureau and other interested organizations, which will present the facts of animal and poultry production to legislative bodies, governmental regulators, the

general public and school children. We also encourage programs to inform and assist livestock producers on methods of dealing with animal rights activists who may threaten, harass or commit acts of vandalism.

We oppose legislation or regulations that limit a producer's right to breed livestock or domestic animals on the farm. We also oppose any mandatory requirement that producers establish psychological profiles or daily psychological monitoring of individual animals.

We support the United States Department of Agriculture, Animal and Plant Health Inspection Service efforts to implement the National Animal Identification System. We encourage all livestock owners to participate by registering their premises with the Kansas Animal Health Department.

We support the development of a PI Quick Test for use in chute side production practices and encourage voluntary testing for PI cattle.

## **Aquaculture**

**AG-10**

Aquaculture and commercial fisheries should be treated as agricultural enterprises. State activities affecting aquaculture and commercial fisheries should be under the Kansas Department of Agriculture.

Appropriations for aquaculture and commercial fisheries should be directed toward research, market development and consumer education.

We favor the use of government-produced fingerlings for private uses only when privately produced sources are not available.

## **Biotechnology**

**AG-11**

We support:

1. The peer review process for validating biotechnology research.
2. Increased efforts to educate the public worldwide regarding the safety and benefits of products developed through biotechnology.
3. Protections being afforded to producers who plant non-GMO crops from cross-pollination or contamination from another producer's GMO crop.
4. Maintaining U.S. export markets by securing foreign regulatory acceptance of biotech products.
5. Protections from liability for producers who plant GMO crops from cross-pollination or contamination to another producer's non-GMO crop.

Manufacturers of GMO seed planted according to the label should be liable for any damages from cross-pollination to another producer's crops.

Adequate and accurate information on acceptable markets and market and planting restrictions must be provided in writing to producers prior to the time they purchase the original input product. Manufacturers should be primarily responsible for encouraging acceptance of GMO products.

We oppose:

1. Foreign countries imposing any import restrictions, labeling or segregation requirements on any agricultural product enhanced through biotechnology, once such commodity has been certified by the scientific community as safe and not significantly different from other varieties of that commodity.
2. The insertion of genetic seed sterilization technology, "terminator technology," as a means of protecting intellectual property.
3. Recovery of technology fees from a producer who planted non-GMO seed that later exhibits GMO traits.

## **Commodity Promotion Programs**

**AG-12**

We support the commodity commissions that place producers in charge of the commission activities and the farmer check-off dollars. We strongly urge all producers to actively participate in and continue their support of commodity check-off programs for research, utilization, public education and/or market development of their commodities and products.

## **Controlled Burning**

**AG-13**

We recognize the practice of controlled burning as an important and necessary agricultural practice. The practice may include, but is not limited to, clearing debris from building sites, and the burning of crop residue and rangeland.

We recognize that the practice of controlled burning must be done in a reasonable and prudent manner so as to protect property and lives. Therefore, we support stronger involvement of local fire and law enforcement officials in the administration of the regulations. While we support reasonable restrictions on the ability to burn, as those restrictions may apply to excessive wind speed, proximity to structures, airports, and roadways, the opportunity to use a controlled burn as an agricultural practice must be retained. We encourage landowners to use innovative

burning practices. We encourage our Universities and Extension Service to maintain nationally recognized programs in rangeland management, including research on alternative burning practices, to support the livestock industry in Kansas.

There should be clarifications made either in the governing statutes or regulations which set out specifically which governmental entity the landowners or tenants must notify, and under what circumstances those who wish to use controlled burning must notify the appropriate governmental entity.

## **Corporate Farm Law**

**AG-14**

We support the opportunity for agricultural producers to operate under any business structure authorized by Kansas law. Economic or tax incentives should be equally available to any farming operation, whether a sole proprietorship, partnership, family trust, limited liability company or corporation.

We support the provision in Kansas law which allows county residents to determine whether non-family farm corporations may own agricultural land to operate pork or dairy production facilities. We support the addition of poultry to this law. We support environmental standards that are based on practical research and sound science for agricultural production entities that are authorized, constructed and operated in Kansas. Protecting water quality and controlling odors are high priorities.

## **Fence Laws**

**AG-15**

We support legislation which will prevent any increased liability for owners of land or livestock. The responsibility of the majority of county commissioners in each county to serve as “fence viewers” for settling disputes regarding fences must be maintained. All affected parties should be notified in any fence viewing dispute.

We oppose any legislation or regulation affecting normal pasturing operations, which would require fencing livestock from streams, rivers or other bodies of water.

We support Kansas’ partition fence law allocating the costs of constructing and maintaining fencing equally between adjoining landowners. We recommend the common practice be enacted into law which divides the responsibility for installation and maintenance of partition fences to each landowner’s right of a fixed point or midpoint as each views

the fence from his land, unless there are other oral agreements or written contracts. Adjoining landowners, including governmental entities and private trusts, which use a fence to restrain livestock should share in the construction and/or maintenance of partition fences.

## **Food Product Labeling**

**AG-16**

We support consumer friendly, science-based labeling of agricultural products that provide consumers with useful information concerning ingredients and nutritional value.

We support Country of Origin Labeling (COOL) programs that are feasible and reasonable to agricultural producers.

We encourage all levels of government to vigorously enforce laws regarding the fraudulent and misleading labeling of any agricultural products.

We oppose the use of names of natural farm products on substitutes for such natural foods.

## **Food Safety and Security**

**AG-17**

Kansas Farm Bureau encourages federal, state and local units of government, research institutions and the agricultural industry to make every reasonable effort to protect livestock and crop production in Kansas from acts of bioterrorism and from accidental infestations of animal and plant pests or diseases. Agencies and producers should develop voluntary science-based biosecurity protocols to address their specific operations. Any on-farm inspection should be pre-arranged.

We support the Kansas Bioscience Authority (KBA) in examining Kansas' strengths in the bioscience industry, establishing priorities and determining strategic goals.

We strongly support the greatest penalty provisions provided by law be applied to those individuals convicted of bioterrorist or ecoterrorist activities.

## **Kansas Brand Laws**

**AG-18**

We encourage all cattle owners to obtain and use registered brands, to keep a regular count of their livestock and report all losses to local law enforcement officials.

For the protection of individual cattle owners, we favor a statewide brand inspection system that makes it mandatory that cattle be inspected for brands at licensed public sales, feedlots and packing plants.

## **Karnal Bunt**

**AG-19**

We believe Karnal bunt (Kb) poses a significant economic threat to the Kansas wheat industry. We support addressing Karnal bunt as a trade issue and the multilateral, worldwide deregulation of Karnal bunt as a quarantine pest. Funding for the development of Karnal bunt resistant varieties should be increased.

We strongly recommend inspection and certification, by trained personnel, of custom harvesting equipment entering the state of Kansas.

## **Noxious Weeds**

**AG-20**

We support the current shared responsibility for compliance and implementation of the noxious weed law between landowners, counties and the state. Landowners need added flexibility to use a variety of chemical and non-chemical control practices. Counties should be authorized to adopt control practices best suited to the local area. The state should provide technical assistance and provide increased oversight authority.

When considering placement of a weed on the statewide noxious weed list, sound science, a risk analysis and timely action should be included in the process. This process should be administered by the Kansas Department of Agriculture and provide opportunity for input by producers, agronomists and weed scientists.

A system of classifying noxious weeds should be developed to focus the limited resources on weeds posing the most serious challenges and on implementing the most realistic control measures. The process should allow counties to monitor and develop control measures for weeds not yet known to exist in the county, but moving toward it.

The Kansas Department of Agriculture, which administers the noxious weed law, should prohibit the sale of any seed containing noxious weed seed and require vigorous enforcement of noxious weed laws by County Weed Directors on both privately and publicly held lands. All private landowners, including absentee landowners, governmental entities, railroads, rail trail sponsors and utilities holding or managing land should control and work toward eradicating noxious weeds.

Control procedures and cost-share should include the use of herbicides, cultural practices and biological methods. Landowner and tenant cost-share incentives for herbicides should be available through County Weed Departments and private agricultural chemical dealers.

We recommend hay and forage producers implement practices to reduce the levels of noxious weed seeds in hay and forages. When hay is inspected for weed free certification, no additional fees should be charged when recertifying following a killing freeze.

To assist landowners in controlling all noxious weeds, including sericea lespedeza, we support additional state, federal and industry funding that is required to increase research needed to develop more effective products, procedures and practices. We encourage the partnering of governmental entities, private landowners, agricultural chemical companies and others to implement effective control programs.

### **Organic Food Production**

**AG-21**

We support uniform national standards for organic food production that are rigid and strictly enforced. The cost of residue testing should be borne by the organic farmer.

Advertisements containing undocumented claims that organically grown food is more nutritious or healthful than traditionally grown food should be prohibited.

### **Prompt Payment**

**AG-22**

We support legislation to provide prompt payment at all levels of the agricultural marketing chain.

### **Rural Revitalization and Renewal**

**AG-23**

The revitalization of rural communities must be a high priority for private citizens, as well as local, state and national governments. We support initiatives that will:

1. Encourage the development of a program to link retiring farmers with persons wanting to enter or expand agricultural operations, and encourage participation in such a program. The Legislature should consider tax incentives for property owners who sell land to buyers who will keep the land in production agriculture.

2. Build a skilled and increasingly inclusive leadership group with capacity to improve and sustain our rural communities in Kansas.
3. Retain and attract youth and young families that are involved in their rural communities.
4. Create community charitable foundations in order to retain a portion of the wealth that will transfer between generations.
5. Provide a key role for rural revitalization which rests with energizing rural entrepreneurs and rural entrepreneurship.
6. Improve the general potential of rural communities to attract and retain business and industry; and
7. Include all types of farming operations in economic development and incentive programs.

Efforts should be made to ensure equity in funding between rural and urban areas.

## **Seed Law**

**AG-24**

The Kansas Seed Law protects both the buyer and seller of seed. The Kansas Seed Law should continue to allow private treaty sales between farmers of varieties not covered by the federal Plant Variety Protection Act.

The prohibition on the sale of seed containing any noxious weed seed or restricted weed seed exceeding statutory tolerances should be strictly enforced.

Because of our concern about the possible spread of Karnal bunt (Kb), TCK or any other grain fungus or disease; we support the program within the Kansas Department of Agriculture relating to seed cleaners, custom harvesting and grain transportation equipment. We support action by the Secretary of Agriculture to help protect the state from Karnal bunt infestation by regulating wheat, durum wheat, triticale seed and portable seed conditioning equipment.

Tannin sorghum seed should be conspicuously labeled and the crop identity preserved. We urge prohibition of undisclosed sales of tannin sorghum. Blending of tannin sorghum for sale should be prohibited. We support the continued availability of bird resistant seed for use in areas where significant bird damage occurs.

The Kansas Department of Agriculture should be a strong and vigorous advocate for production agriculture. Agriculture must have cabinet-level importance in any administrative structure. We recommend the department continue to be named the Kansas Department of Agriculture.

We support the existence of the State Advisory Board of Agriculture and its role in providing advice to the Secretary of Agriculture and the Governor. The duties and responsibilities of the Board should include oversight to ensure the agency's regulations are effective in protecting public safety, are reasonable, scientifically-based and promote a strong agricultural industry.

The responsibilities of appropriating water and promulgating rules and regulations should be functions of the Chief Engineer, Division of Water Resources at the Kansas Department of Agriculture. The Chief Engineer should remain a classified position within that agency.

We strongly support the state Meat and Poultry Inspection Program administered by the Kansas Department of Agriculture. Meat is inspected for the protection of all consumers thus, the program should be supported primarily by State General Fund appropriations.

Regulatory functions provided primarily for the protection of the general population, including milk and waste management inspections, should receive significant funding from State General Fund monies. Programs that have a more limited scope or benefit may be candidates for a funding mix that includes reasonable user fees. Fee funds should remain with the program generating that revenue. State General Funds for the Department of Agriculture should be maintained at current levels or increased. The Department of Agriculture should be fully funded.

We support legislation requiring the Kansas Department of Agriculture to establish rules, regulations, specifications and standards for inspection of grain analyzers used in commerce in the State of Kansas.

Product integrity is a priority for food, fiber and fuel producers. As such, the Kansas Department of Agriculture should have regulatory oversight of state food inspection programs.

Agricultural producers should have the option of using all reasonable and lawful means of controlling damaging wildlife and predatory animals on privately owned land.

The coyote is a predatory animal and we oppose efforts to designate this predator as a fur-bearing animal. Hunting, trapping or otherwise taking coyotes should be allowed at all times.

We strongly oppose the release of predatory animals to control overpopulated species.

## **ASSESSMENT AND TAXATION**

### **Death Taxes**

**AT-1**

We support the elimination of all forms of “death taxes.” Changes to an existing inheritance, succession, or estate tax system must not increase the overall impact that the death tax places on agricultural producers.

### **Property Classification and Use Value Appraisal**

**AT-2**

The Kansas Constitution and proper implementing legislation provide for appraisal of agricultural land on the basis of its income producing capability. We support equitable procedures for determination of net income. Kansas law should continue to provide a mechanism for calculating the capitalization rate of net income and the ability for the Director of Property Valuation to add to the capitalization rate. We encourage the application of the cap rate for its legislatively intended purpose.

We support the legislature’s clear statutory statement that appraisal judgment and appraisal standards be incorporated throughout the data collection, analysis and establishment of agriculture land valuations. Local appraisers shall be allowed to adjust valuations in cases where factors have an unusual impact on net income. We support adjustments in real property valuations for dairy producers, because of their unique condition. The appraisal standards should take into consideration the obsolescence that occurs for smaller dairy farms.

We support adjustments in real property valuations for agricultural producers, because of their unique condition. The appraisal standards should take into consideration the obsolescence that occurs for farms.

Such standards should conform to generally accepted appraisal procedures which are adaptable to mass appraisal and consistent with the definition of fair market value. Furthermore, farm program payments, easement payments, and conservation payments, such as CRP, EQIP or CREP should not be considered when determining use value appraisal.

The Division of Property Valuation, Kansas Department of Revenue, must ensure that data, formulas and resulting calculations for determining the use value of agricultural land are valid.

Use value appraisal, and its core components, including determination of net income, the capitalization rate and appraisal judgment must continue to be an integral part of the Kansas property tax system. The Department of Revenue is encouraged to properly utilize the system in order to assure equity and stability in valuation of agricultural land. We further support agricultural classification solely on the basis of use, regardless of ownership, supplemental uses, or potential future value.

We oppose the use of rents and/or stocking rates as the sole basis for determining agricultural income from pasture and rangeland. Soil classifications are an appropriate component for determining agricultural use value of these lands.

We support the continuation of the Secretary of Revenue's Advisory Committee on Use Value Appraisal, as well as Kansas Farm Bureau's active participation on the Committee.

We support the general intent of the limited classification amendment which is part of the Kansas Constitution.

We support the continuation of on-farm grain and hay facilities designated as "farm equipment" for tax purposes.

The type of financing arrangement should not impact whether property is exempt from taxation.

## **State and Local Governmental Budgeting, Spending and Taxation**

**AT-3**

We support a tax mix that would decrease the dependency on property tax and focus more on sales and income taxes for the support of state/local governmental units. It is important to the citizens of Kansas that the state tax mix not place Kansas at a competitive disadvantage with neighboring states.

All retirement pay should be subject to the income tax at a rate or rates uniformly applicable to all retirees.

The sales tax should not be imposed on services. The sales tax should be applied at the retail level. We oppose taxing inputs or raw agricultural products, whether by removal of sales tax exemptions or by the imposition of an excise tax, a value-added tax or a transaction tax.

Kansas should require out-of-state mail order companies to collect and remit applicable sales or use taxes.

We firmly believe government spending should not rise faster than the increase in personal income for Kansas citizens and taxpayers.

Zero-based budgeting is essential to fiscal planning and should be required for all state agencies as well as all local units of government. When preparing budgets, projected expenditures should not exceed anticipated revenues. We support balanced budgets.

Kansas should have appropriate statutory and constitutional provisions to assure:

1. Limitations on State General Fund appropriations;
2. Establishment of a state reserve fund for emergencies;
3. Taxation and expenditure limitations on local units of government, including Unified School Districts; and
4. A prohibition on the imposition of unfunded state mandates on local units of government.

We support spending limitations on state and local governmental units.

We support elimination of the Kansas Franchise Fee (tax).

## **Tax Exemptions and Credits**

**AT-4**

Kansas has appropriately created justifiable tax exemptions for agriculture, business, industry and many not-for-profit groups. This has been done to assist economic development and provide for competitiveness with our neighboring states. Existing exemptions should remain in place. Goats should be classified as an agricultural livestock species and afforded the same tax exempt status as other major livestock species in the state.

The ingredient or component part exemption should be maintained for the sound practice of economic development and for the assistance of manufacturing, business, industry and agriculture in this state.

All citizens are consumers of food and are uniformly taxed on the food they purchase. We oppose legislation to totally exempt food from the state sales tax.

## **Taxation**

**AT-5**

We support the creation of an equitable and simpler tax system that is revenue neutral and not detrimental to production agriculture.

## **Taxation of Foreign Investments in Agricultural Resources**

**AT-6**

Federal and state tax laws, and provisions of treaties, to which the United States is a party, should assure uniform tax treatment of those owning agricultural land. We are opposed to preferential tax treatment for non-U.S. citizens who lease, rent or have in any manner invested in our agricultural resources.

## **Water Severance Tax**

**AT-7**

We oppose the creation of any water severance tax other than assessments on water usage by a Groundwater Management District (GMD). Taxing the extensive water requirements for irrigation and livestock would burden agriculture with providing most of these new tax revenues.

Regulatory programs concerning water pollution benefit all Kansans and should be funded from taxes collected statewide.

## **CONSERVATION AND NATURAL RESOURCES**

### **Environmental Standards**

**CNR-1**

Any legislation that is enacted or any environmental regulations, which are proposed for promulgation, must be based on: factual information, scientific knowledge and economic impact studies.

Rules and regulations promulgated by any local unit of government or state agency should not put Kansas producers or businesses at a competitive disadvantage with any other state.

Federal and state agencies currently impose extensive environmental regulations on business, industry and agriculture. We favor implementation of environmental regulations by statewide authorities, rather than authorizing the development of regulations by each unit of local government, to ensure a consistent approach to environmental protection throughout the state. We support the current authority of the Kansas

Department of Health and Environment to consider site-specific conditions when issuing permits and implementing programs.

Legislation and regulations regarding damage or "probable damage" to land, water, air, wildlife or endangered species must be supported by factual data substantiating actual damage.

## **Groundwater Management Districts**

**CNR-2**

We support the Kansas Groundwater Management District (GMD) Act which gives local water users a voice in determining the use of groundwater. Provisions of the act relating to governance, powers and authorities, and statutory parameters for the Board of Directors composition should continue to apply to all GMDs uniformly. Any changes regarding assessment mechanisms should not be a disadvantage to agricultural producers.

We support efforts to ensure that policies or guidelines of a groundwater management district are only applicable once they have been finally adopted as a regulation through the rule making process.

## **Hazardous Waste**

**CNR-3**

Only qualified, technically competent persons, corporations or entities should be granted authority to develop a site or sites for disposal or storage of radioactive or other hazardous wastes. Such entities must be fully liable for safe operation of the site or sites.

Citizens should be granted amnesty when turning in hazardous wastes or substances for disposal. Kansas Farm Bureau will support, foster and cooperate with industry and governmental agencies to implement programs for proper disposal of unusable chemicals and containers.

The safety of our citizens and the protection of our natural resources are best served by preservation of the five-state Central Interstate Low-Level Radioactive Waste Compact Commission. Kansas should remain a member of the Compact. The Compact Commission should implement its plan to construct the first waste facility in Nebraska. While temporary, on-site storage by producers of low-level radioactive waste is prudent, long-term storage should be at well-constructed and professionally managed regional facilities.

Those who hunt and fish should possess written permission, signed by the landowner or operator, stating the days hunting or fishing is permitted and giving a description and the location of land on which permission is granted. We support the “purple paint law” which authorizes the posting of property through the use of a specific paint color.

Kansas big game hunting permits and regulations should be structured to adequately control deer and turkey populations to minimize crop and property damage. A sufficient number of permits should be made available to resident and non-resident hunters to ensure Kansas landowners can provide hunting opportunities to all hunters. Regulations for deer hunting should be structured to encourage deer hunting as an agritourism industry, and should not limit the ability of landowners to actively participate in the management of the deer herd and enhancement of the hunting industry.

Each farmer, whether landowner or tenant, who requests big game permits for hunting on his own land or land on which he is tenant or operator, should be guaranteed permits at no cost for all big game seasons. We support the transfer of landowner permits to family members without the imposition of a transfer fee. Owners of Kansas land who live in another state should be able to receive a permit to hunt all big game on their Kansas land. Landowners who provide guided or self-guided hunting opportunities on land owned or leased for agriculture should not be required to obtain or pay fees for an outfitting license.

We encourage agriculture producers to use wildlife depredation permits provided by the Kansas Department of Wildlife and Parks where wildlife creates property and crop damage. In management districts where permits are available and not requested by Kansas residents, those permits should be made available to non-residents. Producers and landowners experiencing significant crop and/or livestock loss as a result of wildlife damage in Kansas should be compensated by KDWP equal to the amount of the loss.

We support a voluntary program allowing individual landowners to create a deer herd management plan, in consultation with a wildlife biologist, allowing the landowners to be issued transferable deer tags for a given hunting season. The plan should set harvest levels so the herd is sustained, yet still yields several trophy deer annually.

We support the statutory authority granted to the Kansas Water Authority to make recommendations to the Governor and the Legislature to manage the waters of Kansas. The Authority should be responsible for coordination and approval of all changes proposed for the Kansas Water Plan. We encourage all farmers and ranchers to actively participate in the review process and recommendations modifying or expanding the Kansas Water Plan.

We support the grassroots efforts of the 12 River Basin Advisory Committees (BACs) to develop and review all proposals in the Kansas Water Plan. The Kansas Water Plan should be driven by the grassroots efforts of the Basin Advisory Committees; the Kansas Water Authority should encourage participation in the BACs and follow the recommendations of the BACs.

We support the initiatives and appreciate the leadership by the State of Kansas in protecting the interests of individual Kansas Water right holders through negotiations and administration of the Blue River, Republican River and Arkansas River Compacts. We encourage negotiations with the State of Missouri for a Kansas City Metropolitan Stormwater Management Compact and the Tri-State Water Resources Coalition.

The Kansas Water Authority and the Kansas Legislature should re-examine the weather modification program. The benefits of any cloud seeding for rainfall enhancement or from hail suppression should be determined. The review should include the funding mechanism and the views of citizens in the area affected by the program.

The Kansas Water Plan is a blueprint for planning, managing, conserving and utilizing the waters of the state. The Kansas Water Plan, developing and evolving under the direction of the Kansas Water Authority and the Kansas Water Office, is for the benefit of all Kansans and should be funded by all Kansans through the State General Fund. We do not support increasing taxes or fees to fund the Kansas Water Plan.

We support the Kansas Water Plan Fund for cost sharing of land treatment for highly erodible lands and riparian areas, construction of livestock waste management facilities, grazing land management, plugging abandoned wells and upgrading rural septic systems.

The Kansas Water Plan should contain farsighted, well-conceived and carefully controlled use of international, interstate, and intrastate transfers of water to benefit agricultural producers and all other Kansans.

The Kansas Water Plan should promote conservation of water by all users. We urge the Kansas Water Authority to incorporate into the Kansas Water Plan a strong conservation ethic and methods to extend the life of this limited resource.

We encourage the Kansas Water Authority to carefully examine all options for addressing concerns regarding management of the High Plains-Ogallala Aquifer. Any management proposal should be submitted for public comment and ensure the protection of individual water right holders. Any proposals should not place Kansas water users at a disadvantage in relation to water users in other states.

We support monetary compensation awarded in interstate water compact settlement agreements be used first to pay litigation expenses and secondly for projects in the impacted areas.

## **Mined Land Reclamation**

**CNR-7**

We support the reclamation of mined lands. We encourage the Governor and legislature to urge the U.S. Congress to move in a timely manner to appropriate coal-mining fees that have been collected for the purpose of reclamation.

## **Natural Gas and Oil**

**CNR-8**

We support national and state legislative or regulatory commission action to prolong the life of existing gas fields, insure access to and provide a dependable, timely, uninterrupted supply of affordable and adequate quality natural gas for irrigation, other agricultural purposes and rural residences.

The Kansas Corporation Commission (KCC) and the Kansas Legislature should examine "spot market" sales and protect against any adverse economic impact on irrigation farmers.

Kansas law should enforce transparency in production and price reporting so that lease owners have accurate and reasonable information.

The Kansas Corporation Commission should develop regulations for metering that ensure not only that each well is metered, but also that the meter installed is functioning properly, accurately calibrated, and has received regular maintenance by trained personnel.

We support legislation that defines both pipelines and gathering systems.

## **Natural Resources Policy**

**CNR-9**

We support the division of authority among various agencies in managing the natural resources of the state. All Kansas citizens are best served by continuing a multi-agency system of administering water laws, regulations, and other natural resource programs. We cannot support a single natural resource agency with authority over all natural resources administration. It is vital that separation remain in administering laws and programs for water quantity and quality. The Kansas Department of Agriculture should remain autonomous from other state natural resource agencies and should retain authority for administering water rights laws.

## **Natural Resource Protection**

**CNR-10**

We encourage additional efforts, by appropriate authorities, to prevent contamination of groundwater and surface water in Kansas.

Success in protecting natural resources is dependent upon partnering and cooperation by government agencies at all levels, by and with organizations representing agriculture, business, homeowners, natural resource and environmental interests. All these entities must participate in order to increase public awareness and encourage appropriate action.

An increased focus and allocation of resources should be directed at developing crop and livestock management practices, which protect natural resources, the agricultural economy and the opportunity for continued use of crop and livestock protection products. Researchers, agencies and agricultural producers must all be involved in developing management practices, which are effective and widely utilized.

Since the protection of natural resources is vital to all Kansans and important for future generations of Kansans, we support creating a dedicated source of funding, expanding cost-share programs, creating tax incentives and establishing a state-revolving-loan fund for resource protection. The fund should be used in part for sound agriculture conservation practices and protection of valuable farm and ranch land through federal and state conservation easements programs.

A program that would provide additional support to protect and enhance natural resources must ensure farmers, ranchers and rural residents are treated fairly and that property rights are protected.

There must be adequate funding to assist landowners with projects such as implementing the Total Maximum Daily Load (TMDL) requirements, installing stream buffers, constructing livestock waste management facilities, developing crop and livestock best management practices, treating highly erodible lands, plugging abandoned wells and upgrading rural septic systems.

The natural resource funding plans must prohibit any governmental entity from using the new revenues to purchase private farm and ranch lands or increase the number of total acres under an agency's management.

## **Rural Water Districts**

**CNR-11**

We recognize the benefits of Rural Water Districts and support the legislation and regulations that protect water rights under the Kansas Water Appropriation Act.

We support funding at both the national and state level for construction and repair of Rural Water District facilities and watershed structures.

## **Soil and Water Conservation**

**CNR-12**

Federal and state cost sharing is appropriate for conservation compliance and as an incentive for developing and maintaining soil and water conservation

We support the development of a voluntary Conservation Reserve Enhancement Program (CREP) in Kansas for retirement of water rights.

We support voluntary, incentive-based programs that encourage groundwater conservation through conservation incentives offered to landowners that convert to dryland farming, defer irrigation pumping, or remove Tamarisk (salt cedars) from their property. We encourage voluntary, incentive-based programs to assist in salt cedar removal, including programs where landowners can receive a portion of the water saved when the cedars are removed.

We support reauthorization and full funding of existing federal and state conservation programs. State and federal conservation programs should strive to provide greater flexibility for local and site-specific conditions. Land and/or water rights enrolled in conservation programs should provide the greatest benefit for soil and water conservation.

Storage, identification, packaging, transportation and disposal of waste materials must be adequately researched and developed to ensure safety for Kansas citizens and the natural resources of this state.

Kansas and its counties may accept, but should not be forced to accept, waste materials coming from other states or nations. Kansas should have sufficient authority over transportation, inspection, storage and monitoring of out-of-state waste shipments in order to protect water quality and the environment. Additionally, a fee structure must be established that protects Kansas citizens against costs associated with out-of-state waste.

The Kansas Department of Health and Environment, when developing regulations to implement new federal and state landfill laws, should consider the different conditions which exist in the various regions of the state including rainfall, depth to water table and geology to minimize operating and monitoring costs at each landfill site.

Operators of solid waste disposal sites shall be adequately bonded or insured to compensate landowners and/or tenants affected by the escape or dispersion of such waste. Any owner or operator of a new or existing municipal solid waste landfill should be granted an exemption from excessive design and groundwater monitoring requirements if:

1. The landfill receives and disposes of less than twenty (20) tons of municipal solid waste daily, based on annual averages;
2. There is no evidence of groundwater contamination from the landfill;
3. The landfill is in an area that annually receives not more than twenty-five (25) inches of precipitation; and
4. The community has no practicable waste management alternative.

Kansas farmers and ranchers recognize the importance of securing a Kansas water right as provided by law. We will continue to protect vested and appropriation water rights.

State laws must provide for the protection, development and administration of water rights to protect individual ground and surface water right holders consistent with their priority.

When water shortages occur in any area of the state, water rights should be administered in strict adherence to their priority as set forth in the Kansas Water Appropriation Act. In over-appropriated areas where

voluntary, incentive-based programs and regulatory enforcement are not practical or effective, then stakeholder driven management plans should be developed that can meet groundwater use goals without negatively impacting local economies or disadvantaging senior water right holders. If management plan goals diminish investment backed expectations, then due compensation should be given to those water rights holders.

In areas considered over-appropriated, we recommend industries and municipalities procure water appropriation rights from willing sellers. We oppose municipalities using eminent domain actions to acquire appropriation rights.

We support the implementation of Intensive Groundwater Use Control Areas (IGUCA) as an alternative, if strict administration of water rights would result in a significant negative impact to the local economy or be ineffective in protecting senior water rights. State agencies may be called upon to provide factual information but should not be party in any IGUCA proceedings. An unbiased individual, with equivalent expertise to that of the Chief Engineer, should serve as hearing officer during the IGUCA proceedings; if no equivalent individual exists, then the Chief Engineer may serve as hearing officer.

All existing and future IGUCAs should be reviewed periodically. The review should examine all aspects of the IGUCA including its effectiveness and the need for continuation or discontinuation of any corrective controls.

We will strongly oppose any attempts to diminish the use of agricultural soil and water conservation practices and structures, such as terraces and grassed waterways, in order to make more water flow in our streams and rivers.

We support continued focus by the Division of Water Resources to expedite processing, approval and certification of water appropriation permit.

Water rights should not be jeopardized even if the water allocation authorized is not fully exercised.

The funding of the Division of Water Resources should be primarily through a general fund obligation rather than increasing permit fees.

## **State Water Banking and Marketing Programs**

**CNR-15**

Any programs that purchase water rights or create water banks should be voluntary, provide financial incentives to landowners, contain a strong conservation component, protect the economic infrastructure of

communities and preserve the property tax base for schools and local units of government.

Water placed in a water bank should stay within the boundaries of that specific water bank as defined at the time of deposit.

Kansas Law should allow agricultural water rights holders to voluntarily participate in any state/federal controlled water storage, assurance or similar programs.

Prior to the Kansas Water Office entering into any agreement with the federal government proposing to deviate from the standard release schedule set forth in any lake operations manual, the resulting economic impacts upon agriculture and the surrounding communities must be fully studied and publicized.

## **Threatened and Endangered Species**

**CNR-16**

As an alternative to placing species on threatened or endangered lists, we support developing conservation management plans that will increase or maintain the population and make listing unnecessary. Conservation management plans should be the result of a cooperative effort by landowners, agricultural producers, wildlife managers, conservation technicians and the appropriate state and federal agencies. Any conservation management plans should be voluntary and provide incentives to private landowners for protecting or enhancing habitat for species needing protection.

Listing a species as threatened, endangered or in need of conservation should require documentation that the species proposed to be protected is actually present in a clearly defined geographic area, and is dependent for survival on habitat in that location. Scientific data supporting the inclusion of a species shall receive wide dissemination to landowners and private organizations representing the rights of these landowners.

Any agency, organization or person requesting a listing for a species in need of conservation, threatened or endangered or requesting critical habitat designation, should be required to provide and fund an environmental impact report with emphasis on the economic impact of the action.

Before any species is placed on the state or federal threatened and endangered species list, the following criteria must be met:

1. Hold public hearings;
2. Approval by the Kansas Department of Wildlife and Parks;

3. Compliance with state and federal review process and statutory requirements; and
4. Evaluation of any agency program or project that would be impacted by such designation and extent of the impacts.

A public hearing should be required in the area affected and an economic impact statement developed before any animal, plant or marine species is permitted to be introduced or re-introduced by any governmental agency or non-governmental organization.

Mitigation or acreage replacement measures should take into account cost/benefit ratios, and the economic impact of any proposal for mitigation or acreage replacement. Mitigation or replacement of habitat should be required only in areas where conversion of the habitat is significant in relationship to the total amount of habitat available in the area.

We encourage appropriate authorities to allow landowners to remove gravel from gravel bars where such activity does not pose a significant threat to a threatened or endangered species or their habitat.

We oppose the addition of prairie dogs to the endangered or protected species list.

## **Waste Management**

**CNR-17**

Farmers and ranchers realize proper handling of waste materials is essential in protecting water quality and the environment. Regulation of wastes produced in confined livestock facilities should be economically viable and technologically equivalent for all species of livestock based on specific livestock waste poundage. Any construction requirements must be reasonable. The issuance of permits should be timely, and permits should be valid for not less than five years. Livestock facility plans should be developed based on minimum design standards and approved by the state based on merit. Operators should maintain existing discretion to employ assistance from a consulting Professional Engineer. When any permitted Concentrated Animal Feeding Operation (CAFO) becomes non-operational, the owner should be required to follow approved closure procedures that protect natural resources and are funded without cost to taxpayers.

When remodeling, changing the management of, or replacing an existing permitted facility, producers should not be required to “re-permit,” if they are remaining within the existing permitted animal units.

Safe, convenient and affordable programs to recycle or dispose of used pesticide containers, out-dated or waste agricultural chemicals,

expended batteries, used oil and old tires, must be developed with emphasis on strengthening county collection programs. Farmers and ranchers should be authorized to retain, in quantities sufficient for farming operations, materials normally considered waste, i.e., used tires and used oil.

For safe disposal of dead wildlife, domestic livestock and pets, operators of solid waste disposal sites should be encouraged to develop and maintain animal disposal facilities at the county level.

Construction of secondary lead smelters should be discontinued until the EPA can develop guidelines to protect human health and the environment.

A balanced funding plan to conduct effective waste management and disposal programs should include government, industry and consumers. We support the landfill tipping fee that awards competitive grants to public or private entities to establish or enhance voluntary local projects related to waste reduction, recycling, composting and public education.

## **Water Quality Standards**

**CNR-18**

We support state authority to regulate water quality under the federal Clean Water Act. We also support the current state exemption of certain private waters from water quality standards.

We support the reexamination of stream classifications and use designations as required by state law. We also support a complete listing of waters whose quality is better than the state standards.

The process of developing water quality standards should encourage more stakeholder participation and input from the entities being regulated. We support the establishment of a water quality science advisory board comprised of qualified scientists and stakeholders to advise the Governor on water quality issues. The board would act in an advisory capacity only and have no authority to revise statutes or regulations.

We support the Governor's Water Quality Initiative and the ongoing research and data collection necessary to protect and enhance water quality in Kansas. The legislature should increase funding for Kansas State University for its science-based research projects in Best Management Practices (BMPs), which will assist in water quality protection.

We urge the Kansas Legislature to require that surface pipes of all producing and disposal wells shall be set to a depth sufficient to protect all fresh water formations from contamination.

We urge the Kansas Legislature to provide adequate funding to assure that existing statutes and regulations relating to salt water disposal and proper plugging of dry holes are being enforced.

The Kansas Corporation Commission and the Department of Health and Environment should determine that the method of disposal of salt brines will not contaminate fresh water. No well drilled on leased property should be used for disposal of salt water from wells on other property without consent from and compensation to the landowner. The power of eminent domain should NOT be granted for the purpose of salt brine disposal.

## **Watershed Programs**

**CNR-19**

We request that funding for approved watershed structures, furnished by the state and supervised by the State Conservation Commission, be increased from existing State Water Plan revenues to facilitate and encourage this needed statewide flood-control and water quality program.

In order to expedite planning and construction of watersheds, we urge the Kansas Legislature to consider permissive legislation authorizing the levy of one mill on the valuation of potential watershed areas to create a watershed trust fund. The levy should be authorized for a period of time not to exceed two years. A watershed trust fund, and the annual interest earned from such trust fund, should be used for expenses involved in planning new watershed projects.

Buildings that existed as well as development within the inundation zone of a watershed dam prior to the construction of a dam should not cause the up grading of the dam from its original classification.

Those developing land within the inundation zone of a pre-existing watershed dam must be responsible for any additional costs to the watershed district for required upgrading of a dam.

We support Watershed dam breach inundation zone mapping. Landowners with property located within mapped inundation zones should receive notice of the breach zone boundaries. This notice should attach to the property deed and be recorded at the Register of Deeds office. Risk of casualty and/or property damage subsequent to this notice should be borne by the landowner who is building. The Legislature should adopt policy eliminating damage liability for the Watershed District and state agencies in instances where development occurs below an existing Watershed dam after appropriate notice has been given.

We do not support development of statewide zoning to address the issue of dam classification.

## **Water Testing**

**CNR-20**

A state plan to test private water wells must provide confidentiality and protect homeowners and farmers from liability. Any plan to enter the test results of any private water wells into a state water quality database should be voluntary. Development of a "cost-sharing" plan could increase participation.

## **Wetlands**

**CNR-21**

Wetland conservation has an important role. At the same time, any wetlands proposal or plan should recognize that wetlands are not all equal in value or function.

The term "wetlands" should be defined in statute, not in rules and regulations. The proper definition of a "wetland" is a naturally occurring area of not less than two acres of predominantly hydric soils, which presently support hydrophytic vegetation and which, in its natural state, is saturated or flooded during 80 percent of normal growing seasons. A "normal growing season" shall mean a growing season with average weather conditions.

The Natural Resources Conservation Service (NRCS) should be authorized to make final decisions on wetland designations and regulations for all agricultural land, both cropland and rangeland, based on advice and recommendations from the State Conservation Commission and the 105 Conservation Districts.

Landowners should be permitted to restore existing drainage structures where floodwaters have deposited silt, which prevents adequate drainage of cropland currently under production.

Wetland protection programs should emphasize economic incentives to farmers and ranchers rather than acquisition and perpetual easements.

Normal farming operations should be allowed to continue on prior converted and farmed wetlands. Such prior converted farmland should be permanently removed from jurisdiction of agencies administering regulations based on Sec. 404 of the Clean Water Act.

We oppose the designation or mandatory conversion of productive farmland to expand or develop wetland projects.

We encourage the Wildlife and Parks Department to fully explore the option of leasing land rather than purchasing any land.

We oppose the use of tax and fee revenues for the acquisition of any private land. An economic impact study, a public hearing within the county where acquisition is proposed, and approval by the Kansas Legislature should be required before the Wildlife and Parks Department is allowed to assume ownership of any land. Any acquired property should remain on the property tax rolls. We are opposed to the Wildlife and Parks Department having the authority to use the power of eminent domain.

The Wildlife and Parks Department should pay, or continue to pay property taxes, or an in-lieu-of tax payment, at rates comparable to neighboring properties, to the county and school districts in which Wildlife and Parks property is located.

The Wildlife and Parks Department, with appropriate oversight by the legislature, should continue programs designed to significantly reduce deer and turkey populations and conduct more effective big game population control measures.

We urge the Wildlife and Parks Department to continue the toll-free telephone number to be used by citizens to report wildlife damage to crops and other property.

We encourage KDWP to develop aggressive plans that will control and prevent the spread of diseases, particularly Chronic Wasting Disease (CWD) and the potential for Foot and Mouth Disease (FMD), in the Kansas deer, elk and antelope herds. A CWD plan should include more rigorous and frequent testing, including tests on live animals.

## **EDUCATION**

### **Agricultural Education**

**ED-1**

We continue to give our strong support to agricultural education and leadership training programs, which prepare youth for careers in agriculture and agri-business. We urge increased emphasis in marketing, agri-business, agri-science and utilization of advanced technologies.

Preparing persons for careers in agriculture and wildlife should include course work in both production agriculture and natural resource management techniques.

We support "Ag in the Classroom," and the Kansas Foundation for Agriculture in the Classroom. We encourage continuation of the state/private partnership for funding "Ag in the Classroom."

We encourage all Kansans and Kansas industries to support the Kansas Agriculture and Rural Leadership (KARL) Program to develop a broad base of Kansas agricultural and rural leaders, increase knowledge, broaden perspectives, and strengthen the ability to communicate rural needs to the general population.

## **Kansas Education (K-12)**

**ED-2**

Kansas schools should have a strong organization structure, efficient staffing patterns, use of technology, budgeting and operation of schools should provide educational opportunities in an efficiently and economically feasible manner.

All schools should include:

1. Quality education;
2. Agriculture objectives as part of the curriculum standards;
3. Agriculture-business-labor education partnerships for our schools;
4. Career and technical education courses;
5. Sufficient administrative personnel;
6. Quality teacher certification requirements;
7. Efficient use of classroom hours; and
8. Meaningful home and private school accreditation procedures.

Agriculture in the Classroom should be included as part of the school curriculum.

Agricultural materials and programs relating to the entire agricultural system will result in an agriculturally literate public.

Educational programs that provide training in citizenship, traditional family values, social behavior and interpersonal relations should receive increased emphasis.

We continue support for utilization of USD facilities for the purpose of offering adult education classes. Adult students should pay for these programs.

We support methods by which qualified Kansans who are not certified teachers may obtain a restrictive license allowing them to be immediately employed in their area of expertise while pursuing a valid Kansas teaching license. Teacher applicants should be permitted to take online classes only from accredited educational programs as one alternative to traditional methods of licensure. Applicants should be allowed to use their classroom

work under the provisional license to qualify for the student teaching component for certification. We support methods not requiring classroom work to allow recertification of retired teachers with many hours of classroom work and years of experience to help with the teacher shortage.

We support reciprocity between Kansas and other states to facilitate licensure for certified teachers transferring to Kansas from out of state.

## **Kansas State University**

**ED-3**

As the major industry in Kansas, agriculture must have the highest priority at Kansas State University. We urge a strong commitment by the Kansas Legislature, Regents and University Administration to the land grant tradition of teaching, research and extension.

We ask the legislature to assist in the focus on agriculture at Kansas State University by conducting a comprehensive study of the desirability of establishing an Institute of Agriculture at KSU.

We support the Biosecurity Research Institute (BRI) at Kansas State University. Fundamentally, such a facility should study the pathogens that threaten humans, livestock and crops, and develop intervention strategies to minimize impacts on the nation's food supply and economy. Funding for the center and its programs should be in addition to and not jeopardize other programs and research projects beneficial to production agriculture.

We support the proposed National Bio and Agro-Defense Facility (NBAF) that will provide the nation with a safe, secure, and state-of-the-art federal laboratory to develop integrated research and response capabilities to protect the public and the nation's agriculture industry from naturally occurring and intentionally introduced disease threats. We further support the location of this facility in Manhattan, Kansas. We support adequate safeguards to protect human health and agricultural production from compromises to the NBAF due to natural disasters.

We support adequate funding for the Kansas State University Research and Extension Service and programs that provide technical specialists, agents, facilities and equipment to deliver research information and provide instruction to the people of the county or extension district. We support continuation of county control of programs, personnel and payroll for County Extension services.

As a means to increase support and broaden the utilization of County Extension programs, we support the option of electing the members of County Extension Councils at existing county-wide elections by the qualified electors of the various counties.

We support the continued expansion of the Grain Science and Industry Complex including the International Grains Program, the Bioprocessing and Industrial Value-Added Program, and the Bakery Science and Management Program. We ask the legislature to make an appropriation to provide the public support, and we encourage the milling and baking industry to assist with private financing for future expansion.

We urge high priority and funding for staff and facilities to adequately support all aspects of animal and plant science research and teaching at Kansas State University, including economic research.

We support expansion of the KSU Sheep Program to include goats and the updating of facilities to accommodate teaching, research and extension programs.

We support increased efforts through science-based research, including Best Management Practices for water quality protection, to increase the marketability of our products, solve environmental concerns, increase net farm income by decreasing input costs and improve product quality.

We support research on reduction of objectionable odors produced by Concentrated Animal Feeding Operations (CAFOs). Any standards intended to protect public health, property values and quality of life should be based on sound science and should be scientifically quantified.

We support the widespread promotion and use of Integrated Pest Management (IPM) as a method of reducing costs, risks, liability and total dependence on farm chemicals. We encourage continued research and development of pesticides that degrade more rapidly, are less environmentally persistent and are compatible with accepted IPM practices.

Since development of a new wheat variety is a long-term effort requiring strong financial and staff support, we urge increased funding for wheat breeding programs at KSU.

KSU should supplement private research for development of improved varieties of feedgrains and oilseeds.

## **Organization of Kansas Schools (K-12)**

**ED-4**

We support the current organizational structure of Kansas School Districts. The state should not mandate consolidation of districts but should develop incentives for districts which choose to consolidate with adjoining districts. Any consolidation effort should be the result of discussions between the Boards of Education of the affected school districts. Those discussions should include opportunities for public comment and input. No

consolidation should occur without the agreement of the majority of each of the affected Boards of Education.

Where efficiencies can be achieved, we encourage districts to develop partnerships with neighboring districts.

We support a minimum of one district in each county.

## **Post-Secondary Education**

**ED-5**

We support mergers, within reasonable geographic regions, of existing area vocational-technical schools and community junior colleges, in an effort to coordinate vocational, occupational, academic and college-preparatory programs. Such consolidation is in the best interest of students and the taxpaying public. The resulting institutions should be considered an integral part of our system of higher education.

Students at colleges and universities have a right to instruction from professors and teachers who are fluent and certified as proficient in the English language.

## **Public School Finance (K-12)**

**ED-6**

We support adequate funding for a quality K-12 education program for all students in Kansas. The Kansas Legislature should develop school finance legislation which provides for minimal reliance on the property tax for support of public elementary and secondary schools. If new revenues are required, they should come from sales and/or income tax increases. The Legislature should not endorse local property tax increases through the Local Option Budget.

The low enrollment, correlation, transportation, and vocational education weightings provisions of the school finance formula should continue at current funding levels under any revenue mix. Local Option Budget dollars should continue to be equalized to ensure equity among districts. Any new formula or funding mechanism should include these provisions or an equitable alternative.

We favor reduction of the state property tax levy that is now part of the school finance law. Revenue sources including sales and income taxes, and gaming should be considered in an effort to reduce reliance on Local Option Budgets and the statewide mill levy.

Property tax revenues should remain in control of the USD where collected in order to provide interest income and to give local banks an

opportunity to bid on and use deposits to assist with local community development.

School district finances, curriculum choices and building construction or remodeling decisions should remain under local authority.

Federally and state-mandated programs should be fully funded by the entity imposing the mandate. Under no circumstances should the amount of funding for public schools be determined by the courts.

### **School Board-Teacher/Employee Relations** **ED-7**

The authority of locally elected boards of education should be recognized, supported and maintained. Decisions concerning facility and staff utilization should be made locally. We oppose legislation that requires a school board to yield its authority to a mediator, an arbitrator or disinterested third party.

The teacher tenure law should be amended to allow a school board to evaluate and re-tenure or terminate teachers every five years.

### **State Board of Education** **ED-8**

We support the existence of a State Board of Education. The Board should be comprised of an uneven number of elected members representing approximately the same number of Unified School Districts.

## **GOVERNMENT**

### **Annexation** **GOV-1**

We oppose any extension of the power of cities to zone or annex beyond their borders. Annexation should only occur after consent or a vote of the people in the area proposed. When annexation does occur, cities should be required to submit a formal plan and timeline for the extension of services. If that timeline is not followed, residents should be allowed to petition for de-annexation. Affected residents should be allowed review of the reasonableness of annexation decisions by the District Court.

We encourage a change in the Retail Electric Suppliers Act so that a retail electric supplier cannot be forced to terminate service if a city proposes to annex land located within its certified territory unless agreed to by the residents involved. The legislature should reform inconsistencies in the taxation of electric infrastructure to address the competitive advantage

municipal utilities can gain over rural electric cooperatives because cities pay no property tax on poles and other infrastructure.

## **Apportionment and Representation**

**GOV-2**

The time-tested and successful pattern of representation on a state basis in the U.S. Senate and on a population basis in the U.S. House of Representatives provides a workable system of checks and balances which assures a truly representative government with consideration for minority and area interests. This same principle should be authorized for use in Kansas. The state Senate districts should be drawn to equalize the square miles or the number of counties in all districts.

## **Consolidating Units of Government**

**GOV-3**

Local units of government should be encouraged to identify partnerships which will eliminate duplication of services to ensure more efficient use of taxpayer dollars before structural consolidation is contemplated.

We support consolidation of units of government that results in reduction in the tax burden with consideration of the following factors:

- Any consolidation commission should contain significant rural representation.
- Commission meetings should be open to the public with adequate notice provided prior to any meeting.
- Any funding for the commission should sunset at its conclusion.
- The commission should not have the authority to abolish elected positions and replace them with appointed officials without a public vote on that question.
- Tax and bonding limits should be retained for the consolidated unit of government.
- Incorporated areas should have the right to opt-out of a consolidated government.
- Any plan for consolidation should be approved by:
  1. A dual majority consisting of voters residing in each municipality in question, and a majority of voters residing in the combined unincorporated areas, unless
  2. Authorizing legislation ensures the following:
    - a) Continuation of existing levels of services for rural residents;

- b) Existing municipal boundaries remain unchanged;
- c) Existing debt obligations of governments remain with the residents of the city or county prior to consolidation;
- d) A requirement that the government of the largest incorporated population base in the county cease to exist upon consolidation; and
- e) The development of separate budgets and tax statements for county residents and city residents.

## **Department of Health and Environment**

**GOV-4**

We support the current organizational structure of the Kansas Department of Health and Environment. The agency is administered by a cabinet-level Secretary that is appointed by the Governor. The two major program areas are managed by a Director of Environment and a Director of Health.

Coordination of environmental and health programs should be a priority and can be achieved under the current administrative structure. Since environmental protection is an integral part of public health, the current structure enhances coordination of the state's environmental and health programs, activities and regulations.

## **Drug Abuse and the Drinking Driver**

**GOV-5**

We strongly support education, enforcement and rehabilitation actions that will reduce the problems of drug and alcohol abuse in Kansas and across the nation. We support effective rehabilitation programs for alcohol and drug abusers.

We support programs to inform all citizens on the effects of alcohol and drug use in regard to the privilege of operating a motor vehicle. Kansas DUI statutes need to be vigorously enforced.

Drug education for children should commence in Kindergarten and be continued through the twelfth grade. Funding for alcohol and drug abuse education should be provided by state and federal government, with funding from taxes on alcohol and related industries. We support the DARE Program in Kansas.

## **Drug Enforcement**

**GOV-6**

All levels of law enforcement should have the necessary resources to investigate and prosecute drug offenses in a timely manner. We support uniformity of laws with bordering states.

Methamphetamine production poses significant risks to the public.

We support:

1. Aggressive prosecution for individuals accused of drug crimes and the manufacturing of methamphetamines;
  2. Stringent penalties for individuals convicted of drug crimes and crimes committed to obtain ingredients for manufacturing methamphetamines;
  3. Efforts to reduce the ability of criminals to access ingredients such as anhydrous ammonia, ephedrine and pseudoephedrine;
  4. The development and voluntary use of products to identify the unlawful use of ingredients for manufacturing methamphetamines;
- and
5. Technical and financial assistance for innocent property owners to clean up methamphetamine production sites.

## **Eminent Domain**

**GOV-7**

Eminent domain procedures should be used only for legitimate public purposes. The use of eminent domain for economic development should be restricted. We oppose the practice of condemning the property of one landowner and subsequently transferring that property to another private owner. Agricultural land or open space should be excluded from lands that can be designated as blighted by local governments.

Owners of real estate proposed to be taken in a condemnation proceeding should be allowed to choose one appraiser in the appraisal process. All appraisals shall be made public. The Legislature should consider and adopt appropriate mechanisms to evaluate and provide equitable payment to owners of property condemned by eminent domain, especially in instances where there is significant increase in value as a result of the development. Petitioners in a condemnation action should be required to complete an impact analysis and feasibility study to estimate potential increases in value of the property to be taken.

Takings, partial takings, or any other governmental control or jurisdiction over private property should not be permitted without just

compensation for loss of production, development or sale potential, as provided in the 5th Amendment to the U.S. Constitution.

A severance allowance should be paid to those who lose income because leased or rented real estate has been taken in an eminent domain or condemnation proceeding. A person whose property is taken by eminent domain or condemnation should have one year following payment to relocate, with the relocation costs being borne by the person or entity "taking" the property.

Producers should be compensated if it is necessary to alter agricultural practices when regulations or legislation take effect which classify species as "threatened," "endangered" or "in need of conservation."

## **Fort Riley**

**GOV-8**

We support the continuation of Fort Riley as a significant military installation in the state and nation. We oppose expansion of the base by the use of eminent domain powers. We support the effort to study land use in the area and to develop plans to allow surrounding communities to maximize benefits received from the Fort. Those plans should recognize the importance of production agriculture and the compatibility it shares with operations on the post.

## **Government Acquisition of Property**

**GOV-9**

We oppose the practice of organizations and foundations purchasing private land with the clear intent that such land will be resold or donated to some governmental entity. Such practice frequently diminishes the tax base of local units of government and ultimately increases governmental costs, agency staffing and appropriations.

Legislation should be enacted to provide for right-of-first-refusal for the immediate prior landowner when government-owned land is to be leased for farming. Should the original landowner not desire to lease the government-owned property, a uniform procedure should prevail for bidding on the land available for lease.

We oppose the use of federal or state funds or state fee funds to acquire, own, operate or enlarge any federal or state preserve, park or monument on privately owned land.

We oppose the net expansion in the number of acres of land that the state or federal government owns in Kansas.

We oppose the expansion of tribal authority through the use of eminent domain.

## **Initiative and Referendum**

**GOV-10**

We oppose the use of the initiative and referendum procedure because it will undermine our representative form of government, impair legislative responsibility, lengthen the ballot and result in poorly drafted legislation.

## **Judicial Branch**

**GOV-11**

We support an independent judiciary and impartial administration of law. The judicial function should be performed by the judicial branch and not by executive agencies.

While we prefer judicial administration through the court system, we recognize administrative actions are part of the regulatory process. We recommend impartial hearing officers be used in reviewing administrative actions and any determination should be made by an unbiased party with adequate technical expertise. Administrative procedures must allow for appeal to a court of law.

We strongly support the statutory requirement that there be at least one judge in each county.

We further support the authority of a county to determine whether it shall have a county attorney or a district attorney by vote of the qualified electorate.

The United States Supreme Court, and each court in the land, should strictly interpret U.S. and state Constitutions. We support judges and justices interpreting laws based on legislative intent. We oppose legislating from the bench. We further support the Legislature's clear and distinct authority to appropriate funds as provided in the Kansas Constitution. Under no circumstances should the judicial branch be able to demand funds be appropriated.

In cases where a jury has entered a guilty verdict, sentencing is rendered and the defendant has appealed, we encourage the judge to place heavy emphasis on the impact of a crime on the victim/victim's family, particularly when the injury has resulted in a death, when determining what, if any, bond is appropriate.

## **Planning and Zoning**

**GOV-12**

Those who own or operate land should have the major responsibility for land use and development.

We oppose legislation that would authorize or permit government agencies and political subdivisions to direct management decisions in the field of land utilization.

We urge Farm Bureau members, farmers and ranchers in every county, to become involved in planning and development of zoning ordinances to prevent undesirable land use patterns. There should be farmer and rancher representation on planning and zoning commissions.

Planning and zoning activities are best addressed at the local level. No matter what level of government pursues planning and zoning activities, agricultural producers must be represented.

We favor voluntary land use authorities formed for specific periods of time in which farming may be designated as the priority use. We support the statutory provisions in Kansas law to protect agricultural activities consistent with good agricultural practices from nuisance actions.

## **Private Property Rights**

**GOV-13**

We vigorously support landowners' rights. We support legislation which will prevent any increased liability for owners of land or livestock.

Government should prevent mergers that violate antitrust laws and threaten our competitive enterprise system. Subject to the foregoing, government should not halt development nor limit the size of any business no matter if it is agricultural, manufacturing, processing or retailing.

We oppose the imposition of a moratorium on the development of any agricultural crop or livestock production facility or operation in Kansas. Legislative or regulatory efforts should not prevent agricultural producers from voluntarily participating in coordinated, value or supply chain based marketing mechanisms.

## **Public Access to Private Land**

**GOV-14**

We strongly oppose giving the public free access to private property adjacent to rivers and streams. We support the following procedures for sportsmen and others who seek access to private property:

1. Ask the landowner/operator for written permission to be on or to cross the land;

2. Obtain a clear understanding and description of lands which are open to the uses for which access is sought; and
3. Be respectful of land, water, fences and all other property.

Access to or across private property for watercraft use on streams and rivers, if granted by the landowner/operator, should be limited to fishing boats and canoes. We strongly oppose the addition of any rivers or streams into the category of "navigable" streams.

We oppose giving any person or governmental agency authority for access to private property for inspection or investigation without permission from the property owner or operator.

## **Regulatory Reform**

**GOV-15**

We urge the legislative branch of government, at the state and national levels, to legislate clearly by statute, rather than relying on administrative rules, regulations, policies or guidelines. We oppose circumventing the legislative process by agencies enacting, through regulation, what the legislature rejected or did not act upon.

Any legislation that is enacted or any regulations which are proposed for promulgation must be based on: factual information, scientific knowledge, and economic impact studies.

Rules and regulations promulgated by any local unit of government or state agency should not put Kansas producers or businesses at a competitive disadvantage with any other state.

We support transparency in the rule and regulation making process and discourage the use of administrative policy and guidelines when implementing legislation and conducting agency activities.

We strongly support provisions within Kansas law which require agencies to prepare economic impact statements and statements of environmental benefit when proposing rules and regulations. Economic impact statements and fiscal notes should accurately reflect how the regulated community will be affected.

The legislature has an important role in overseeing regulatory agency activity and we encourage the legislature to actively fulfill that duty.

Policies or guidelines of agencies, governmental bodies or quasi-governmental entities should be subjected to a public input process. We prefer lawmaking by statute, but recognize public participation afforded under the current rulemaking process is preferable to imposing policies or guidelines as law.

Community owned and operated carnivals provide quality of life in rural communities, they should be exempt from overly burdensome requirements for licensing and training.

## **Rural Fire Protection**

**GOV-16**

We support voluntary development of countywide fire protection plans to reduce the damage from rural fires.

Assisting local fire districts in protecting life and property would be the primary purpose of the project. Reducing insurance rates is a secondary benefit for rural citizens.

## **Tort Liability Reform**

**GOV-17**

We support tort reform measures, including:

1. Limiting the use of contingency fee arrangements;
2. Providing a cap on the amount of damages that can be awarded for non-economic loss;
3. Prohibiting the filing of liability claims in jurisdictions other than those encompassing the location of the event from which the liability claim arises or the plaintiff's home address; and
4. Prohibiting claims based on weight gain, obesity, or related conditions caused by consumption of food.

We support awarding attorney fees and court costs to successful defendants.

We support denying a plaintiff the right to sue for injuries suffered while committing a crime. A plaintiff should be denied the right to sue for injuries suffered while on the land of another without that landowner's expressed consent to be on the land.

We support efforts to curtail lawsuits against manufacturers when injury results from intentional misuse or alteration of their products.

## **Trespass, Arson and Vandalism**

**GOV-18**

We recommend strengthening the statutes concerning trespass, arson and vandalism and the increase of penalties for these offenses. We support legislation to establish a mandatory fine and full restitution for property damaged by individuals found guilty of these crimes. We support legislation to remove from the landowner all liability for injury and damages to trespassers, arsonists and vandals.

All utility and commercial lines, cables and pipelines should be properly installed by the service provider. Such installations should be adequately marked, registered and identified with Dig Safe. A landowner or tenant shall not be held liable for any accidental or inadvertent breakage or disruption of service on any lines, cables or pipelines where the service provider improperly installed, maintained or located.

Oil, gas and/or wind exploration and development, pipeline, telecommunications companies, and electric and water utilities, should be required to give prior notice, replace topsoil, repair terraces, repair roads and reseed grass that is disturbed during construction of any facilities. Furthermore, they should mow and spray weeds, eradicate noxious weeds and trees along their easements and facilities and fence out farm animals from structures and/or harmful substances. They should adequately compensate for damage to growing crops and for damage to the land which will hinder production in future years.

Approved soil conservation practices must be utilized by all utility companies, oil, gas and/or wind exploration and development companies and telecommunications companies. These companies shall bear the cost of deepening the burial of pipelines or cables, lowering pump jacks, moving oil or gas tank batteries to corners, and moving utility poles or other structures when permanent soil and/or water conservation measures are constructed or improved by the landowner.

All agreements, including location of access roads and compensation for land and crop damages, should be signed and recorded if needed before oil, gas and/or wind exploration and development company, pipeline or telecommunications company or an electric, telecommunications or water utility enters the land.

Safeguards should be developed for landowners to protect against costs involved in bringing an abstract up-to-date when these costs are the result of transactions generated by highway construction, or by a gas, oil, railroad or utility company.

## **LABOR AND INDUSTRY**

We reaffirm our strong support for the "right-to-work" concept. We oppose the repeal of legislation implementing the "right-to-work" in Kansas,

and we vigorously oppose the repeal of Section 14(b) of the Taft-Hartley Act.

**Unemployment Compensation** **LI-2**

We favor an update and increase in the threshold exemption for agriculture in the Unemployment Compensation Act.

Additionally, we support a periodic update of the agricultural exemption to reflect the inflation that has occurred over recent years.

**Workers' Compensation** **LI-3**

We continue to support exemption for agriculture from the industrially-oriented Workers' Compensation Act. We oppose removal of the exemption, or any attempt to bring agricultural workers under that Act.

**PUBLIC HEALTH AND WELFARE**

**Nutrition Education** **PHW-1**

Nutrition training and courses should be required in medical and health-related education curricula.

We support and encourage nutrition education and food handling/preparation training programs in Kansas schools. School food personnel should also receive nutrition education and food handling and preparation education.

We strongly urge monitoring the use of federal funds for nutrition education in order to assure that students and food service personnel receive the benefits of such nutrition training programs.

**Rural Health Care** **PHW-2**

Access to high quality and affordable health care is essential to all Kansans. Access and affordability will not be achieved by mandating employers to pay health insurance costs for employees, nor by enacting a single-payer, government-based health care plan.

Health care is primarily the responsibility of the individual. Health care policy should embody the following principles:

1. Promotion of personal wellness, fitness and preventative care;

2. Minimal government intervention in decisions between providers and receivers of health care; and
3. Tax policies that encourage individuals to prepare for future health care needs.

We support the following measures that will assist in preserving health care delivery to rural Kansans:

1. Encouraging undergraduate students to enter the health care professions, promote medical education in rural areas, match graduating medical students with residency programs located in rural areas or residency programs with required rural rotations and support establishment and maintenance of medical practice in rural areas. Providers in urban areas should be encouraged and given incentives to participate in respite, locum tenens and sabbatical programs for rural physicians;
2. Encouraging the system of higher education in Kansas to stress the importance of the specialty of Family Medicine in all aspects of pre-medical and medical school curricula, support Family Medicine residency programs, and to work in concert with family physicians and the Kansas Legislature to optimally fund family medicine education in the state to address the health care needs of the rural community;
3. State scholarship programs for health care professionals, where recipients agree to provide services in underserved areas in Kansas, and creation of a strong disincentive for any scholarship recipient to "buyout" of service in an underserved area;
4. Visas for foreign doctors, nurses and other healthcare professionals who are qualified, willing to work in rural areas and sponsored by a rural hospital or clinic;
5. Efforts designed to increase the educational opportunities for Kansas residents desiring to enter into health care fields;
6. Programs which implement joint use and cooperation between and among health care facilities, school districts, municipal and county governments to enhance health education, preventative health care and efficiency of health care delivery;
7. Establish innovative managed care programs through incentives for government, providers and private insurers where medical services are offered through a network of physicians and hospitals at discounted costs; and

In order to provide affordable health insurance coverage to all Kansans, we encourage consideration of the concept of "community-based

health insurance rates." If the insurance industry continues to use a review of health care utilization as a method of establishing rate increases in Kansas it should use a running average to establish rates. Limitation on insurance riders should provide ample protection to the insurance industry while providing the insured with an acceptable health care coverage plan.

The increasing number of non-paying patients is threatening the financial stability of some hospitals. We support efforts to help assure financial stability of hospitals in Kansas.

Health care programs for senior citizens in Kansas should maximize the independence of the elderly for as long as possible. Local Home Health Care would assist both affordability and availability of health care. The Kansas Legislature should provide more flexibility in the allocation of per diem rates for nursing staff.

We support free market efforts to make insurance coverage more available to all Kansans without expanding government programs or increasing expenses. Farmers, ranchers, and other small business owners should be allowed to participate in Association Health Plans and voluntary regional insurance purchasing cooperatives to permit individuals and small companies to receive the same price advantages that corporations/businesses receive.

## **Safety**

**PHW-3**

We support:

1. A farm safety program focused on educating children and families about safe and age-appropriate tasks on the farm;
2. The concept that safety begins with each individual employer and that employees have a responsibility to observe safe working rules and conditions;
3. Continued efforts for uniform state vehicle codes, traffic guides and the furtherance of safety practices on highways and farms;
4. The proper and lawful use of the slow moving vehicle (SMV) sign;
5. The strict enforcement of drinking and driving and habitual offender laws;
6. The use of additional automobile safety devices;
7. Establishment of uniform release mechanisms on all seat belts on newly manufactured vehicles;
8. Vehicle and child safety seat manufacturers working together to develop universal child safety seats that are compatible with all vehicles;

9. Clarification of statistical categories used by the National Safety Council and federal governmental agencies in determining rate of accidents, hazardous exposures and fatalities in production agricultural occupations;
10. Efforts to reduce farm accidents, injuries and fatalities on the farm with an emphasis on education and voluntary programs;
11. Regular inspection of all railroad crossings and signals; especially multitrack crossings;
12. Marking the sides of railroad cars to increase night visibility; and
13. Adequate advanced warning for road and bridge construction projects.

We encourage the Farm Bureau Safety and Health Network and others in their efforts to promote agricultural safety programs and encourage farmers and ranchers to install and maintain safety equipment. Primary seatbelt legislation should exclude vehicles not originally equipped with seatbelts.

### **Toxic Fume Dispersal**

**PHW-4**

Toxic fumes from gas and oil wells should be regulated to prevent risk to human health, crops and livestock production. The standards should be enforced by the Kansas Department of Health and Environment (KDHE) and the Kansas Corporation Commission (KCC).

### **Welfare Payments**

**PHW-5**

We recommend development/enhancement of a database of welfare recipients so the state and counties will have the ability to clearly identify and prevent duplication of payments.

## **TRANSPORTATION AND UTILITIES**

### **Agricultural Transportation**

**TU-1**

Regulations regarding the transporting of agricultural equipment, vehicles and implements of husbandry must be practical. Consideration should be given to the type of use, practice and design of the equipment, vehicle or implement.

Regulations should also recognize the unique characteristics of agricultural transportation, distance to markets, seasonal needs, and the need to maximize efficiencies in transport.

ATV's and micro-utility trucks used in farming and ranching should be statutorily defined as implements of husbandry.

We encourage flexibility in axle and bridging limits for trucks transporting commodities at harvest from field to the first market or point of storage.

Our purpose is not to carry larger gross weights, but to carry loads which are more compatible with the vehicle design.

We support inland water transportation because it represents the most energy-efficient mode for moving agricultural commodities.

We oppose any plans by the U.S. Army Corps of Engineers or any federal or state agency that would alter the flow levels of any river, adversely affecting domestic water supplies, drainage, irrigation or downriver transportation.

### **Bicycle Rider and Pedestrian Protection** **TU-2**

We support development and utilization of devices or materials to make pedestrians, bicycles and riders more readily visible in order to prevent collisions with motor vehicles. We encourage bicycle riders to utilize proper protective devices and clothing. For additional safety, we support legislation requiring bicyclists to ride single file when operating a bicycle on Kansas roadways.

### **Comprehensive Transportation Program** **TU-3**

The mobility of Kansans, the public health and safety of our citizens, and the growth and development of all segments of the state's economy require coordination in construction and maintenance of a comprehensive transportation system. We support a well-designed, adequately funded transportation system for the state of Kansas. The Kansas Department of Transportation (KDOT) should strengthen the Aviation, Rail and Public Transportation sections of the department.

### **County Highway Fund Distribution** **TU-4**

Funding sent to counties from state and federal governments for assistance on maintaining roads and bridges should be increased.

When funds are distributed to local units of government, major consideration should be given to the number and size of bridges a county must maintain in addition to county road miles, vehicle registrations and vehicle miles driven.

## **Driver's Licenses**

**TU-5**

The Kansas Department of Revenue should provide a driver's license examiner in every county seat at least once a month. We support legislation to require written notification by certified mail to be given to persons whenever their driver's licenses are suspended or reinstated.

We support a graduated licensing system in Kansas that includes the following:

1. A learners permit requiring up to one year of real world practice under safe conditions with a licensed adult. Students should be eligible to begin driving with a learners permit at age 14.
2. An intermediate permit which allows students to drive with reasonable restrictions on the number of passengers they may carry and on their ability to drive at night. Students should be required to complete a state endorsed driver's education course before a full license can be issued.
3. An unrestricted or full license which can be achieved by shortly after the student's 16<sup>th</sup> birthday.
4. The ability for fourteen-year-olds to qualify for a farm permit which allows them to drive in connection with production agriculture activities provided the youth actually lives or works on a farm or ranch.

We support a strong Driver's Education program in the schools, to include a significant increase in behind-the-wheel driving time for the student.

We oppose issuing drivers licenses to illegal immigrants or undocumented workers.

## **Energy**

**TU-6**

We support the Kansas Corporation Commission's (KCC) and the Federal Energy Regulatory Commission's (FERC) roles in monitoring service quality and equitable rate treatment for all segments of the energy industry falling within their respective jurisdictions through statute, regulation or utility industry restructuring. During any transition period from

a regulated to a deregulated market, regulatory structures and oversight should facilitate the move to a competitive market where service providers compete on a level playing field. The KCC, when asked to approve a rate increase, should not recommend a rate higher than the rate requested by the power supplier.

Rules and regulations promulgated as a result of legislation, including utility industry restructuring, should assure Kansas is not at a competitive disadvantage with any other state.

We support existing law which provides agricultural producers the opportunity to create non-profit utilities.

Renewable energy is a vital part of our future. The state should develop a statewide energy plan that promotes the use of renewable energy. We support the use of tax credits and other incentives to achieve this plan.

The legislature should consider incentives to encourage local majority ownership and opportunities for new generation cooperatives in the production of renewable energies.

Kansas winds rank high nationally for the potential to generate electricity.

We urge the legislature, governor and appropriate agencies to examine this source of renewable energy and develop a plan, with incentives, including a personal property graduated tax schedule, to encourage wind generation in Kansas. Revenues generated from these taxes would remain in the taxing area where the farm is sited.

We support current law which allows excess power generated by individually owned and operated wind turbines to be sold to utility companies at 150% of the avoided cost of production. We encourage the practice of Net Billing as a mechanism to measure production and appropriately compensate individual producers. Net metering, if considered, should not result in negative economic impacts to neighboring consumers.

We support community and/or cooperative based wind energy development. Schools should be encouraged to consider wind development as an educational opportunity and a potential cost reducer.

Property rights of all landowners in areas developed for wind power generation should be protected. Decisions regarding siting guidelines and other potential zoning or restrictions are best made by state government after public input and comment. Regulations should provide area landowners adequate protection of setbacks, decommissioning issues and

environmental issues, but should not put Kansas at a disadvantage in developing wind energy.

We oppose the imposition of a moratorium on the production of wind energy in Kansas. Legislative or regulatory efforts should not prevent agricultural producers from voluntarily participating in this industry.

We support the 25 x '25 vision of Agriculture's Role in Ensuring U.S. Energy Security which supports 25 percent of the total energy consumed in the United States by 2025 be produced from renewable sources.

### **Highway and Bridge Construction**

**TU-7**

The Kansas Department of Transportation should ensure that investments in highway construction result in roadways that are high quality, long lasting and require minimal maintenance. The engineering, design and construction standards should withstand the type of traffic utilizing the road.

There should be county, state and federal government cost-sharing and financing so that road and bridge construction and replacement may proceed without further delay. Specifications and standards for roads and bridges, including safety and warning devices, should be determined cooperatively by state and local engineers to meet local needs and prevent overbuilding. We recommend the use of only certified weed-free forage as mulch along highways and in other reclamation projects within the state.

### **Highway Deicing**

**TU-8**

In order to reduce damage to roadways and bridges, protect from salt pollution, and because of other environmental concerns, we support the replacement of salt as a deicer on roads, bridges and highways with alternative products including calcium magnesium acetate (CMA) and other agriculturally-based products.

### **Highway Development and Funding**

**TU-9**

We support the concept of highway users paying a significant share of construction and maintenance costs of highways, roads and bridges through a fiscally responsible mix of user fees. User fees should include but not be limited to gallonage taxes, vehicle registration fees and sales taxes on motor vehicles. Where such fees are imposed revenues generated through collections should be channeled into transportation

programs. We oppose any downgrading of existing U.S. highway designations in Kansas or the shift of any funds now designated for highways.

Toll road and turnpike construction in Kansas should not be contemplated unless a feasibility study on any such project shows the toll road or turnpike will pay its own way. We are opposed to the use of State General Fund revenue to guarantee toll road or turnpike bonds. Highway design and planning should avoid, where feasible, diagonal routing. Diagonal cuts are most disruptive to agricultural operations.

Highway design, development, construction and signage should assist rather than deter economic development in Kansas communities.

When existing billboards along federal and state highways are taken due to expansion of right-of-way, historical sites, tourist attractions, businesses and organizations should be allowed to relocate such signs as close to their previous position as possible.

Safety of drivers and vehicle passengers will be enhanced by maintaining present weight and length limits on tractor-trailers and motor carriers.

## **Littering and Trash Dumping**

**TU-10**

We urge vigorous enforcement of litter and dumping laws and regulations. Penalties for violating these provisions should be increased. We support recycling, incentives for recycling and the use of reusable and biodegradable containers.

## **Railroads**

**TU-11**

Rail car service needs to be provided on a timely basis. Shippers should be notified at least one week in advance of expected car arrival. Arrival time frames should be narrowed from the general 15-day contract period currently being used. We encourage appropriate state agencies and/or legislative bodies to examine "tipping fee" practices.

The abandonment of rail lines is a matter of intense concern to agricultural producers. We support the concept that carriers should not be permitted to easily abandon existing lines. We support necessary legislation that could facilitate the sale of rail lines which otherwise might be abandoned, provided it does not violate the property rights of the underlying landowners. Kansas should also challenge the federal government to remove federal incentives and regulations that encourage

railroad abandonment or railbanking at the expense of local transportation needs.

Increased public and private initiatives to assist Short Line Railroads and Class III carriers to obtain rail lines that may otherwise be abandoned should be encouraged. All Short Line Railroads should have the ability to access lines of major rail carriers.

Kansas should provide tax incentives and other appropriate assistance to railroad companies that agree to upgrade rail lines and provide long-term service to shippers.

Railroad rights-of-way and the railroad's portion of access roads and crossings should be maintained so long as the railroad continues to retain the rights-of-way, even if rail service is discontinued along the corridor.

We encourage railroads to railbank only those corridors that have a reasonable probability of being utilized for rail service in the future.

## **Right-of-way Abandonment**

**TU-12**

Right-of-way which is abandoned or where service is discontinued should promptly revert to the adjacent landowners. This should apply to railroad right-of-way and to highway and utility right-of-way.

We support repeal of the National Trails System Act authorizing railbanking and the conversion of rail beds for trail development. We oppose the use of federal or state tax revenues for development, enhancement or maintenance of railbanked rights-of-way or trail amenities.

Returning corridor no longer used for rail service to the underlying landowner is a top priority. In situations where a rail trail is proposed, any agency or entity seeking to develop a trail on a railroad right-of-way in Kansas should be required to have the approval of both city and county governing bodies in which or through which the trail may pass.

We support state law, which places conditions on rail trail development and operation in Kansas. We encourage the Kansas Legislature to strengthen enforcement of this legislation.

We support compensating landowners for their land when it is converted to public recreational purposes.

## **Rural Communications**

**TU-13**

We support every home and business in Kansas having access to a high-speed communication infrastructure at a reasonable cost. Communication service providers should have access to funds (such as,

but not limited to, the Universal Service Fund, Rural Electric and USDA Rural Development funds) to maintain affordable service for customers in rural communities.

We support efforts to provide consistent and efficient cellular telephone service across the state. Providers should take steps to ensure coverage during times of severe weather or natural disasters.

## **MISCELLANEOUS**

### **Agricultural Hall of Fame and National Center MS-1 Bonner Springs, Kansas**

The Agricultural Hall of Fame and National Center at Bonner Springs, Kansas, is a shrine that honors those who have contributed to our great agricultural industry and history. We encourage every farmer and rancher in Kansas to visit and make a financial contribution to the Agricultural Hall of Fame.