

# **Kansas Farm Bureau**

## **Resolutions 2017**

*“Strengthening  
agriculture and the  
lives of Kansans  
through advocacy,  
education and  
service.”*

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# **Kansas Farm Bureau**

# **Resolutions 2017**

## **State Policies**

Adopted by the Voting Delegates Representing  
105 County Farm Bureaus at the 98th Annual  
Meeting of Kansas Farm Bureau in Manhattan  
December 5-6, 2016



## INDEX

GEN-1: Status of Previous Resolutions .....	7
---	---

### AGRICULTURE

AG-1: A Voice for Agriculture .....	7
AG-2: Agricultural Bankruptcy .....	7
AG-3: Agricultural Chemicals and Fertilizer .....	8
AG-4: Agricultural Commodity Storage .....	9
AG-5: Agricultural Contracting .....	9
AG-6: Agricultural Credit .....	10
AG-7: Agricultural Product Utilization .....	10
AG-8: Agritourism .....	11
AG-9: Animal Care .....	11
AG-10: Aquaculture .....	12
AG-11: Biotechnology .....	13
AG-12: Commodity Promotion Programs .....	13
AG-13: Controlled Prescribed Burning .....	14
AG-14: Corporate Farm Law .....	14
AG-15: Crop Diseases .....	15
AG-16: Fence Laws .....	15
AG-17: Food Policy Committees .....	15
AG-18: Food Product Labeling .....	16
AG-19: Food Safety and Security .....	16
AG-20: Kansas Brand Laws .....	16
AG-21: Kansas Department of Agriculture .....	16
AG-22: Local Food Systems .....	18
AG-23: Noxious Weeds .....	18
AG-24: Organic Food Production .....	19
AG-25: Prompt Payment .....	19
AG-26: Rural Revitalization and Renewal .....	19
AG-27: Seed Law .....	20
AG-28: Unmanned Aircraft Systems (UAS) .....	20
AG-29: Wildlife Damage and Predator Control .....	21

### ASSESSMENT AND TAXATION

AT-1: Death Taxes .....	21
AT-2: Property Classification and Use Value Appraisal .....	21
AT-3: State and Local Government Budgeting, Spending and Taxation .....	22

AT-4:	Tax Exemptions and Credits .....	23
AT-5:	Taxation of Foreign Investments in Agricultural Resources.....	24
AT-6:	Water Severance Tax .....	24

## **CONSERVATION AND NATURAL RESOURCES**

CNR-1:	Environmental Standards .....	24
CNR-2:	Hazardous Waste.....	25
CNR-3:	Hunting and Fishing Regulations.....	25
CNR-4:	Kansas Department of Wildlife, Parks and Tourism (KDWPT).....	26
CNR-5:	Mined Land Reclamation .....	27
CNR-6:	Natural Gas and Oil .....	27
CNR-7:	Natural Resources Policy .....	27
CNR-8:	Natural Resource Protection .....	28
CNR-9:	Soil and Water Conservation.....	29
CNR-10:	Solid Waste Disposal .....	29
CNR-11:	Threatened and Endangered Species .....	30
CNR-12:	Waste Management .....	31

## **EDUCATION**

ED-1:	Agricultural Education.....	32
ED-2:	Kansas Education (K-12).....	33
ED-3:	Kansas State University .....	34
ED-4:	Organization of Kansas Schools (K-12) ..	35
ED-5:	Post-Secondary Education .....	36
ED-6:	Public School Finance (K-12).....	36
ED-7:	School Board-Teacher/Employee Relations .....	37
ED-8:	State Board of Education .....	37

## **GOVERNMENT**

GOV-1:	Annexation.....	37
GOV-2:	Apportionment and Representation .....	38
GOV-3:	Consolidating Units of Government .....	38
GOV-4:	Drug Abuse and the Drinking Driver .....	39
GOV-5:	Drug Enforcement .....	39
GOV-6:	Eminent Domain .....	39
GOV-7:	Fort Riley .....	40
GOV-8:	Government Acquisition of Property .....	40

GOV-9:	Immigration.....	41
GOV-10:	Initiative and Referendum .....	41
GOV-11:	Judicial Branch	41
GOV-12:	Kansas Department of Health and Environment.....	42
GOV-13:	Monopoly .....	42
GOV-14:	Planning and Zoning .....	42
GOV-15:	Private Property Rights.....	43
GOV-16:	Public Access to Private Land.....	43
GOV-17:	Regulatory Reform.....	43
GOV-18:	Rural Fire Protection.....	44
GOV-19:	Tort Liability Reform .....	44
GOV-20:	Trespass, Arson, Theft and Vandalism ..	45
GOV-21:	Utility Easements.....	45

### **LABOR AND INDUSTRY**

LI-1:	Right-to-Work .....	46
LI-2:	Unemployment Compensation .....	46
LI-3:	Workers' Compensation.....	46

### **PUBLIC HEALTH AND WELFARE**

PHW-1:	Nutrition Education .....	46
PHW-2:	Rural Health Care .....	47
PHW-3:	Safety .....	48
PHW-4:	Toxic Fume Dispersal .....	49
PHW-5:	Welfare Payments .....	49

### **TRANSPORTATION AND UTILITIES**

TU-1:	Agricultural Transportation.....	49
TU-2:	Bicycle Rider and Pedestrian Protection...	50
TU-3:	Comprehensive Transportation Program ..	50
TU-4:	County Highway Fund Distribution.....	50
TU-5:	Driver's Licenses .....	51
TU-6:	Energy .....	51
TU-7:	Highway and Bridge Construction.....	53
TU-8:	Highway Deicing .....	54
TU-9:	Highway Development and Funding .....	54
TU-10:	Littering and Trash Dumping.....	55
TU-11:	Railroads .....	55
TU-12:	Right-of-way Abandonment.....	56

TU-13:	Right-of-Way/Easement Reclamation....	56
TU-14:	Rural Communications .....	56

## **WATER**

WA-1:	Groundwater Management Districts .....	57
WA-2:	Kansas Water Authority .....	57
WA-3:	Kansas Water Plan .....	58
WA-4:	Rural Water Districts.....	58
WA-5:	State Water Appropriation .....	58
WA-6:	State Water Banking and Marketing Programs .....	60
WA-7:	Water Quality .....	60
WA-8:	Water Testing .....	61
WA-9:	Water Transfer Act .....	61
WA-10:	Watershed Programs .....	61
WA-11:	Wetlands .....	62

## **MISCELLANEOUS**

MS-1:	National Agricultural Center and Hall of Fame. Bonner Springs, Kansas.....	63
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# KANSAS FARM BUREAU 2017 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 98th 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 superior 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 federal and state law and administered by appropriate federal agencies and the Kansas Department of Agriculture.

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.

We support research and development of methods to control weeds that are becoming resistant to chemical control measures.

## **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.

To ensure consistency in price discounts and crop insurance indemnities, we recommend grain buyers base any applicable mycotoxin discounts on tests conducted by trained personnel at RMA approved labs, and we support the efforts to develop programs that would allow local elevators and feed mills that utilize RMA approved personnel, testing equipment, and procedures to become RMA approved labs.

We support the creation of a Kansas grain indemnity fund.

## **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 lienholders.

## **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.

“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.

We encourage producer education and increased use of new technologies that have been scientifically proven safe and effective at making agriculture more productive and are not harmful to the well-being of our animals or the environment.

## **Agritourism**

**AG-8**

We support agritourism as a tool for local and regional economic development. We encourage agritourism businesses to register with Kansas Department of Wildlife, Parks and Tourism. We support regulations that enhance agritourism.

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 Animal Health Division of the Kansas Department of Agriculture, 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 federal and state funding and 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 support and encourage implementation of animal disease traceability within the state of Kansas. The disease traceability program should be easy to comply with and affordable.

We encourage a joint effort between the Kansas Division of Animal Health and the Kansas State University College of Vet Medicine to permanently identify PI positive cattle and help promote best management practices for those animals.

We support the Kansas Department of Agriculture - Division of Animal Health's efforts to test and control Trichomoniasis in Kansas cattle. If a positive case of Trichomoniasis is found, we support notification of the potentially affected livestock owners by the Kansas Division of Animal Health. The owner of the positive animal shall not be held responsible for economic damages unless negligence can be proven. We encourage proper quarantine and care of exposed livestock.

We support proper animal husbandry of all animals. We support protections against slanderous media and other materials that may have been acquired from an agricultural production operation unknowingly or without written permission.

We oppose legislation or regulations that limit a producer's right to manage 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.

## **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.

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 as a means of protecting intellectual property.
3. Recovery of technology fees from a producer who planted non-GMO seed that later exhibit 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.

We support increased assessments when necessary to maintain adequate funding of Kansas' public crop breeding and research programs.

### **Controlled Prescribed Burning**

**AG-13**

We recognize the practice of controlled prescribed burning as an important and necessary ecological and 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 prescribed 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 prescribed 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 prescribed 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.

Agriculture businesses established in Kansas must be economically viable, good community partners and responsible stewards of the land. In addition, 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, quantity and controlling odors are high priorities.

## **Crop Diseases**

**AG-15**

We believe crop diseases pose a significant economic threat to the Kansas grain industry. Funding for the development of varieties with enhanced resistance to fungus and disease should be increased.

We encourage farmers to consider, and ultimately implement best management practices such as crop rotation and the use of seed and/or foliar treatments to combat the presence and subsequent spread of fungus or disease.

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

## **Fence Laws**

**AG-16**

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.

We encourage law enforcement and animal control officers to notify owners of domesticated livestock running at large.

## **Food Policy Committees**

**AG-17**

Food Policy Committees should be voluntary and should include agriculture producer members from local rural communities. We encourage Farm Bureau members to participate in Food Policy Committees. We oppose Food Policy Committees creating any recommendations or standards that negatively alter our current food production system.

## **Food Product Labeling**

**AG-18**

We support consumer friendly, science-based labeling of agricultural products that provide consumers with useful information concerning the 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-19**

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.

We support the prosecution of any or all individuals or groups that work to compromise and undercut our nation's food security by attacking our production agriculture system.

## **Kansas Brand Laws**

**AG-20**

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.

## **Kansas Department of Agriculture**

**AG-21**

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. We support modest (minimal) fee increases where it is in the best interest of Kansas producers to protect their investments. 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.

We support KDA/USDA based hay, grain, oilseed and livestock price reporting because of the need to gather information for national reporting purposes. We suggest the modernization of the reporting system by using electronic/automatic reporting of receipts and cooperation with other market reporting sources in order to defray state funds and expand the number of reporting stations for a more accurate assessment.

We support all producers having the right to choose their production system. We support food systems, based on sound science, that:

1. Encourage healthy eating habits and choices;
2. Have availability and access of locally grown food;
3. Educate consumers how food gets from producer to plate;
4. Increase economic development in communities;
5. Continue stewardship of agricultural land;
6. Connect all facets of the food system.

We oppose:

1. Systems that leverage restrictions on private or government land use;
2. Systems that enforce production quotas on unwilling producers;
3. Programs that give one food system an unfair advantage over another.

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 and Old World Bluestem, 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-24**

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-25**

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

## **Rural Revitalization and Renewal**

**AG-26**

The revitalization of rural communities must be a high priority for private citizens, as well as local, federal and state 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, retain and expand business and industry.
7. Include all types of farming operations in economic development and incentive programs.
8. Support efforts and initiatives to enhance growth in rural communities.

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

## **Seed Law**

**AG-27**

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 grain fungi or disease; we support the programs 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 grain fungi and disease infestation by regulating 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.

## **Unmanned Aircraft Systems (UAS)**

**AG-28**

We support having UAS's fall under current state privacy laws as opposed to UAS specific laws.

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.

Persons found harboring or seeking to profit from maintaining or increasing feral swine populations should be held legally liable for property damages and subject to criminal penalties.

### **ASSESSMENT AND TAXATION**

#### **Death Taxes**

**AT-1**

We oppose 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 Division to add to the capitalization rate. We support a statutory minimum and maximum 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 agricultural producers, because of their unique condition. The appraisal standards should take into consideration the obsolescence that occurs for farms and livestock and/

or commodity specific structures. 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, crop insurance indemnity receipts, farm program payments, easement payments, and conservation payments 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 and reflective of agricultural production.

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 the creation of an equitable tax system that is not detrimental to production agriculture.

We support a tax, fee and revenue mix that does not increase the dependency on property tax. Reductions in Kansas personal income tax, or sales tax, should not increase reliance on property tax as a revenue source for state or local governments.

It is important to the citizens of Kansas that the state tax, fee and revenue 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 companies with Kansas nexus 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.

Fees generated by government agencies should not be transferred to the state general fund.

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, including public building commissions.

The legislature should provide written notice at least five working days prior to any hearing on proposed legislation regarding redistribution or a loss of property valuation from one taxing district to another.

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

**AT-5**

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-6**

We oppose the creation of any water severance tax other than assessments on water usage by a Groundwater Management District. Taxing the extensive water requirements for irrigation and livestock would burden agriculture by 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.

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.

**Hunting and Fishing Regulations**

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, turkey, antelope, and elk 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, Parks and Tourism (KDWPT) 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 KDWPT 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.

#### **Kansas Department of Wildlife, Parks and Tourism (KDWPT)**

**CNR-4**

We encourage the Kansas Department of Wildlife, Parks and Tourism (KDWPT) 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 legislature should be required before the KDWPT is allowed to assume ownership of any land. Any acquired property should remain on the property tax rolls. We are opposed to KDWPT having the authority to use the power of eminent domain.

The KDWPT 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 KDWPT, 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 KDWPT to continue the toll-free telephone number to be used by citizens to report wildlife damage to crops and other property.

Payment for damages should be based on the actual market value of the loss.

We encourage KDWPT 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.

As Kansas is a sovereign state, we recommend that the KDWPT withdraw its membership in the Western Association of Fish and Wildlife Agencies.

## **Mined Land Reclamation**

**CNR-5**

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 mining fees that have been collected for the purpose of reclamation.

## **Natural Gas and Oil**

**CNR-6**

We support federal 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 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-7**

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 Resources Protection**

**CNR-8**

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 with affected organizations and entities by government agencies at all levels.

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 easement 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 resources 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.

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.

We support reauthorization and full funding of existing federal and state conservation programs. Federal and state 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.

**Solid Waste Disposal**

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 per year; and
  4. The community has no practicable waste management alternative.

## **Threatened and Endangered Species**

**CNR-11**

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 federal and state agencies. Any conservation management plan should be voluntary and provide incentives to private landowners for protecting or enhancing habitat for species needing protection. Non-participants in voluntary species conservation management plans should not be held to the standards of the plan.

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. Sound 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, Parks and Tourism;
3. Compliance with federal and state 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 reintroduced 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-12**

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, outdated 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.

## 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 support agriculture education on the farm, especially that of school classes on the farm for a day to observe the actual farming topics taught 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.

Opportunities to experience agriculture provide valuable educational experiences to children and adults and encourage all to celebrate, explore and care for the land and our industry. Outreach efforts to existing and developing centers should honor and promote an understanding of modern farming and ranching as well as the legacy of our industry.

We encourage all to visit and support these efforts, such as the National Agricultural Center and Hall of Fame, Boot Hill, the Deanna Rose Farmstead, Exploration Place, the Kansas State Fair and the Flint Hills Discovery Center.

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

**ED-2**

Kansas schools should have a strong organizational structure, efficient staffing patterns, use of technology and budgeting. Operation of schools should provide educational opportunities in an efficient 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;
8. Meaningful home and private school accreditation procedures; and
9. Agriculture science and technology as part of the school curriculum.

Textbooks and other educational materials should be based on sound science and should be regularly reviewed by local Boards of Education.

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

We support 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 license allowing them to be immediately employed in their area of expertise while pursuing a valid Kansas teaching license through the Transition to Teaching program. We support the use of content-area tests to add endorsements to current valid Kansas teacher licenses. 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 legislature, Regents and University Administration to the land grant tradition of teaching, research and extension. We support the plan for Kansas State University to become a top 50 public research university.

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 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 support adequate safeguards to protect human health and agricultural production from compromises to the NBAF due to natural disasters.

We support responsibly enhanced 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 support adequate funding of KSU Crop Performance tests to ensure that they provide unbiased and complete results and include not only new varieties but also are representative of the varieties being currently grown by Kansas farmers.

We Support:

1. Priority status for staff and facilities to support all aspects of animal and plant science research and teaching.
2. Expansion of the KSU Sheep and Goat Program, including updated facilities to accommodate teaching, research and extension programs.
3. Science-based research to improve efforts to protect water quality.
4. Science-based research on reduction of objectionable odors produced by Concentrated Animal Feeding Operations (CAFOs).
5. Continued research and development of pesticides that degrade more rapidly, are less environmentally persistent and are compatible with accepted Integrated Pest Management (IPM) practices.
6. Increased funding and staff resources committed to the development of new wheat varieties.
7. Efforts that supplement private research for development of improved varieties of feedgrains and oilseeds.
8. Efforts to enhance programming and facilities at the Colleges of Veterinary Medicine and Agriculture, and to qualify the College of Veterinary Medicine and the College of Agriculture as top 5 schools nationally.

## **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 funding for a quality public K-12 education program for all students in Kansas. The legislature should develop school finance legislation that minimizes reliance on the property tax for support of public elementary and secondary schools. School finance legislation should provide a multi-year plan, renewed each year. We oppose increasing local option budget authority unless approved by voters in the district. We oppose tax dollars going toward funding for non-accredited schools.

Factors including but not limited to low enrollment, correlation, transportation, and career and technical education weighting provisions should be included in the formula under any revenue mix to protect rural schools. 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.

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 and retention 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.

**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.

We support the time-tested system of allocating seats in the U.S. House of Representatives on a population basis and seats in the U.S. Senate such that each state has equal representation. 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 fully utilize interlocal agreements 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:

1. Study commissions should contain significant rural representation.
2. Meetings should be open to the public with adequate notice.
3. Funding should sunset at the conclusion of the commission.
4. A public vote should be required to abolish any elected position.
5. Tax and bonding limits should remain in effect following consolidation.
6. Incorporated areas should have the ability to opt-out by majority vote or resolution.
7. Any plan for consolidation should be approved by:
  - a. A dual majority consisting of voters residing in each municipality in question, and a majority of voters residing in the combined unincorporated areas, unless
  - b. Authorizing legislation ensures the following:
    - i. Continuation of existing levels of services for rural residents;
    - ii. Existing municipal boundaries remain unchanged;
    - iii. Existing debt obligations of governments remain with the residents of the city or county prior to consolidation;
    - iv. A requirement that the government of the largest incorporated population base in the county cease to exist upon consolidation; and
    - v. The development of separate budgets and tax statements for county residents and city residents.

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

**GOV-4**

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

We support programs to inform all citizens of the effects of alcohol and drug use in regard to the privilege of operating a motor vehicle. Kansas DUI statutes should 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 federal and state government, with funding from taxes on alcohol and related industries. We support the DARE Program in Kansas.

## **Drug Enforcement**

**GOV-5**

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-6**

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 should 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-7**

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 Fort.

## **Government Acquisition of Property**

**GOV-8**

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

practices frequently diminish the tax base of local units of government and ultimately increase 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 local, state or federal government owns in Kansas.

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

## **Immigration**

**GOV-9**

Kansas Farm Bureau supports legal immigration but recognizes that illegal aliens are taxing the resources of Kansas. We believe enforcement of immigration laws and border security is a responsibility of the federal government, but we support the rights of states to enforce these responsibilities.

## **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



agricultural practices from nuisance actions.

We oppose federal legislation and agency policy which would impose land use regulations as a qualification for federal grants and loans.

We oppose federal assistance to states and local units of government for land use planning.

### **Private Property Rights**

**GOV-15**

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

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.

We adamantly oppose the imposition of a moratorium, voluntary or otherwise, on the development of commercial energy generation on private land.

### **Public Access to Private Land**

**GOV-16**

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-17**

We urge the legislative branch of government, at the

federal and state 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. We further support the periodic review and repeal of irrelevant, outdated, or obsolete statutes and regulations.

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-18**

We support voluntary development of countywide fire protection plans to reduce the damage from rural fires, protect life and property and reduce insurance rates.

## **Tort Liability Reform**

**GOV-19**

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 or while trespassing.

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

### **Trespass, Arson, Theft and Vandalism**

**GOV-20**

We recommend strengthening the statutes concerning trespass, arson, theft 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 landowner liability for injury and damages to trespassers, arsonists, thieves and vandals.

### **Utility Easements**

**GOV-21**

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 should 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.

Energy 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 should be utilized

by all utility, telecommunications, and energy exploration and development companies. These companies should 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 energy exploration and development begins on the land. Right-of-way leaseholders of mineral extractions, pipelines or gathering lines are required to notify landowners of any change in ownership.

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, energy, railroad or utility company.

## **LABOR AND INDUSTRY**

### **Right-to-Work**

**LI-1**

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 support 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.

## **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 all recipients are aware of the nutrition standards.

## **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 students to enter health care professions and developing programs which encourage and incentivize practice in rural areas;
2. Promoting the specialty of family medicine and practice in rural areas;
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; and
5. Establishing 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.

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 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.

We support development of certification programs for volunteer emergency medical service providers and rural volunteer fire fighters to allow cost and time effective training and to ensure that services are provided to rural communities.

## **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;
  13. Adequate advanced warning for road and bridge construction projects; and
  14. We strongly encourage the use of helmets by motorcycle riders.

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.

We encourage the use of roadside reflective flexible markers to reduce damage to farm equipment.

ATV's, UTV'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 to carry loads which are more compatible with the vehicle design.

We are supportive of the inland water transportation industry. However, the release of water from Kansas reservoirs for navigation should provide greater direct benefit to Kansas, than if that same water remains in storage or is put to beneficial use in Kansas.

### **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 federal and state 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.

Highway and road infrastructure maintenance and improvement projects that serve production agriculture should remain a funding priority under the T-WORKS transportation plan and any future comprehensive transportation funding programs.

## **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 learner's 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 learner's 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 granted shortly after the student's 16th 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 driver's 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.

The Kansas Corporation Commission should be expanded from three to seven members appointed by the Governor. At least one member should represent each Kansas Congressional District with the remaining members appointed at-large. No more than four Commissioners should be from the same political party and no two members should reside in the same county.

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:

1. Development of a statewide energy plan that promotes the use of renewable energy and the use of tax credits and other incentives to achieve this plan.
2. The legislature considering incentives to encourage local majority ownership and opportunities for new generation cooperatives in the production of renewable energies.
3. Revenues generated from any taxes on renewable energy remaining in the taxing area where the energy is produced.
4. Expansion and development of transmission capacity to create opportunities for the development of alternative energy resources across the state.
5. Current law which allows excess power generated by producer owned and operated renewable energy sources 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.
6. Community and/or cooperative based renewable energy development. Schools should be encouraged to consider renewable energy development as an educational opportunity and a potential cost reducer.
7. 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.
8. Increased use of nuclear and solar power generation.
  9. Seeking new technical advances for burying utility lines.
  10. Existing law which provides agricultural producers the opportunity to create non-profit utilities.
  11. Agriculture land with utility easements should be taxed at agriculture use value.

Property rights of all landowners in areas developed for wind power energy generation and transmission 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.

The KCC will immediately notify all affected county commissions and all state legislators by certified mail when any new entity applies for and when any new entity is granted utility status. KCC must also serve same notice when any new request for new construction of over 25 miles is filed with the KCC.

Landowners should be annually compensated at comparable rates as similar structures for property condemned by utilities for new transmission lines or any other below-ground utility equipment. Transmission lines and other utilities should be situated on section lines or property lines when practical. Further, landowners and/or tenants should not be liable for unintentional or inadvertent damage to utility structures.

We oppose:

1. The legitimization of "wind rights."
2. 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.

## **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, federal and state 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 future needs. We recommend the use of only certified weed-free forage as mulch along highways and in other reclamation projects within the state.

When roundabouts are constructed they should be built to promote safety and accommodate ag equipment and large vehicles.

### **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.

We support maintaining five strand barb wire fencing on Interstate Highways where it exists. Highway design, development, construction and signage should assist rather than deter economic development in Kansas communities.

We support allowing farmers the opportunity to hay all Kansas roadsides where it is safe and when appropriate.

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.

## **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 rail banking 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.

We support the establishment of new commuter rail lines on existing short line tracks in Kansas.

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 rail bank 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 rail banking 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 rail banked rights-of-way or trail amenities.

Returning corridors 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 legislature to strengthen enforcement of this legislation.

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

## **Right-of-Way/Easement Reclamation**

**TU-13**

In construction projects where mulch or ground cover is used, best management practices should be employed to prevent the spread of disease, fungi, invasive plant species and insect infestation to the adjacent fields.

## **Rural Communications**

**TU-14**

We support every home and business in Kansas having access to a high-speed communication infrastructure at a reasonable cost. We support a vibrant high speed broadband network that delivers telemedicine applications, distance learning applications for K-12, higher education and continuing education, and gives libraries the ability to provide interactive content for rural citizens.

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.

## WATER

### **Groundwater Management Districts**

**WA-1**

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 GMD are only applicable once they have been finally adopted as a regulation through the rule making process.

### **Kansas Water Authority**

**WA-2**

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 14 Regional Advisory Committees (RACs) to develop and review all proposals in the Kansas Water Plan. The Kansas Water Plan should be driven by the grassroots efforts of the Regional Advisory Committees; the Kansas Water Authority should encourage participation in the RACs and follow the recommendations of the RACs.

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 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 or dedicated statewide revenue source.

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 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.

**Rural Water Districts****WA-4**

We recognize the benefits of Rural Water Districts and support funding at both the federal and state level for construction and repair of Rural Water District facilities.

**State Water Appropriation****WA-5**

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.

We support the concept of water flex accounts to provide water right holders greater flexibility in water utilization and profitability while at the same time protecting the source of

supply and respecting existing water rights.

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 units of government procure water appropriation rights from willing sellers. We oppose units of government 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 permits.

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 WA-6**

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 revenue 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.

## **Water Quality**

**WA-7**

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 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 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 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 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 Kansas Department of Health and Environment should determine that the method of disposal of salt brines will not contaminate

fresh water. If there is a known salt brine contaminated area within a fresh water source, the scientific proven approaches to remediate the affected area should be followed to clean up or prevent the further spreading of the contaminated areas.

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.

### **Water Testing**

**WA-8**

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.

### **Water Transfer Act**

**WA-9**

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

We support the Kansas Water Transfer Act. Water transfers must be administered in conformity with the unbiased protections as set forth in Kansas water transfer law and insure that the source of supply from which water would transfer is stable and not in persistent decline.

### **Watershed Programs**

**WA-10**

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 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 upgrading 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. All water retention structures must be adequately designed, built and maintained to prevent the loss of life and property in the event of catastrophic failure.

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

## **Wetlands**

**WA-11**

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 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.

### **MISCELLANEOUS**

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

The National Agricultural Center and Hall of Fame at Bonner Springs, Kansas, should be recognized as a shrine that honors those who have contributed to our great agricultural industry and history and continue to do so today. We encourage every farmer and rancher in Kansas to visit and make a financial contribution to The National Agricultural Center and Hall of Fame.

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