

# State Policies



## 2014



***nebraska Farm  
Bureau Federation®***

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## **Farm Bureau Philosophy**

Farm Bureau members believe in the freedom and dignity of the individuals; in government by legislative and constitutional law, with limitations on government power; in the right and responsibility for people to speak for themselves, either individually or through organizations of their choice; in property rights as one of the human rights essential to individual freedom; and in the right of every person to be rewarded according to his or her contribution to society.

We also believe that legislation and regulations favorable to all sectors of agriculture should be aggressively developed in cooperation with allied groups possessing common goals.

## **Foreword**

This composite contains policy statements of the Nebraska Farm Bureau for the current year and the four previous years. All other policy statements shall be deemed to have lapsed, except when the Board of Directors determines a prior policy statement provides the only basis for action on a current issue. When the Board finds it necessary to reinstate a lapsed policy statement, it shall bring this fact to the attention of the House of Voting Delegates for appropriate action at the next annual meeting.

# **2014 FARM BUREAU LEGISLATIVE PRIORITIES**

- **Create a better tax climate for farmers and ranchers by seeking reductions to agriculture's property tax burden, maintaining sales tax exemptions critical to agriculture, seeking repeal of the sales tax on agricultural equipment repair parts, and seeking other tax relief consistent with NFBF policy.**
- **Protect agriculture's interests in water use, water management, compliance with interstate compacts and seek broad-based funding to address the state's water challenges.**
- **Work to create a better climate in Nebraska for growing livestock production.**
- **Work to reform state aid to K-12 schools to more equitably distribute the burden of financing education and assure any increased state aid goes to reducing property tax burdens in rural schools.**
- **Work to assure assessed values for agricultural land better reflect the land's agricultural use value.**
- **Protect the rights of farmers and ranchers to use farming and animal care practices based on sound science to operate their farms and ranches in an efficient and profitable manner.**
- **Assure regulations on farms and ranches are reasonable, based on scientific evidence, and do not unduly burden or financially harm farmers and ranchers.**

# ***NFBB Strategic Plan for FY 2014***

## **VISION**

Nebraska Farm Bureau: The trusted voice for Nebraska farm and ranch families!

## **MISSION**

Strong Agriculture.....Strong Nebraska

## **VALUES**

Dedication, Honesty, Integrity, Respect, Teamwork & Organizational Discipline

## **STRATEGIES**

- **Membership:** Increase membership through recruitment activities, increasing retention rates, improving agent training efforts and promoting value of membership.
- **Leadership Development:** Develop more engaged leaders through recruitment activities, mentoring/training programs, matching skills with interest areas and enhancing young farmer and rancher involvement.
- **County Farm Bureaus:** Strengthen every County Farm Bureau through effective leadership and mentoring programs, involvement in local issues and creating a presence with grassroots programs.
- **Public and Policy Advocacy:** Promote and grow Nebraska agriculture through policy development, policy implementation and public relations efforts to both members and Nebraska citizens.
- **Financial Resources:** Adequately fund and grow programs by increasing dues revenues, exploring new sources of revenue and pursuing innovative fundraising strategies.

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# *I. AGRICULTURE*

## *A. COMMODITY CHECKOFF PROGRAMS*

**COMMODITY CHECKOFF PROGRAMS (2014).** We support the continuation of Nebraska's commodity checkoff programs. Such programs should be founded on the principle of resource investment only in commodity promotion, research and education. Checkoff monies shall not be used to influence state legislation or for political purposes. Checkoff monies can be used to influence federal legislation when the purpose is in support of the underlying objectives of the checkoff program related to education, research or market development, both foreign and domestic. Commodity checkoff funds shall not be diverted to the state general fund or used for other state purposes.

We believe the state should continue to have a role in oversight of checkoffs, but because checkoffs are producer funded entities and inherently different from other state agencies, we support additional administrative flexibility for checkoffs in carrying out basic checkoff operations. To maintain the integrity and viability of the checkoff, an annual certified audit should be performed and available for public review.

We believe commodity board members should be elected by producers of that commodity on a non-partisan basis and represent producers throughout the state. All active producers of a commodity should be eligible to serve on the checkoff board. We favor uniform terms for all board members.

Checkoffs should be mandatory for all producers at the point of collection, with a right to refund. The checkoff should be imposed on all agriculture imports.

Checkoff boards should be prohibited from setting up their own research and development units and from holding intellectual property rights, patents or licenses. No commodity organizations or general farm organizations should get monies from the checkoff unless the funds are used on a contractual basis to promote research, development and product utilization of that particular commodity.

We believe checkoff boards should have access to adequate resources to carry out the mission of the checkoff and support the appropriate rates to provide the necessary resources. Any change in checkoff rates should occur with producer input, and broad-based, solid producer support of the rate change demonstrated before the change is enacted.

We support commodity producers' right to establish state checkoff programs for commodities provided there is broad-based, solid support for such checkoff from those paying the checkoff. We support the establishment of state checkoffs for commodities when the national checkoff program is eliminated or reduced.

**STATE BEEF CHECKOFF PROGRAM (2013).** Nebraska Farm Bureau supports the creation of a state beef checkoff program administered by the Nebraska Department of Agriculture. The generated funds must only be used for promotion, education and research of Nebraska beef products. Funds cannot be used for lobbying purposes. We encourage the state beef checkoff program to work with the marketing and retail segments of the industry to assure that Nebraska beef is marketed and promoted to the consumer. The program can only be established, changed and/or suspended through a referendum vote of Nebraska cattle producers. We will only support a state checkoff program which includes a refund provision. A state checkoff rate should not be set at more than \$1 per head.

### ***B. DAIRY***

**DAIRY (2014).** We support efforts to increase the size of the dairy industry in Nebraska. Part of these should include increased efforts in extension and research at IANR and cooperative programs with other universities. We request that a dairy advisory council be established to help direct these efforts within the university. We believe the state statutes for the Nebraska Dairy Industry Development Board should be reviewed to enhance promotion, research and marketing of the dairy industry and its products. We support current state law in regards to raw milk regulations which allow producers to sell raw milk on the farm, but not advertise or deliver.

### ***C. RENEWABLE FUELS***

**RENEWABLE FUELS (2012).** Nebraska Farm Bureau strongly supports efforts and programs to increase and promote the use of ethanol and biodiesel throughout Nebraska. Biodiesel fuel should be defined as a diesel fuel mixture containing as least two percent esters derived from vegetable oil, recycled cooking oil or animal fat. Any program funded for the development of renewable energy from biomass should include biomass from farms as a beneficiary regardless of use. We support grants, incentives, tax exemptions or other similar means to encourage wholesalers and retailers to sell ethanol at an appropriately reduced price. We also support grants, incentives, tax exemptions or other similar means to increase the availability of E-85 and biodiesel including tax incentives to retailers to install E-85 equipment. We support raising the blends of ethanol from 10 percent to 15 or 20 percent. We support the establishment of a Nebraska Renewable Fuels Standard. We also encourage the installation of blender pumps and support statutory changes necessary to encourage the installation of blender pumps.

We believe the current state ethanol program incentives are adequate. We believe after the commitments of LB 536 are met, the checkoff collected to support EPIC should cease. We believe Nebraska should continue to support renewable fuels production and develop programs to maintain and grow a viable industry into the future. In the event the Nebraska Advantage Act is unable to meet the needs of the industry or keep Nebraska competitive with other major renewable fuels producing states, the state should develop additional programs to assure Nebraska remains competitive in renewable fuels production. All renewable fuels should be treated equitably in any

incentive program. Production incentives should be available to small as well as large producers of renewable fuels.

**RESEARCH ON RENEWABLE FUELS (2012).** We believe research should be done at the University of Nebraska to maximize the use of ethanol or biodiesel in today's engines. We encourage research into alternative uses for byproducts of ethanol and biodiesel production.

We believe the Ethanol and Corn Boards should be strongly encouraged to spend a substantial percentage of their budgets on distiller's grain research.

#### ***D. FARM OWNERSHIP***

**CORPORATE FARMING (2013).** We support the continuance of family-owned and operated farms as the backbone of our agricultural system. We believe corporate farming policies should be written in state statute rather than amended into the Constitution. We believe future corporate farming laws should be flexible enough to allow producers to form a LLC, joint venture or similar structure with non-immediate family members or neighbors, without the stipulation of providing day-to-day involvement by all parties. We believe policymakers should focus on creating opportunities for all agriculture rather than restricting business arrangements.

**PRIVATE RECORDS (2013).** We support legislation that limits access to private farm records. Specific field information should be obtained, managed and owned by the producer. All custom services and suppliers should maintain producer confidentiality. We believe information gathered on privately-owned land through survey or other collection methods should not be released for public knowledge without permission of the landowner. Such information may be disclosed without permission provided the disclosure is in a manner that prevents the identification of a specific tract of land or landowner. Any unauthorized release of information should result in a civil penalty.

We favor state and federal legislation to restrict access to satellite imaging data without the landowner's permission. An exception would be for FSA farm program use.

#### ***E. FOOD QUALITY REGULATIONS***

**AGRICULTURAL CHEMICALS AND DRUGS (2010).** Modern agriculture finds chemicals and drugs beneficial to the production of high quality food and fiber at reasonable prices. Any restrictions on these products that are not based on scientific evidence and benefits analysis will reduce the ability of the agricultural community to continue to provide the consumer with reasonably priced high quality food and fiber.

Producers should continue to have the right to use agricultural chemicals and drugs necessary to the production of crops and livestock. We believe that a veterinarian need not be present when antibiotics are administered to livestock.



We recommend the State Department of Health give consideration to risk-benefit ratios in developing safe tolerances for additives and chemical residues in foods.

**COUNTRY OF ORIGIN (2012).** We support aggressive efforts to implement a country of origin labeling program at the national level that is feasible and reasonable. We are opposed to the implementation of a country of origin labeling program at the state level. We believe the implementation costs at the state level would far exceed any benefit derived from such a program.

#### ***F. LIVESTOCK***

**ANIMAL CRUELTY (2010).** Nebraska law should be modified to assure commonly-accepted, science-based animal husbandry practices are not defined as animal cruelty. Cities, counties and other subdivisions should not have the authority to establish animal cruelty standards for livestock animals.

**ANIMAL IDENTIFICATION (2014).** We support voluntary animal identification. We support efforts for affordable livestock identification for the purpose of disease control and improved food safety.

We favor the continued use of legally recognized traditional methods of permanent identification of livestock for individual ownership and a bi-directional exchange of the collected information. Any new method of livestock identification should only be considered if it is proven equally practical and effective as current methods and is a legally recognized form of proof of ownership of the collected information in all states having livestock brand laws.

We support voluntary animal identification; however, if USDA requires identification on animals crossing state borders, we would support a state-run program that requires identification and movement reporting of breeding stock only. We oppose the identification of slaughter or feeder animals crossing state borders. We support the inclusion of traditional methods of identification, as well as the incorporation of new technologies into the program. Such a program should identify and track interstate movement of animals and not track movement within the state. Funding for such a program should be provided by the federal government.

Any such program must protect producers from liability for acts of others after livestock leaves the producer's hands, including nuisance suits naming everyone who handled the particular livestock. We support efforts to clarify that livestock producers should be held to a standard of ordinary care in growing livestock. If livestock have passed state or federal slaughter inspection, there should be a presumption that the producer has met the standards of ordinary care. We support the development of uniform standards for electronic identification.

We support enactment of state law to ensure information provided by producers as part of an animal identification system, including premise

identification, be considered confidential by the collecting state agency and not disclosed to the public. Access to such information from state and federal agencies outside of the collecting agency should be limited solely for disease surveillance and response purposes.

Nebraska Farm Bureau continues to support the hot-iron brand registered with the Nebraska Brand Committee identification method as a legal state recognized method of permanent identification/proof of ownership in those states that have livestock brand laws.

**ANIMAL WELFARE (2012).** Proper animal husbandry is essential for a successful and efficient livestock business. We oppose any attempts to prevent livestock producers from providing for the health care and management of the livestock under their control. Producers should have the right to utilize animal husbandry practices deemed as appropriate best management practices

We adamantly oppose efforts by animal rights groups that attempt to petition or legislate against science-based animal care practices. It should be a felony for anyone to trespass or enter property to release livestock or poultry or to damage property in the attempt to halt, destroy or curtail animal production, serum production or research. We support an aggressive public awareness campaign to promote the benefits of modern animal care practices to consumers.

We continue to support the use of animals in research and oppose any legislation or regulations that restrict these practices.

**BRAND INSPECTION (2014).** Nebraska's brand inspection law should be broadened to encompass the entire state. If the inspection area is not broadened, brand inspectors should be stationed at all sale or auction barns located outside the inspection area. All cattle sold through auction or private treaty outside the state must be inspected. All cattle must be inspected at slaughter point. Owners of cattle sold by private treaty within the state should be allowed to issue a bill of sale to the buyer, file a copy and pay the appropriate fee with the Brand Committee. Failure to do so should result in a penalty. We support the work of the Nebraska Brand Committee and support providing it the authority to establish a fee up to \$20 per site-visit for inspections to offset costs incurred for travel expenses.

**DEAD ANIMAL DISPOSAL (2010).** The disposal of dead livestock continues to be a problem for producers across the state. We favor research into new methods of dead animal disposal and the ability of producers to work cooperatively to construct disposal facilities. Producers should have the flexibility to move dead livestock as needed to accommodate disposal on their operation. Laws should continue to be enforced by local law enforcement agencies. We support composting as an approved method of disposal of all dead livestock. Limitations on the size of animals that can be composted should be removed, provided that composting is conducted following technical guidance from the University or other expert authority.

**DISEASE CONTROL (2013).** We favor the enactment and enforcement of laws that will assure protection of the livestock industry against importation of disease from any source. We believe the Department of Agriculture should have timely access and adequate resources to address emergency disease outbreaks. We urge the Nebraska director of agriculture to work to develop a species specific program so that a disease outbreak can be contained. We are opposed to the transportation of livestock out of quarantined areas. We urge the state Department of Agriculture to originate a program to control Johnes Disease (inhibits the uptake of nutrients in ruminant animals) similar to the programs in Ohio, Minnesota and Wisconsin, which encourage research and testing. The Game and Parks Commission should be required to cooperate with all efforts that are necessary to maintain Nebraska's Brucellosis-free status.

Nebraska Farm Bureau should work with the Nebraska Department of Agriculture on a program related to Trichomoniasis that would a) provide notification of neighbors when a herd has tested positive for Trich, b) all leased non-virgin bulls need to test negative for Trich before they can be "turned out" and c) only virgin bulls or bulls which have tested negative for Trich and are accompanied by a veterinarian certificate stating such can be sold as breeding bulls.

**EMBRYO TRANSFER (2012).** We support legislation exempting "embryo transfer" in cattle services and procedures from being defined as part of the practice of veterinary medicine and surgery. Nebraska Farm Bureau should work with other interested agriculture organizations to craft such legislation, including rules on ethics, oversight and conduct.

**FACILITY PERMITS (2014).** Livestock facilities must be constructed in a manner that will ensure proper environmental stewardship. Regulations for livestock facilities should be flexible, reasonable and based on scientific evidence. Rules and regulations, including the need to apply for permits, should be sensitive to operations as well as environmental risk.

We believe written public comment is appropriate for gathering input on permit applications. NDEQ determinations and decisions on permit applications should be made in a timely fashion. We support a more streamlined permit review process and elimination of any duplicative or unnecessary requirements. Before NDEQ permit requirements and interpretations are changed, a public hearing must be held and cost/benefit analyses should be performed before substantial changes are made. We support reform of NDEQ's livestock permit denial and revocation process. Violations should be addressed on a case-by-case basis and handled by individual site location.

The federal CAFO rule should be implemented in a manner to reduce the administrative and cost burden on livestock producers, including if necessary, the establishment of separate state and federal livestock permits. We encourage NDEQ to work with the industry during the rule's implementation.

We encourage NDEQ to look at means to create greater program efficiencies and reduce costs. We oppose producer fees that are unreasonable or place undue financial burden on livestock producers to implement manure management regulations. We oppose allowing NDEQ to administratively assess fines and penalties. Fines and penalties should not be imposed without due process. We oppose financial assurance requirements for livestock facilities.

**HORSE SLAUGHTER (2012).** We support horse slaughter and would oppose any efforts to ban the practice in Nebraska. We encourage full funding from USDA for federal meat inspectors. We support tax credit incentives for opening a horse processing plant in the state.

**LIVESTOCK ANIMAL RESCUE (2010).** We believe County Farm Bureaus should work collectively to aid county officials in addressing animal neglect and rescue cases at the local level.

**LIVESTOCK FRIENDLY COUNTY (2014).** We encourage County Farm Bureaus to work with their local county commissioners/supervisors to examine opportunities to seek a “Livestock Friendly County” designation from the Nebraska Department of Agriculture. The Department of Agriculture should be encouraged to put more effort into the promotion of the Livestock Friendly County program and provide additional benefits to the counties which have this designation.

**LIVESTOCK INDUSTRY (2013).** We believe the livestock industry is key to the viability of rural communities and the total economy of Nebraska. In the last decade, agriculture has benefited from many new technologies and management skills that have made excellent care possible in larger production units.

We encourage Nebraska Farm Bureau to work with the state departments of Agriculture, Environmental Quality, Economic Development, and other entities private, state and local to immediately develop growth in the livestock industry. To develop this growth we need government support to establish a work force within an agency (such as the Dept. of Ag) to work with local governments and private entities to locate specific sites for livestock development within Livestock Friendly Counties.

**LIVESTOCK MARKETS (2014).** Livestock producers should have access to competitive markets which accurately determine the value of their products. We are very concerned about the growing trend of vertical integration in the livestock industry. Therefore, we support the ban on packer ownership of beef cattle as found in the Nebraska Competitive Livestock Markets Act and support an exemption for swine and poultry.

We support the rights of packers and producers to enter into formula pricing, grid pricing and other marketing arrangements and contract relationships. We believe contracts and market arrangements should not be used to manipulate the market.

In order to enhance transparency and price discovery with livestock contracts, we believe contracts need to have a negotiated base price before the animals are committed for delivery and that producer-led contract standards should be developed.

We support mandatory publication of net prices paid to producers.

**LIVESTOCK QUALITY ASSURANCE PROGRAMS (2012).** Nebraska Farm Bureau supports producer quality assurance programs and recognizes the value of certification programs in assuring consumers and industry partners that food is produced under good management practices.

**PREMISE REGISTRATION (2010).** We support voluntary premise registration, which includes owner and location data, to be used only for the purpose of disease control.

**VETERINARY CARE (2012).** We support efforts to encourage food animal veterinarians to locate in under served areas of Nebraska. We support the construction of new physical facilities for the Veterinary Diagnostic Center (VDC) at the University of Nebraska-Lincoln with emphasis on large animals. We support establishing a loan repayment program for new large animal veterinarians.

**ZONING (2013).** We support local control and encourage counties to zone for orderly placement of livestock facilities as part of a comprehensive county land use plan. Since most county zoning boards and county board of supervisors/commissioners do not possess scientific expertise, the requirements for environmental standards and regulations should remain with the Department of Environmental Quality. We encourage the Nebraska Legislature to clearly define the roles of DEQ and county zoning authority in this issue. We encourage county zoning boards to reevaluate regulations that may hinder development of livestock facilities. We support the use of state guidelines or other approaches to achieve greater consistency in zoning regulations for livestock facilities statewide. We support the study of issues related to the siting of livestock facilities to identify if there are alternative means that would lead to a more consistent statewide approach to siting livestock facilities. We support legislation and other means to ensure applicants who meet established zoning requirements and regulations relevant to proposed or expanded livestock facilities are guaranteed issuance of local zoning permits. Public notice and hearing requirements should be increased for the process of establishing new county zoning regulations.

We support the research and development of science-based tools to help assess odor and particulate movement from livestock operations. We encourage county officials to utilize the best available science-based tools when establishing zoning regulations. We believe the odor offset tool being developed by the University of Nebraska has tremendous potential for assisting producers in evaluating locations for livestock facilities. We believe the tool should be peer reviewed and a pilot program developed to test the

application of this tool before counties incorporate the model into zoning regulations.

We oppose ag zoning ordinance authority for townships and support reform of state law to limit township authorities in this area. We are opposed to permanent or temporary moratoriums placed on the permitting of livestock facilities by county boards.

### ***G. MARKETING***

**CONSUMER CHOICE (2012).** We oppose the enactment of new laws and regulations that will limit consumer choices and damage Nebraska's economy. We oppose anyone dictating food choice to consumers including the imposition of "health taxes" on food and beverages. We deplore the use of taxpayers' money for the purpose of legislating or controlling the diets of the American people. We believe school lunches should contain offerings of all food groups daily.

**ELECTRICAL INSPECTIONS (2013).** We support maintaining existing permitting requirements and exemptions for licensing and installation of agricultural electrical equipment under the State Electrical Act. Individuals experiencing electrical problems should be able to obtain an independent, third-party inspection to determine if the problem originates on the public power delivery system.

**HORSE RACING (2013).** We support the horse racing industry in Nebraska for the purposes to maintain the viability of historic horse racing facilities for the 4-H horse program as well as other ag-related events.

**RURAL ECONOMIC DEVELOPMENT (2013).** We believe greater emphasis should be placed on developing a public/private partnership for implementing a long-term strategy for rural economic development. Such strategy should give strong consideration for utilization of agriculture as a foundation for rural growth and opportunity.

We support the Nebraska College of Technical Agriculture's 100 Cow Beef and Dairy Programs and the development of other agriculture entrepreneurial programs to help produce the next generation of Nebraska farmers and ranchers. We support programs to assist in the transfer of main street businesses from older to younger generations in rural Nebraska.

We support economic development incentives to reverse population loss in rural areas.

**SEED REGULATION (2012).** We believe regulation of seeds used in agriculture production should be administered by state and federal sources and not by local entities. Regulation of seed should be based on sound scientific evidence and economic impact.

**STATE MEAT INSPECTION (2012).** We support efforts to expand opportunities for farmers to direct market meat and poultry products to

consumers. We would encourage the establishment of a state meat inspection only if such a program could be self-sustaining using producer fees and not require additional monies from the general fund or other sources.

**STATUTORY AG LIENS (2013).** We believe that state law should be revised to assure custom feeders and input suppliers receive priority lien status equal to the value of inputs they provide an operator. We believe producers of farm commodities should maintain ownership of those commodities until payment is received.

**TRACTOR TESTING (2010).** We support the Nebraska Tractor Testing Lab (NTTL) and believe that manufacturers, equipment dealers, University officials and farm organizations should work together to assure the lab remains open. We believe a tractor testing system should be established requiring tractors to be tested at NTTL or another North American Organization for Economic Cooperation and Development (OECD) approved lab before a tractor can be sold in the state. If such a testing system were established, we would support repealing the current permit system after a three-year phase-in period.

**VALUE-ADDED PROGRAMS (2012).** The production of value-added products and the processing and distribution of Nebraska agricultural products should be promoted. We encourage our membership and leadership to promote the use of Nebraska's value-added products in local, state, national, and international markets where possible and feasible, and to look for, and identify new emerging markets where Nebraska's value-added products may be used. We support legislation, which will create additional markets for all commodities.

We also support legislation that would create tax incentives for investors in ethanol and other value-added agricultural processing ventures. The use of general tax revenues for education programs and financial incentives should be coordinated through the University of Nebraska Cooperative Extension, Department of Agriculture, Nebraska Rural Development Commission and USDA Rural Development in coordination with commodity groups and farm organizations.

**WAREHOUSE REGULATION (2010).** We believe producers should be informed and educated of the risks of deferred price and payment contracts and bond limitations in the grain trade. We favor requiring all contracts and warehouse receipts carry a disclosure regarding what protection is and is not available under the bond. Bond amounts should be posted at a visible location at the site of the business. Producers should be provided a receipt to prove ownership upon the delivery of grain, whether the grain is sold immediately or is delivered for storage.

We oppose the creation of an indemnity fund funded by a checkoff. Instead we encourage a continued dialogue to examine means to strengthen existing grain warehouse and dealer laws to provide greater protection to farmers and ranchers involved in grain marketing transactions. The dialogue should

explore means to: 1) provide greater transparency to farmers and ranchers on the financial health of licensed purchasers; 2) include purchasers not presently licensed; 3) provide additional staffing and expertise for the Public Service Commission; and 4) assure licensees adopt proper risk management policies.

**WAREHOUSE STORAGE RATES (2012).** Storage rates on dry edible beans should follow one of three options: 1) limited to no more than .10 per cwt. per month; 2) moved from Schedule E to Schedule A; or 3) set by the free market with maximums established by the Public Service Commission.

**WEIGHTS AND MEASURES (2013).** We believe grain elevators and other commercial grain facilities should clearly display weights to the driver of the vehicle on the scales. We believe more effort must be taken to raise awareness of and enforce current laws concerning weights and measures of commodities in the state of Nebraska.

## ***II. EDUCATION***

### ***A. EDUCATIONAL REFORM***

**AGRICULTURE CURRICULUM (2014).** We support incorporating agriculture education into the Nebraska curriculum for all students in Nebraska schools. Such curriculum should be incorporated statewide and provide information about all types of agriculture in Nebraska as well as be supportive of ag literacy programs designed to educate about the role of agriculture in our state. We support our schools having the opportunity to incorporate vocational agriculture programs, including garden or orchard programs.

**CORE CURRICULUM (2014).** We oppose the participation of the State of Nebraska in the federal government sponsored and promoted Common Core Curriculum for K-12 public schools. We believe educational standards, historic values and supplies must be under the determination and control of local school districts' boards of education.

**HOME SCHOOLS (2014).** We support home schooling. We support the home schooling requirements as they appear in Rule 12 and 13 as of October, 2013. We oppose any change to an earlier date of the deadline by which parents who wish to home school their children must have the required forms submitted to the Education Commissioner, which is currently 30 days prior to the start of the first homeschool year and by July 15 each year after. We also oppose any change to the current requirement that the Education Commissioner must issue a Letter of Acknowledgment upon receiving the required documents from the parents wishing to homeschool.

**PLEDGE OF ALLEGIANCE (2012).** We favor local encouragement of reciting the Pledge of Allegiance in the classroom on a daily basis and retaining the words "under God."



## ***B. FINANCING EDUCATION***

**BOND ISSUE VOTING (2010).** We oppose the current state statute limiting voting on school bond resolutions to only residents residing within the school district. We believe property owners of all real property within a school district should have the opportunity to vote on a bond issue. We support efforts to study alternatives to allow all real property owners to vote on school bond issues.

**SCHOOL LANDS (2014).** We favor the sale of school lands as leases expire and in an orderly fashion. We support school lands paying regular taxes in the county where they are located, same as all privately owned lands, instead of in-lieu-of taxes. When school lands are sold, the minimum bid should be no higher than 70 percent of the assessed value, the highest bid of the day of sale should be the selling price, and the bidder of record at the time should be the buyer. State agencies should not be able to purchase or trade land until it has been offered to the general public. State school lands should be subject to the same rights-of-way and easement laws as privately owned land. We oppose any action that would take away the lessee's right to control hunting and recreation on school lands.

We support keeping all school lease funds and bonus premiums in local districts for local school funding.

**STATE AID (2014).** The goals of funding public education should be to provide an equal opportunity for the children of Nebraska to get a basic education, to more equitably distribute the burden of providing that opportunity and to provide uniform and stable resources for public schools statewide.

Support of public schools should come from a balanced and equitable combination of income, sales and property taxes. To achieve balance and equity, the over reliance on property taxes to support schools must be reduced. Support of public schools should come from a balanced and equitable combination of 1/3 income, 1/3 sales, and 1/3 property taxes. We support property tax levy limits on schools of \$1.00 per \$100 value and oppose any effort to remove or relax them. We oppose a statewide, uniform property tax levy for school systems. We believe the .95 cent minimum levy limit set for school districts in the state aid formula should be eliminated. School systems should be provided the means to levy a local income tax to raise additional revenues if it determines additional local resources are needed beyond what can be raised at the \$1.00 levy.

We support the state aid to school formula providing a per student base level of funding to all schools. Additionally, the state aid formula should take into account school systems' enrollment, property and income wealth, sparsity and other factors that measure costs of providing an education. Higher costs for transportation, poverty, special education or other programs that can be unique to a district should be considered independent of other cost factors. We believe efficiency cannot be defined by cost per student alone. We

support legislative studies in efficiency that take into account programs and curriculum provided. Factors must be included to protect rural districts against declining enrollments. We do not support the inclusion of factors that would reduce state aid due to system size. If such factors are included, we believe local taxpayers should be allowed to freehold from the affected systems in the event of a levy override or provisions implemented to equalize among local taxpayers the burden of supporting the affected system.

We propose that school districts have a vote of the patrons for major capital expenditures. We support a reinstatement of the income tax provision providing that 20 percent of the state income taxes collected from district residents be returned to the local school districts and considered in the state aid formula. Since a school district's property tax revenues are based on actual assessed valuations, not adjusted valuations; the state aid formula should also be based on assessed valuations.

### ***C. HIGHER EDUCATION***

**COMMUNITY COLLEGES (2010).** Inasmuch as the community colleges increasingly serve students' educational needs throughout the state, we believe property tax funds for community colleges should be replaced with state general funds. If this is not attainable, the state should fully fund community colleges according to the formula established by current state law. We believe the Legislature should place a constitutional amendment before the Nebraska voters to remove the authority of community colleges to levy a property tax. We support local representation and control on community college boards.

### ***D. SCHOOL DISTRICTS***

**ANNEXATION (2013).** Existing school district and/or learning community boundaries should not be changed by annexation unless the affected districts meet in good faith and both agree to change those boundaries.

**SCHOOL BOARD AUTHORITY (2014).** We support local control of schools including the ability to allow or disallow groups to recruit at their facilities.

**SCHOOL CONSOLIDATION (2013).** We support an option of creating precincts for representation on the consolidated board when school districts consolidate.

## ***III. HEALTH AND WELFARE***

### ***A. HEALTH***

**HOSPITAL DISTRICTS (2011).** Regional hospital districts should be formed by mutual consent of the counties involved.

**MEDICAL BILLING (2012).** We believe patients should be provided one bill per occurrence, in a timely manner, for all services rendered.

**PRESCRIPTION MEDICATIONS (2010).** We believe medical prescriptions provided to minors must have a parent's or guardian's written permission before it is dispensed.

#### ***B. PUBLIC WELFARE***

**ABORTION (2010).** We oppose abortion except in cases of rape, incest or when the life of the mother is in danger. We disagree with the United States Supreme Court decisions liberalizing abortion on demand. We oppose partial birth abortions. Since we oppose abortion, we strongly urge more restraint and supervision by the medical community concerning fetal tissue research. We urge repeal of the law concerning the school's involvement in the Parental Notification Law. We are opposed to birth control devices and/or counseling concerning abortion being offered by school-based health clinics.

**DEFINITION OF MARRIAGE (2013).** We believe that the term marriage should be defined as a legal union between one man and one woman.

**GUARDIANSHIP (2013).** We support clarifying current law relating to guardianship for married couples, children and parents who are guardians for family members.

**HUMAN CLONING (2011).** In keeping with Farm Bureau's philosophy that human beings be treated with dignity and respect, we support banning the cloning of human embryos.

**MEDICAID (2013).** We support compliance with Medicaid prequalification for non-critical health care services. We oppose participating in any Medicaid expansion program.

**WELFARE (2013).** All persons receiving welfare who are able to work should be assisted in finding a job or be required to perform useful and productive work as a requirement for assistance. We support a time limitation for each individual's retraining while on welfare. We support legislation to require drug testing to qualify for public assistance. We oppose giving welfare, health benefits and other public benefits to illegal aliens or legal aliens before naturalization.

### ***IV. NATURAL RESOURCES***

#### ***A. ENERGY***

**ALTERNATIVE ENERGY (2014).** The state and federal governments, and the Nebraska Farm Bureau should work to develop and use alternative sources of energy, including ethanol, soy diesel, wind, hydropower, solar, methane, low pressure steam and nuclear to supplement the present supply of petroleum. We encourage the use of renewable energy sources to supplement and replace petroleum and natural gas. We believe buying power from private sector by public power districts and coops should be encouraged.

We support making incentives available for private individuals and for rural and regional cooperatives to construct wind turbine farms and other alternative electrical generation systems. We support net billing using avoided costs to pay for electric generation. We believe the use of alternative energies should fit within a comprehensive framework tied to goals and objectives developed by the state of Nebraska. Alternative energy usage must also fit within the state's public power structure. We support increasing the threshold for net metering on privately owned renewable energy projects from 25KW to at least 100KW.

**AIR QUALITY (2013).** Dust originating from general farming practices and other agricultural activities in rural areas should not be subject to the standards established under EPA's particulate matter (dust) regulations. We oppose any effort by the state to implement or enforce EPA's particulate matter standards on Nebraska agriculture enterprises.

**CARBON SEQUESTRATION (2011).** We support the study of carbon credits for agriculture. A standard should be set as to the value of sequestered carbon before implementation of carbon credit trading.

We encourage Nebraska Farm Bureau to investigate business arrangements where Farm Bureau members could participate in a carbon trading credit program which would pay farmers to sequester carbon through no-till or low-till practices.

**DEREGULATION OF ELECTRIC COMPANIES (2013).** We oppose the deregulation of retail electric services. Public power was created to provide safe, reliable and affordable electric energy to all customers and we oppose any change to public power that would endanger that ability.

We believe that the economic and social consequences must be considered so as to ensure access to reliable service at fair and reasonable prices and to protect cost-effective technologies.

Public Power Districts should be allowed to enter into businesses other than power retailing under some limited authority. We support allowing private companies to enter into lease agreements with public power districts to provide broadband service to rural Nebraska as long as it does not hinder other means of communications.

**ENERGY PIPELINE (2012).** We believe the development of energy infrastructure, including pipelines, is in the national interest to assure adequate energy supplies provided measures are in place to assure pipeline safety and protect our natural resources. We believe the state should enact legislation to require a state permit process for energy pipeline routes to assure the interests of Nebraska are considered in pipeline routing decisions. Such a process should be timely, science-based, assure pipeline safety, protect landowner rights and meet legal requirements to avoid litigation.

**RURAL ELECTRIFICATION (2013).** Farm Bureau believes adequate credit must be made available to construct generation and transmission facilities where needed.

**UTILITY LINES (2013).** We believe more consideration should be given by public utility companies in locating high voltage transmission lines on half-mile or mile lines. Utility companies must keep lines buried at least four feet deep.

We support active dialogue between land owners and developers when routing utility lines.

**WIND ENERGY (2013).** Nebraska Farm Bureau should protect the interests of Nebraskans while supporting wind development opportunities for domestic use and export. We support wind development and the additional income opportunities it could provide for farmers and ranchers as long as the reliability and low rates of public power are preserved and landowners are made fully aware of the opportunities and risks associated with wind farm leases on their property. We support state and local oversight, but believe such regulations should not stand as a barrier to development. We believe private property rights should be protected and private landowners should directly benefit from the development in some way. We believe wind development should contribute to the state of Nebraska's tax base through a predictable, reliable, long-term structure.

We believe landowners need more information on wind leases, costs to the landowners, income, taxes and the basis of any taxes. We believe there needs to be a resource, which can assist landowners with concerns and provide information. We believe wind rights should remain attached to the land if property is sold and not be called mineral rights which can be separated from the land and retained by the owner.

We support efforts to update and expand electricity transmission lines used to transport wind generated electricity across the state and nation.

## ***B. ENVIRONMENTAL CONTROL***

**AGRICULTURE PRODUCER HARASSMENT (2013).** Agriculture producers should be able to operate and grow their operations free from harassment. Destruction of property, threats of violence, and purposeful misrepresentation of information about the operator or operation, should not be tolerated. We support criminal penalties for harassment of producers.

We believe producers have the right to know who has filed complaints against their operations, when complaints become frivolous, without having to take legal action to obtain such information.

Persons or organizations making false claims against agriculture producers to the Department of Environmental Quality regarding pollution damage should be held accountable. Persons who file more than three complaints in two years requiring DEQ to inspect possible violations more than three times

in two years when no violations are found should be liable for DEQ's and the animal feeding operation's expenses. We support legislation that requires DEQ to reveal the name of the person or organization that files a complaint.

**CONSERVATION PROGRAMS (2010).** Nebraska producers should have a greater voice in determining how conservation programs are implemented at the local level. We encourage Nebraska NRCS to develop a more transparent process and provide greater opportunities for farmers and ranchers to participate in local conservation program decision making. We believe the NRCS should be more vigilant regarding compliance of conservation plans.

**DEPARTMENT OF ENVIRONMENTAL QUALITY (2013).** We support a policy requiring all Environmental Quality Council members to actively participate in the industry, which they were originally appointed to represent. The Nebraska Legislature should carefully monitor the DEQ and insist the agency function as it was originally mandated.

We favor the current membership structure of the Environmental Quality Council that includes representation from agriculture and other regulated industries. We oppose efforts to include representatives from environmental and wildlife organizations on the EQC.

**ENVIRONMENTAL REGULATIONS (2013).** Environmental control laws should not be so restrictive as to prevent industrial and business development or flexibility in alteration of agricultural enterprises. Burden of proof for all regulations should be the responsibility of the agency implementing the program. This proof should include sound scientific evidence and risk/benefit analysis assessing the economic impact of the proposed regulation. Any agency proposing a regulation should discuss any proposed rule thoroughly with stakeholders prior to drafting the final rule. Producers should be absolved from fines where effort has been made in good faith to comply with environmental protection requirements.

Indemnification should be provided where changes are required in previously approved anti-pollution devices and systems. Sudden prohibition of farm chemicals and drugs cannot be tolerated without providing reasonable and effective substitutes to protect crops and livestock in the process of production. The assessment of fines for damages for pollution violations without satisfactory solutions should be prohibited. Environmental standards of the state should not exceed those of the federal government.

We believe additional responsibilities for environmental problems should be placed in the hands of local people who are closer to and better acquainted with the problems.

All land within the boundaries of the state, shall be subject to the laws of the state. Enforcement of environmental law shall be regulated by the NDEQ and NDA with the cooperation of the U.S. EPA. Nebraska Farm Bureau should encourage EPA to honor existing agreements with the NDEQ to

implement enforcement of environmental regulations within the state boundaries.

**NEBRASKA ENVIRONMENTAL TRUST (2013).** We favor restructuring the Nebraska Environmental Trust (NET) Board to better reflect the makeup of Nebraska's natural resources and land base.

Projects involving research to improve ground and surface water quality, water conservation, improvement of soil management, waste management and air quality should be the top priorities for Environmental Trust Fund. We believe the grant ranking criteria should be reformed and agricultural interests should be involved in that process.

NET funds should not be used for land acquisition or for the purchase of conservation easements, unless such funds are allocated to a statutory political subdivision. Land or easements originally acquired using NET monies should not be sold, exchanged or transferred to a federal agency or private not-for-profit entity.

Any original NET funds given as a grant for land acquisition should be returned to the Trust upon the sale of such land. Financial gain from the sale of the property by the grant recipient should be diverted back to the Trust for redistribution to other projects. We favor an annual independent audit of NET land inventory and land acquisition grants.

**RIGHT TO FARM (2013).** Farmers and ranchers should be protected from protests and court suits relating to dust, noise, odors and other environmental factors when the farming or ranching enterprise was located in an area prior to new non-agricultural development, including nature areas, bike trails and recreational areas. We believe citizens moving to the country should have to read, acknowledge, and sign a document outlining normal farming procedures, activities and other realities related to country living prior to purchasing real estate or receiving any building permits from the county.

**SOIL SAMPLING (2013).** We support the current exemption provided to farmers, ranchers and any third party vendors from the requirement to contact One-Call Notification to perform soil sampling.

If the exemption is modified, we maintain that it is necessary for a depth of at least 4 feet be exempted.

**STORM WATER MANAGEMENT (2011).** We believe that municipalities, counties and NRDs should not be given authority to levy a fee on agricultural and horticultural lands in areas where storm water management programs are needed. We oppose efforts to require agricultural landowners in storm water management areas to develop or implement on-farm storm water management plans. Storm water management for these lands should continue to be the concern of program assistance from the soil conservation offices.

Lands that are being prepared for development where current terraces, waterways, and runoff control are changed through grading, should be charged a fee to the developer by the municipality, county, or NRD, or required to practice soil and runoff control by placing controlling facilities on the projects. Fines for failure to comply should be levied accordingly.

We oppose giving NRDs additional bonding authority in order to construct flood control facilities.

**WASTE DISPOSAL (2013).** We support the separation of recyclable materials, with the state providing a list of items to be separated. We encourage biodegradable packaging in environmentally safe and/or recyclable containers. We encourage continued research and use of recycled tires. We believe Nebraska should pursue methods to restrict out-of-state solid waste deposits. We support incorporation of common sense in the rules on waste disposal. Proceeds from taxes on garbage and refuse should be used exclusively for disposal and clean-up cost.

We oppose legislation requiring every Nebraska resident to pay a local jurisdiction's solid waste service charge if their premise is served by an alternate solid waste collection service or a community solid waste collection drop-off location.

### ***C. EMINENT DOMAIN/ZONING***

**ANNEXATION (2012).** We oppose corridor annexation of property by cities in Nebraska unless approved by the residents and property owners in the annexed area. We oppose the use of skip annexation except when used by cities of the second class or smaller when skip annexing for the purpose of locating an agriculture processing facility.

**CONSERVATION EASEMENTS (2012).** The choice to determine the best use of the land is a private property right and should be preserved for each generation. Because some conservation easements can negatively affect neighbors and local tax bases, we encourage individuals to closely examine such impacts before agreeing to any easement. We support consumer protection requirements, which would ensure that the landowner is placed on equal footing with land trust negotiators.

We believe conservation easements should be limited in time and not extend into perpetuity. We support a study of the use and scope of conservation easements to identify the impacts such arrangements have on the long-term economic well-being of Nebraska's rural areas. Until such impacts are better understood, we oppose the allocation of public funds or tax dollars to private non-profit entities to secure perpetual conservation easements. We encourage political subdivisions that use public monies to secure conservation easements to limit the length of time the easements are in effect to achieve conservation and land management objectives.



We support prohibiting the enforcement of a conservation easement by any parties, except those who are parties to the conservation easement transaction; the grantor and grantee.

**EMINENT DOMAIN (2011).** The Game and Parks Commission and NRDs should not be vested with the power of eminent domain for the development of recreational areas. We oppose granting the power of eminent domain to Indian tribal councils.

Farm Bureau supports a change in the eminent domain laws of Nebraska to eliminate the liability of landowners when entities having power of eminent domain cross their land.

We oppose the highway department having the power to use eminent domain to mitigate wetland habitat for highway projects. Rather, we believe the department should work under a willing buyer/willing seller procedure.

We support limiting the use of the power of eminent domain to the acquisition of essential, non-recreational projects. Due process and impact studies should be conducted prior to state and local spending on the conversion of farmland to other uses. We support the philosophy that land purchased for non-essential recreational facilities should only be on a willing seller basis.

We support legislation to prohibit the use of eminent domain solely for economic development purposes. Use of eminent domain for community redevelopment should be limited only to areas determined to be blighted, where the blighted determination seeks to redress an existing property use or condition that constitutes a public menace, public health concerns or otherwise caused public harm. In no event shall ag land be designated as blighted.

We support a landowner notification process regarding the possible use of eminent domain that is truly effective, not perfunctory, and begins at the earliest stages of consideration, such as when preliminary studies are being done on a particular project.

We believe private companies should not hold the power of eminent domain in negotiations with landowners for easements.

**SCENIC RIVERS (2010).** Farm Bureau opposes the establishment of a state or federal system of wild or scenic rivers or wilderness areas in Nebraska. We demand that before a river is designated as a wild or scenic river, a comprehensive study, as mandated by law, be completed on the exact segment of river that has been proposed to be designated.

If a wild or scenic river, national park or wilderness area is designated, we request that the federal government:

- Reimburse the county for lost revenue including real estate taxes and land use.

- Establish a specific fire control policy for the area.
- Be liable for all damage caused by fire or by the introduction of wildlife and vegetation not now native to the area or over population of wildlife to the area.
- Establish ways to allow more local control of management of the river.

We also oppose the American Heritage Rivers Initiative.

We oppose legislation at the state level, which would designate streams, rivers and tributaries in Nebraska as protected.

**ZONING AND LAND USE (2014).** The control of land use planning and zoning should be vested at the county level and none of it should be vested in the state or federal government.

While the planning and zoning laws of the state provide a generally adequate framework upon which any county can base land use planning and zoning, the law should be changed to allow for river corridor zoning. An all-out effort should be made to preserve individual property rights in preservation corridors.

Residents within the legal zoning radius of cities and villages should have voting representation on regulations, laws, and actions affecting zoning within that radius.

We support compensation for landowners and producers from subdivisions of government that are responsible for “takings” of private property which cause monetary losses.

We encourage the Nebraska Department of Roads to work with landowners and follow property lines as near as possible when developing or planning new highways. Specifically, we oppose the diagonal bisecting of farmland.

**ZONING BOARDS (2010).** We support revision of state and local zoning laws to allow rural residents living within any city's zoning radius representation in the workings of that jurisdiction and more flexibility in use of their property. County zoning board members should reside in the territory of the county zoning authority. Membership on rural planning and zoning committees should reflect the constituency affected by the zoning policies.

#### ***D. PUBLIC LANDS***

**LAND ACQUISITION (2012).** We believe private land ownership is vital to the economic well-being of our state. We oppose expansion of land ownership by state agencies. The use of habitat stamp funds for the purchase of land and development of hiking trails should be eliminated. We oppose the sale of an aquatic habitat stamp. The Game and Parks Commission should budget more money for feeding wildlife.

Tax exempt environmental organizations and other tax exempt entities receiving public funds should not be allowed to own or purchase income

producing agricultural land. If ownership is allowed, we support efforts to establish a process and parameters on the acquisition of agricultural lands by nonprofit organizations when such acquisition is for the purpose of conserving natural areas and habitats. Such acquisitions should require approval of the Governor and include provisions preventing the sale or transfer of lands acquired by nonprofits from future sale or transfer to any federal agency. We oppose the use of Nebraska public funds for the purchase of property for the federal government.

### ***E. WEED CONTROL***

**NOXIOUS WEEDS (2010).** We believe the local weed control entity should identify and commence legal proceedings on all parties who fail to control noxious weeds before they go to seed. All properties owned by lending institutions, railroads and city, county, state and federal government lands should implement the weed control program recommended by the county weed control authority. We further believe that all sales contracts and/or listings of agricultural land should be required to report if there is a noxious weed infestation. When a seller and/or broker knowingly misrepresents infestation, they should be held liable.

We support the continuation of the state noxious weed program under the Nebraska Department of Agriculture (NDA). We encourage the NDA to look at means to create greater program efficiencies and reduce costs. We favor efforts by the NDA to be proactive in facilitating and developing measures to control new invasive species before they warrant noxious weed designations. Environmental Trust Funds, general funds and federal and state grant dollars should help fund the program. We oppose an increase in pesticide registration fees for this purpose. Local and state weed control authorities should be held more accountable for failure to take necessary actions to control noxious weeds. If the county weed board will not enforce control of noxious weeds, the county should be liable for the cost of controlling the spreading of weeds onto neighboring lands.

We promote the use of biological control and chemical control for noxious weeds on state-owned property. We favor greater coordination between neighboring state and local weed control agencies and the establishment of mediation mechanisms for landowners to address the spread of noxious weeds across state lines. We also encourage the Game and Parks Commission to allow the mowing of roadways, and we encourage the weed superintendents to enforce all noxious weeds laws. NRDs should discontinue sales of “Russian Olive” trees.

### ***F. NATURAL RESOURCES DISTRICTS***

**COST ANALYSIS (2011).** We expect NRDs to use accurate cost analysis in their feasibility studies conducted to determine if they should proceed with the construction of flood control or other water and soil conservation projects.

**FLOOD CONTROL (2010).** We support the allocation of NRD funds for construction of terracing and small dams on an increased cost-share basis

rather than construction of large dams for flood control and/or recreation. We oppose the taking of agricultural land allegedly for flood control when the real purpose is to provide recreation areas and private development.

**NRD RESPONSIBILITIES (2012).** We support retaining the NRDs and the powers granted therein for local elected board members to manage and conserve the natural resources of their respective districts. We also believe that responsibility for regulation should be kept as close as possible to the affected area. We oppose merging NRDs.

We are opposed to any blanket statutory mill levy increase for these districts without a vote of the people. However, we are not opposed to providing NRDs located in areas determined by the DNR to be fully or over-appropriated with a limited, specific, targeted levy authority to implement integrated management plans in these areas. We are opposed to granting NRDs bond authority for funding of storm water control, recreation areas or private development projects. In the event that bond use by NRDs is approved by the Legislature, we propose that those bonds would be subject to tax because they would enhance a private activity.

NRDs should not spend money on recreation areas, unless the project includes flood control benefits or other direct water management tools.

We oppose the transfer of predator; noxious weed and pest control program responsibilities to local NRDs because it dilutes the basic purpose of the NRDs as well as creating an additional financial burden to these entities.

Farm Bureau opposes giving NRDs authority to designate flood plain preservation corridors.

We encourage Natural Resources Districts to adopt rules to prohibit runoff from dewatering wells to prevent damages to adjoining property. If needed, legislation should be passed to provide Natural Resources Districts authorities to adopt such rules.

NRDs should be provided the authority to assess fees on applicants for variances to offset the cost of providing public notice of the variance request.

### ***G. GROUNDWATER***

**MANAGEMENT (2013).** In times of groundwater shortage, we believe statutory law should provide that every landowner located over a common groundwater aquifer should have the right to reasonable use of the groundwater. If reductions are required, NRDs should allocate water use according to reasonable needs, and all users should be required to reduce withdrawal accordingly. Because of varying ground and surface water uses, different irrigation distribution systems, or varying climatic, hydrologic, geologic, or soil conditions, we support present law providing NRDs the flexibility to adopt different groundwater regulations for different users to reflect the varying groundwater uses or natural conditions. NRDs should use

multi-year data when determining if and when to limit wells and putting water restrictions in place and consider the economic impacts of their decisions on those impacted by regulations.

We oppose any statewide plans that would mean mandatory metering of all withdrawals of groundwater for agricultural purposes.

Preference in the use of groundwater should be: domestic, agricultural, manufacturing, wildlife and recreation; however, legislation should be enacted requiring the deepening of domestic wells to the depth of the irrigation wells in question, before shortage of water for domestic use is determined and before the filing of damage suits against owners of nearby irrigation wells. We strongly oppose efforts to redefine agriculture uses in Nebraska's groundwater preference system. We believe domestic use of both ground and surface water within municipalities should be defined so as to only include household use.

A replacement well drilled to irrigate the same acreage, as the properly abandoned original well should be considered a legal well and retain the priority date of the abandoned well.

**TRANSFERS (2012).** New groundwater transfers for domestic or agricultural uses to an adjacent section, regardless of the amount of water transferred should not be required to obtain a permit or provide a regulatory assessment impact statement.

We believe other groundwater transfer requests should be required to receive a permit from the Dept. of Natural Resources and/or comply with applicable Natural Resources District regulations. We believe the state of Nebraska should act only as the regulator of water transfers and shall not assume the responsibility of being the facilitator of such transfers or sales. The Dept. of Natural Resources should evaluate transfer applications using the following statutory criteria:

- If the use of the water is intended for beneficial purpose.
- Whether the communities (recipients) have alternative water supplies available.
- If the transfer negatively affects surface and groundwater users near the transfer site.
- If there are "other factors" deemed to be important by the director of the Department of Natural Resources to protect the interests (health and safety) of the state and its citizens.
- If a transfer is approved, compensation should be provided to any parties who are adversely affected by the transfer. Any person, entity or state agency that transfers and/or consumes said water should be liable for compensating affected parties for the depletion, misuse or damage such transfers may create.

**WELL MORATORIUMS (2013).** We oppose a statewide moratorium on new groundwater wells. We support NRD's implementation of temporary

moratoriums on new wells if the NRD board deems it necessary. When an NRD initiates a well moratorium, well drilling should cease immediately upon adoption.

## ***H. SURFACE WATER***

**EXEMPT DAMS (2013).** We support current law exempting dams, with an impounding capacity of less than 15 acre feet, from obtaining a permit from DNR and from regulation.

**INSTREAM FLOW (2011).** We believe the following minimum standards should govern the granting of instream flow rights:

- Applications for such rights should address impacts on current and future human water needs.
- Applicants should consult with and seek the approval of NRD boards in the affected area.
- Sources of water must remain for future beneficial uses.
- Applicants must demonstrate the requested instream flows are historically present at least 85 percent of the time.
- The instream flow right must not interfere with any senior surface water appropriation.
- Instream flow rights should be lower in priority than domestic, agricultural and manufacturing uses.
- If an application is denied by the Department of Natural Resources no reapplication for instream flow should be allowed within a time period of less than five years.

When examining basins for the purposes of a fully appropriated designation under LB 962, DNR should utilize as its baseline the percent of time an instream flow was historically present when the permit was granted.

**STORAGE RESERVOIRS (2013).** We believe that dams were built for flood control, electrical generation and timely release of water for irrigation. Wildlife habitat and recreation are by-products of the original use and should be treated as such.

We encourage the State of Nebraska to proceed with any action or development that would store and retain waters of high flow season, thereby lessening flooding and yet reserving water for later use. We advocate better usage and discourage waste of this greatest of resources.

We believe holders of storage water use permits for irrigation and power generation must be compensated if required to maintain a minimum pool in reservoirs for uses not provided for under their permits.

**SURFACE WATER RIGHTS (2012).** We support the prior appropriation system for surface water rights. We believe historical surface water rights under state law and federal contracts for irrigation purposes should be protected.

We support the continuation of the prior appropriation system for surface water and oppose the inclusion of existing groundwater use in that same or similar system.

**SURFACE WATER TRANSFERS (2014).** We adamantly oppose permanent transfers of surface water between preference categories or the permanent sale of surface water. We support permanent transfers of surface water within a preference category. The land from which the water right is transferred under the lease should not be reclassified for tax purposes. We support current state law protecting only the consumptive use portion of a surface water transfer. We support giving each irrigation district in the state the ability to transfer surface water allocations on a temporary basis within their district. Before any determination is made with regard to transfers to other uses, the impacts to the agricultural economy, social structure, tax base, community structure and environment must be considered.

We believe Farm Bureau should actively work with other organizations representing irrigated agriculture to protect the interest of irrigated agriculture and initiate discussion among irrigators and producers to raise awareness and fully explore long-term effects of water leasing.

We support creating an expedited or pre-approved permit process where in times of excessive flows or flooding, surface water transfers, including interbasin transfers, would be allowed for the purpose of groundwater recharge, refilling reservoirs, or other means of capturing the excess flows. Such transfers should receive approval of the Dept. of Natural Resources (DNR), to ensure all existing users are not negatively impacted by such transfers, and should ensure no damages will occur in the receiving basin. Other entities potentially impacted by the transfers, like irrigation districts or NRDs, must also be consulted before the transfer is approved.

### ***I. INTEGRATED WATER MANAGEMENT***

**BANKING (2011).** Programs to aggregate water for sale or lease as offsets (water banks) could be helpful in addressing water issues and reducing conflicts in the integrated management of ground and surface water. Water banks should be restricted to NRDs and operated within the limited geographic scope of the NRDs. Withdrawals or transfers of water from a bank should be limited to those needed to offset new uses that result from economic development or provide offsets to meet state law or the requirements of an interstate compact or agreement. Water banks should only operate on a willing buyer/willing seller basis in terms of water leased or purchased. NRDs should include guidelines in their water banking programs to minimize negative impacts to local property tax bases.

**CERTIFIED ACRES TRANSFERS (2012).** NRDs should have the sole authority to govern the transfers of certified irrigated acres to meet the integrated management goals of their integrated management plans (IMPs). When evaluating the merits of a transfer of certified irrigated acres, the NRD board shall consider economic and social factors related to the transfer.

**CONJUNCTIVE MANAGEMENT (2013).** Nebraska Farm Bureau supports the study and implementation of conjunctive management projects by natural resources districts, irrigation and power districts and the Dept. of Natural Resources utilizing intentional groundwater recharge and retiming of water to meet basin management goals and maximize beneficial uses for water. Such projects shall maintain and protect existing uses including those downstream of the conjunctive management project.

**INTEGRATED MANAGEMENT (2013).** We recognize the need for an integrated groundwater and surface water management system and support a careful balancing of the rights of both groundwater and surface water appropriators and the protection of such rights in a fair and equitable manner. Farm Bureau should continue to take a proactive role in developing an integrated management system for surface and groundwater that protects both users for their mutual benefit in water use.

We support the process established with the passage of LB 962 in which the DNR annually studies river basins to determine whether basins are fully appropriated. DNR's determinations should be based on sound science which is subject to an independent peer review. We believe DNR should work with NRDs and others to review rules and processes by which basins are designated fully appropriated to simplify the analysis, increase the transparency and better tie the designation to the integrated management planning process. We believe the 28 percent/40-year standard to define the hydrologically-connected area when determining a basin's fully appropriated status should not be broadened to include additional geographic areas in order to minimize overlap between basins.

We further support the development of IMPs in these basins to protect existing uses and manage future development. We believe local NRDs should take the lead in developing and implementing IMPs with the assistance of the DNR. Plans should be approved by both entities. We encourage consistent enforcement of regulations between NRDs in a common watershed.

We believe IMPs in fully appropriated basins should grandfather existing groundwater users and surface water appropriators. If reductions in consumptive use of existing users are required in over-appropriated basins, incentives or other voluntary measures should be implemented before mandatory regulatory reductions are invoked. If conservation programs are started that would pay for well and irrigated acres retirement, we believe the oldest wells should receive a higher priority when enrolling wells. Regulatory reductions should apply to both ground and surface uses and provide producers the flexibility to implement use reductions in a manner that best fits their operations to minimize economic impacts. Regulations should be implemented in an equitable manner. All users within a class should be treated similarly, except that NRDs should be provided the flexibility to adopt different regulations for different users to reflect varying groundwater uses, natural conditions or different hydrological relationships between ground and surface water.



We believe the removal of invasive plant species in a continuous flowing stream in a fully or over appropriated area should be part of an IMP. The resulting reduction in water use should only be used to rectify the appropriation status of the basin and not be transferred to another use.

**NEW USES (2011).** We believe new uses of water in fully or over appropriated basins should be managed differently than existing uses. Permits for new uses or appropriations shall not be granted if it is determined the new use would negatively affect existing users or harm potential economic development.

We believe increased stream flows resulting from regulation, programs and activities enacted for the purpose of complying with an interstate compact, decree or agreement should be protected for their intended purpose.

**STUDIES (2013).** We believe research to document and understand the relationship between hydrologically-connected ground and surface water is vitally important in order to make sound management decisions. Ideally such studies should be performed before regulations permanently limiting or restricting water use as part of an IMP can be adopted. Adequate, stable funding must be provided to NRDs, DNR and others to conduct studies and research necessary to make sound management decisions.

#### ***J. WATER RESOURCES***

**CONSERVATION PRACTICES (2013).** Farm Bureau encourages conservation of our water supply through more efficient, practical and economic practices by both surface and ground water users. We favor increased use of best management practices for water conservation and implementation of special protection areas and zones of influence by NRDs when water supplies are reduced to critically low levels. We support removing disincentives from state statute that inhibit the adoption of water conservation practices.

**DNR DIRECTOR (2014).** We support requiring the DNR director to be a professional civil engineer or licensed hydrologist. The Director should have experience in a position of responsibility in water management, policy, development or use.

**FUNDING WATER PROGRAMS (2014).** We support funding for programs and projects related to water resource development, integrated management, cost-share for conservation programs, research, infrastructure, and other water management activities. Funding for the programs should come from a local/state mix.

At the state level, we support the creation of a fund to provide state funding to finance these programs, projects and activities. Funding should come from state general funds; sales tax; lottery funds, including Environmental Trust Funds; or other broad-based sources where the general population contributes. Funding should not come from an excise tax on the sale of agriculture commodities or a statewide fee on water wells.

We believe it is appropriate to provide NRDs in fully or over appropriated basins the authority to raise local dollars through means that best fit their districts to fund specific projects or programs determined by the NRD board as necessary to meet the goals of integrated management plans adopted by the board. We recognize NRDs have been provided the authority to levy an occupation tax on irrigated acres through integrated management plans. We believe agriculture's contribution toward addressing integrated management challenges will come through the occupation tax. All irrigated lands within the basin should be subject to the tax. Protections should be in place to ensure additional revenues are not used to fund general operations. NRDs within a basin should seek ways of sharing existing property tax resources to the extent possible before raising additional revenues.

**RIPARIAN VEGETATION MANAGEMENT (2014).** We strongly support research, pilot projects and other efforts in riparian vegetation management as a means to conserve or replenish water resources. We favor use of general funds and other broad-based sources for this purpose.

**STATEWIDE WATER PLANNING (2010).** We support the development of a statewide water plan as a means to better understand the state's water issues, identify management alternatives, assure the wise investment of tax dollars and assure management decisions are based on science and research. An overall goal of a plan should be to optimize the use of Nebraska's water resources for the maximum benefit of its citizens. The planning process should start at the local level, be a basin by basin approach, repeated on a periodic basis to report on progress made in relation to goals, update plans and monitor outcomes, utilize sound science and research and assure all stakeholders (i.e. NRDs, DNR, irrigation districts, municipalities and irrigators) have the opportunity to provide input.

**SUPPLY PROTECTION (2014).** We oppose state law that allows cities and villages to regulate 15 miles beyond corporate limits to protect water supplies. Such authorities should be changed to correlate to science-based assessments of impacts to city and village water supplies, such as determinations of well head protection boundaries.

**WATER TAX (2012).** We oppose taxation on water usage via metering and taxation on the installation of wells.

#### ***K. INTERSTATE AGREEMENTS***

**MISSOURI RIVER (2014).** We recommend that the Missouri River be managed in a manner that protects the property rights of private entities and protect the commerce of agricultural commodities and supplies.

**MULTI-STATE LITIGATION OR AGREEMENTS (2013).** Any financial requirements placed on the state resulting from court decisions or multi-state agreements concerning the use of water must be borne by the state as a whole. We believe a court decree or multi-state agreement that demands a reallocation of water resources in a river basin must be borne by all water users in that basin.

**REPUBLICAN RIVER COMPACT (2010).** Nebraska must vigorously defend its interests with Kansas in the Republican River Compact. We encourage the Nebraska Department of Natural Resources (DNR) and the Natural Resources Districts (NRDs) in the Republican Basin to work cooperatively and collaboratively on a plan to comply with the compact. Collaboration must include cooperation on the technical issues regarding the groundwater model and compact compliance as a full understanding by all parties is a must for sound management decisions. Implementation of the settlement compliance plan must be done in a manner that is equitable for both ground and surface water irrigators and distributes the burden of compliance throughout the basin. However, we are not opposed to the differential treatment of wells developed after Nebraska agreed to the settlement. We believe voluntary measures should be implemented in the integrated management plans to the extent feasible before regulatory measures are used. Both groundwater and surface water users in the rapid response area must be compensated for any curtailment of use to ensure compact compliance in dry years.

Payment should come from the state general fund if Nebraska is found by the courts to owe Kansas monetary damages for non-compliance of the Republican River Compact.

We suspect the impacts of conservation are contributing to Nebraska's compact compliance difficulties. We strongly encourage the DNR, the NRD's, the University and others to study the impacts of conservation practices to determine the effects on Nebraska's compact compliance, and take the appropriate response upon gaining a better understanding of the conservation impacts. We also strongly encourage irrigators in the basin to work together to reach a sustainable level of water use in the basin.

#### ***L. WATER QUALITY***

**CONTAMINATION LIABILITY (2013).** We oppose any legislation that would place civil or criminal liability on farmers and ranchers for following generally-accepted agricultural practices. We recommend that compliance with state or federally approved label instructions should absolve farmers from environmental contamination liability claims. The burden of proof for non-compliance with label instructions should rest on the person or persons questioning the compliance. We support absolving landowners of liability for petroleum products, chemical and fertilizer contamination caused by prior owners.

**CREDIT TRADING (2013).** We support the concept and study of water quality credit trading as an alternative to industry regulation. We believe standards should be established regarding the impact and value of agricultural practices to water quality before any credit trading is implemented.

**FENCING STREAMS (2012).** We oppose mandated fencing of streams and riparian areas.

**PUBLIC WATER SYSTEMS (2011).** The EPA and the state of Nebraska water quality regulations put undue hardship on public water systems. Acceptable contaminant levels should be rolled back to 2000 calendar levels.

**WETLANDS (2012).** We favor researching the concept of a voluntary wetland-banking program. We are opposed to dredge and fill regulations being applied to agricultural lands and are also opposed to the establishment of a state program to regulate wetlands on private property. Recently installed dams and sediment ponds should not be reclassified as wetlands. Financial assistance for acres lost from production for reclassification should be provided. We believe when wetlands are converted in a county, they shall not be mitigated outside a 20-mile radius. When the wetland is traded it should be on an acre-for-acre basis. Wetlands transfers should not create a net tax loss to the receiving counties. We believe when developing wetlands for mitigation purposes the Nebraska Department of Roads should use sound science.

#### ***M. WILDLIFE AND RECREATION***

**CWD CARCASS DISPOSAL (2013).** Nebraska Game and Parks (NGPC) should not be allowed to do massive slaughter of wild deer and elk herds without just cause. If just cause is proven, NGPC should be required to dispose of carcasses in a timely fashion. Private landowners should be allowed to utilize local landfills to dispose of CWD suspected carcasses.

**GAME AND PARKS COMMISSION (2010).** Members of the Nebraska Game and Parks Commission (NGPC) and the NGPC director should be appointed by the Governor. The NGPC director should be appointed to a four-year term. We support maintaining the current NGPC districts. We support modifying the Commission's makeup to increase agricultural and rural landowner representation and removing political party affiliation as a consideration when making appointments. We believe the Game and Parks Commission should be under the direct authority of the Governor.

The Nebraska Game and Parks Commission shall present economic impact studies annually and the results of these shall be presented at eight regional public hearings. The commission shall at these meetings gather input from landowners on the agency, programs and activities. Game and Parks Commission officials and personnel shall not enter private land without prior permission from the landowner.

The Game and Parks Commission must be held accountable for decisions and actions affecting the general public welfare. We favor a reexamination of the Nebraska Game and Parks Commission's authorities and funding structure. The Game and Parks Commission should not be given any more control over streams, rivers, lakes and ponds.

**HUNTING PERMITS (2011).** We support changes in the way hunting permits are issued by the Game Commission. Such changes should enhance opportunities for landowners to generate income from hunting allowed on their property.

We believe out-of-state hunters should have an opportunity to gain access to hunting permits for prime hunting areas. We encourage the state to set aside draw unit permits for out-of-state hunters. We favor eliminating permit requirements for non-resident hunters who hunt non-game species such as coyotes and prairie dogs.

We recommend the Nebraska Game and Parks Commission reinstate bonus permits due to the high population of deer in the state. Bonus permits should be “antler-less only.”

We recommend the Nebraska Game and Parks Commission supply landowners and tenants who apply, with one free permit to hunt turkey on their own property. A daily bag limit should be introduced until the turkey population gets back to a manageable level.

Landowners should not be required to hold habitat stamps, Nebraska waterfowl stamps or small game hunting licenses to hunt wild game on their own property.

**HUNTING RIGHTS (2012).** We believe fishing, trapping and hunting should be a privilege that is upheld in the Constitution of the state of Nebraska. We believe that efforts from environmental and animal rights groups should not be allowed to do away with this as it is a necessity as well as a privilege.

**NATIONAL PARK DESIGNATION (2012).** We oppose the designation of any area in Nebraska as a National Park when such designation could limit or restrict current uses of surrounding land.

**NATURAL RESOURCES (2013).** We believe natural resources must be used for the welfare of people and not placed off limits for human use. Animals, like all species have their place, but should not be equal with humans.

**PREDATOR CONTROL (2011).** We support using state funds for the establishment of a coordinated animal damage control program for predator control. State funds for the program should be available for, but not limited to, basic financial assistance to USDA APHIS in coordinating with state animal damage control service, cost-share for counties that work with USDA APHIS and the establishment of a contingency fund to be used for animal damage control emergencies.

Property owners should have the ability to protect their property and family from the encroachment of predatory animals. If protection is warranted, property owners should be allowed to take the necessary action to remove these animals without ramifications.

We believe the Nebraska Game and Parks Commission should examine alternative methods for the reduction of predators that impact game species. We encourage the Commission to develop pilot programs allowing for

broader control of predators in areas where game species no longer proliferate. We support placing the raccoon on the predator list instead of the fur-bearing list. We support adding the mountain lion to the Nebraska predators list.

**PRESERVATION CORRIDORS (2013).** The establishment of preservation corridors needs to be monitored and every effort made to preserve individual property rights.

**RECREATIONAL TRAILS (2013).** Public tax monies should not be allocated for the purchase of property, support, administration or maintenance of land for bike, recreational trails and bridle paths. We recommend that a user's permit, similar to a park permit or library card, be required on all bike and recreational trails, bridle paths, and dirt bike areas. We oppose the use of highway funds to develop bike trails.

We believe that different types of fencing should be allowed where necessary and appropriate, the total cost of which should be borne by the Game and Parks Commission, and/or the developers of recreational trails. They should also be required to maintain the fence and property, such as weed control, erosion prevention, etc., within the trail's boundaries.

We oppose expansion of the Rails-to-Trails and will work to secure the abandonment of those presently in existence or in the process of being built that are in remote, less populated areas.

Following the rules of due process, we promote the philosophy that if rights-of-way are developed for recreational purposes, lands should be purchased from willing sellers.

If recreational trails are developed, we advocate that these trails be parallel to various public highways, thereby facilitating proper law enforcement and availability of emergency and other services along trails.

Because of non-use, the Cowboy Trail should be discontinued in remote areas and the land given back to the adjoining landowners.

**STATE PARKS (2013).** We believe funds collected at state parks by the Game and Parks Commission should be distributed equally to all state parks and not retained by the bigger parks in the Eastern area of the state.

**WEST NILE VIRUS (2013).** We encourage all governmental agencies to control mosquito populations to help control West Nile Virus. We encourage blood testing and vaccination development for West Nile Virus in humans.

**WILDLIFE MANAGEMENT (2012).** The Nebraska Game and Parks Commission (NGPC) should be required to annually report wildlife population numbers and report damages caused by wildlife. We support the establishment of a wildlife damage claims program in Nebraska. Such a

program should compensate agricultural producers for damage to agricultural land, crops and livestock caused by wildlife. We support the use of a surcharge on hunting permits other than landowner permits, as well as state wildlife grant monies to help fund such a program.

We favor removal of elk in sufficient numbers to eliminate damage to private property and extending the elk hunting season. Removal to be done by the Game and Parks Commission in a manner to preclude the reintroduction of said elk on private and public lands in such quantities that damage will occur. We also favor further reduction in the deer and antelope population. The property owner or renter may use any method necessary to rid his property from such nuisance. We support programs and practices for the maintenance and growth of the pheasant and quail populations. Hunting of pheasant and quail should not start before 11 a.m. Since most of the land that wild game uses belongs to the farmer/ranchers they should have more say in determining game laws.

Before releasing large game or predatory wildlife, NGPC should be required to have written permission from the county commissioners, county sheriff and landowners that would be directly affected in the release area.

We believe individuals or organizations should be required to obtain permission from local county boards prior to the introduction or development of habitat for any species that poses a threat to livestock, human health or property.

#### ***N. THREATENED AND ENDANGERED SPECIES***

**ENDANGERED SPECIES (2010).** Nebraska Farm Bureau should prioritize a reform of the state and federal Endangered Species Acts to inject common sense in their implementation in ways that are more favorable and less restrictive to agriculture.

Nebraska Farm Bureau supports changes in the state and federal Endangered Species Acts that require federal and state agencies implementing the act to consider the economic impacts of their actions and compare these impacts to the benefits for the species.

We believe federal and state agencies must fully account for the economic, environmental and social benefits of current policies and practices when considering modifications to those policies or practices for the benefit of a few species. The agencies must insure the changes and modifications build upon the benefits already occurring, and not tear down or harm those benefits to advantage a few species.

Before certain farm chemicals are banned, EPA should be required to hold a public hearing, prove damage to endangered species and study the economic impact on agriculture. If the restriction of pesticides is implemented on a select group of farmers that select group should receive compensation through either direct subsidies or the relaxation in cross-compliance rules.

We strongly oppose the draft biological opinion issued by the Game and Parks Commission stating that further degradation of stream flows in the Lower Platte River will jeopardize the continued existence of three endangered species. We should work with interested parties to challenge the biological opinion and to assure the opinion is based and conclusions reached are justified, by sound, reliable, peer-reviewed science and data. We will oppose efforts to declare the Lower Platte, Loup and Elkhorn Basins fully appropriated based on the biological opinion. We oppose pulse flows of water down Nebraska rivers for the benefit of endangered species.

**NEBRASKA NATURAL LEGACY PROJECT (2011).** We support the development of a voluntary, incentive-based, statewide wildlife species conservation plan if planning is conducted for purposes of limiting future listings of species as threatened or endangered. We believe the development of a statewide wildlife conservation plan must include substantial agricultural landowner representation. If a plan is developed, Nebraska Farm Bureau and other agriculture organizations should be a party to such planning. As part of the planning process the Game and Parks Commission should hold public hearings on plan development throughout the state. Any conservation planning should include consideration for addressing private landowner concerns such as protection from public distribution of information collected on private lands.

We support the establishment of an advisory council with equal representation from agricultural and environmental interests to advise the Nebraska Game and Parks Commission on the administration of state wildlife grant monies to implement conservation strategies under the Nebraska Natural Legacy Project Wildlife Conservation Strategy. Local environmental projects resulting from state wildlife grant funds should have opportunity for local ag landowner and producer oversight and involvement.

**PRAIRIE DOGS (2011).** We support reinstating the prairie dog as a “predator” species under state law. We are opposed to any agreements between the state of Nebraska and the U.S. Fish and Wildlife Service to protect the prairie dog. We believe federal and state government should impose prairie dog control programs on the borders of all public lands where they border private lands. We oppose the establishment of a state prairie dog protection program. We support programs designed to help landowners control the spread of prairie dogs on private land.

We urge the Nebraska Department of Agriculture to issue a “Special Needs Label” for the use of Rozol Pocket Gopher Bait for the use of controlling prairie dogs.

**SPECIES INTRODUCTION (2011).** We are opposed to the introduction or reintroduction of any plant, animal, fish or insect species in Nebraska when it would negatively impact agricultural producers or infringe upon the rights of private property owners.



## **SPECIES LISTING (2010).**

- We believe scientific proof should be required to show the Colorado Butterfly Plant is on the verge of extinction to justify its listing on the endangered or threatened list.
- We oppose the listing of the mountain plover on the endangered or threatened species list.
- We oppose designating the Platte, Missouri, Loup and Niobrara Rivers as critical habitat for the piping plover and pallid sturgeon.
- We oppose the listing of the prairie dog on the endangered or threatened species list.

## ***V. SPENDING AND TAXES***

### ***A. GENERAL TAX ISSUES***

**BEGINNING FARMER ASSISTANCE (2010).** Farm Bureau encourages the entrance of young farmers and ranchers into agriculture. We support programs to provide loans, grants and technical assistance to beginning farmers. We support tax exemptions or credits, like credits against personal property taxes or income tax credits for capital investments made, for beginning farmers as part of a package to encourage entrance into farming and ranching. We believe efforts assisting beginning farmers and ranchers should be targeted toward beginning farmers and ranchers rather than asset owners.

**BUSINESS INCENTIVES (2011).** We support business incentive tax credits with full disclosure and accountability. Credits should only be granted on real property, not on personal property. We also support legislative efforts to modify or target more business incentive programs so that they are more beneficial to rural Nebraska and farmers and ranchers. We support livestock investment tax credits to encourage the growth of the livestock industry in our state.

**CITY TAXES (2011).** City taxes or fees, like a wheel tax or occupation tax, should not be applicable to people residing outside city limits.

**ELECTRICITY SURCHARGES (2010).** We oppose the imposition of surcharges or fees on electricity bills to fund state or local government operations or needs.

**ETHANOL TAX (2014).** We oppose any excise or other tax on ethanol or on any byproduct of the distillation process, including wet distiller's grain, dry distiller's grain or gluten feed.

**INHERITANCE TAXES (2013).** We support increasing the exempt amounts and reducing the rates of the county inheritance tax. The exempt amounts should be indexed to inflation. State aid should be provided to counties to avoid shifts to property taxes if county inheritance taxes are repealed.

**LEGAL CHALLENGES OF TAXES (2013).** We support legislation establishing a refund mechanism for taxes found by the courts to be unconstitutional or illegal. We support legislation expanding the definition of “tax year.” The tax year should be tied to the taxing entity’s fiscal year when challenging the constitutionality of a tax.

**MOTOR VEHICLE TAXES (2014).** We oppose additional fees on automobile registrations in Nebraska to fund the operations of the Game & Parks Commission.

**SALES TAX (2014).** We support a sales tax on final consumer purchases of goods and services. We support a sales tax on food to fund public education to be distributed evenly among the school districts in the state on a per student basis. We believe that any additional revenues generated by new sales taxes on final consumption goods or services must be used as part of a comprehensive tax reform package to provide meaningful property tax relief. We oppose any sales taxes placed on business-to-business purchases of goods and services used as inputs in a production process. As such, we strongly oppose the repeal of existing sales tax exemptions for inputs used in the agriculture and manufacturing processes, and for the sale of commodities produced and consumed by agriculture and manufacturing. We oppose the optional city sales tax and any increase in the city sales tax rate statutory limit currently in effect. We support the establishment of a system of taxation on Internet sales so that sales tax income can be preserved for the state in which the buyer resides. Purchases of biofuels shall be exempt from sales tax when used as an energy source in processing, manufacturing or refining.

**SALES TAX ON AGRICULTURAL REPAIR PARTS (2013).** Nebraska Farm Bureau strongly supports the removal of the sales tax on agricultural repair parts.

**TAX AUTHORITY (2011).** We oppose granting taxing authority to any humane society.

**TAX CREDITS FOR EASEMENTS (2011).** We oppose providing tax credits as an incentive to encourage the use of conservation easements.

**TAX INCREMENT FINANCING (2013).** We support the use of tax increment financing for the purposes of rural economic development and support allowing counties to use TIF. The requirement that property be designated blighted and substandard should be repealed for the purposes of TIF.

**TAX REFORM/RELIEF (2014).** We support efforts to reform Nebraska’s tax system to provide tax relief and enhance Nebraska’s economic competitiveness. Reducing property taxes in general, and reducing the percentage of property taxes paid by agriculture, should be priorities in any tax relief or reform effort. Beyond reducing property taxes, we would support other means of providing direct relief to farmers and ranchers like repealing sales tax on repair parts.

We believe the long-term tax policy of Nebraska should be to shift taxes from real property to income and sales taxes to achieve a balanced and more equitable tax system. In order to reduce property taxes, we first and foremost support means to provide direct property tax relief to farmers and ranchers. This could include reductions in the level of agricultural land values in general or for school tax purposes or increased appropriations to the property tax credit program.

We continue to support statutory levy caps and budget limits on local governments to reduce growth in property taxes. We also believe state revenues should be used to reduce property taxes through lower levy limits, increased state aid to schools or increases in state aid to community colleges.

We are not opposed to broadening the sales tax base if the services or goods subject to tax are used or consumed by a large percentage of the population so the tax is truly broad-based in nature and the revenues are dedicated to long-term reduction of property taxes.

Spending reductions achieved by controlling local administrative costs and prioritizing and sharing government services should be an integral part of reducing property taxes. Local control should be maintained in implementing these efforts. We believe the Legislature should remove unfunded mandates on local governments to reduce spending and create efficiencies. Budget limits on local governments must also remain in place to encourage efficiencies. We encourage the voluntary consolidation of government services.

We support investigating the Nebraska Fair Tax proposal along with its components.

## ***B. PROPERTY TAX***

**AG LAND ASSESSMENT (2011).** Nebraska Farm Bureau supports an income capitalization approach as the most equitable means of valuing agricultural land for tax purposes. The implementation of such an approach should use the best price, yield, expense and landowner share data available, take into account the land's location and allow for obsolescence in order to assess the land based on its earnings capacity and remove influences outside of agriculture from the assessment process. The approach shall be implemented in a way to maintain landowners' rights to appeal. There should be consideration of the formation of an advisory review commission to assist in implementation of an income capitalization approach and capitalization rates.

If an income capitalization approach is legislatively unattainable, we would support lowering the current 75 percent of the market level of value. Under a market approach, we support giving county assessors the flexibility to give less weight to non-agriculture sales of agricultural land when determining countywide valuation adjustments. County assessors should have the primary decision-making authority on which comparable sales are used to determine market value. Section 1031 exchange purchases should be reported to county

assessors and not be used for valuation purposes. We believe when ag land is sold and its primary use has changed from ag purposes to hunting and recreation, or the sale price is influenced by market forces other than ag, like preservation, those sales should not be used in the determination in the value of ag land. We support the use of market areas to differentiate areas of market activity for agriculture land and adjustments to market areas to obtain uniform values. Counties should have uniform raises or decreases in value among similar soil classifications outside of market areas.

We believe assessed values should be equalized between counties. We support the Tax Equalization and Review Commission.

Farmsteads involved in active farming operations should be appraised similar to other active farmsteads, not as subdivided residential property.

Agricultural land not used for ag purposes that is being mined for soil should be valued and taxed as commercial property and not as agricultural property.

**AG LAND DEFINITION (2014).** We support changes to the definition of ag land to define parcels used primarily for the production of agricultural and horticultural purposes as ag land. Parcels could be defined as agricultural land if they are under common ownership and managed in conjunction with other agricultural land, are enrolled in federal or state conservation programs, or it can demonstrated the gross sales from the parcel exceeds the USDA threshold for defining farms.

We believe land owners should have notification and an opportunity of a hearing prior to change of classification of ag land for valuation purposes.

**GREENBELT (2011).** The greenbelt law should be retained. The qualification of land for greenbelt shall be based on the land's use for agricultural purposes. We support legislation to allow agricultural land within city boundaries to be eligible for greenbelt. We also favor mandatory implementation of the greenbelt law until the Legislature implements an income producing formula. We actively encourage county officials to implement greenbelt laws and value agricultural land accordingly. Greenbelt properties should continue to hold greenbelt status until there is a use change. We believe valuations for tax purposes should be determined on present use and not on unrelated and unrealistic sales of nearby land or on future use of the land.

**ORGANIC FARMING TAX REBATES (2010).** We oppose any property tax rebate for organic farming in the state of Nebraska.

**PERSONAL PROPERTY (2011).** We believe the long-term tax policy of Nebraska should be to shift taxes from personal property to income and sales taxes. We support using the federal tax code section 179, expense election, to decrease the basis when computing taxable value of Nebraska personal property. Pivot irrigation systems should not be taxed as personal property

when attached to land valued as irrigation land. In order to eliminate the double taxation of computer systems and office equipment used in agricultural operations, equipment should either be subject to sales tax at the time of purchase or subject to personal property tax, but not to both taxes, which is the current status.

**TAX BASE (2014).** We believe non-profit organizations should pay property tax or an in-lieu-of tax based on income derived from the real property with a limit on administrative and other so-called expenses. If a government entity purchases real property and does not utilize it for a public use, the property should remain on the tax roll.

When any easement changes the value of land, the easement holder should perpetually pay property taxes equivalent to the change in value to ensure no change of taxes is realized due to the easement.

We believe irrigated land bought by any government entity for augmentation projects should remain classified as irrigated land for property tax assessment purposes.

**TRIBAL LANDS (2014).** We oppose placing lands in trust for an Indian tribe, removing that property from political subdivision tax base; unless all lost tax revenue is reimbursed to the political subdivisions.

### ***C. GAS TAX***

**HIGHWAY TRUST FUND (2012).** We oppose changes to the distribution of dollars from the state highway trust fund unless the changes would benefit rural areas. We support increased funding for highways in rural areas. Taxes collected from highway users should be strictly used for road construction and maintenance. We support an independent study to see if there are ways to run the Nebraska Department of Roads and its programs more efficiently. Additional funding provided to cities and counties must be used only on the construction or maintenance of roads.

If the Legislature determines additional funding for road construction and maintenance is necessary, we support increasing the motor fuels tax and/or increasing the sales tax with the money going to the Highway Trust Fund for road construction and maintenance. We oppose the use of general funds or the levying of any tax on agricultural products including ethanol to fund road construction or maintenance. We are opposed to allowing bonding authority for financing state roads.

We support legislation mandating Indian tribes that have fuel tax agreements with the state to collect and remit all motor fuel tax on sales of motor fuels from any person who does not hold a tribal membership card. State/Tribal Fuel Tax Agreements shall not allow retail motor fuel outlets that are not located within an Indian reservation to be included in the agreement.

#### ***D. STATE/LOCAL BUDGETS***

**MANDATED PROGRAMS (2012).** We expect elected officials to challenge unaffordable mandated regulations. When the Legislature mandates programs at the county or local level, such programs should be accompanied by adequate funding and the means to provide for that additional funding. We support voluntary elimination or consolidation of government services where possible.

We believe elected officials at all levels of government should take immediate steps to reduce unnecessary and costly regulations.

**SPENDING LIDS (2011).** We believe in the election of officials who will be responsible for efficient, economical and honest conduct of government functions. However, we support efforts to work toward realistic, constructive spending restraints and/or revenue caps as an aid for officials in making budget spending decisions. We believe incentives for local governments should be developed to minimize the “spend it or lose it” mentality in regard to budgeting procedures.

Budget increases for local government, except schools, should continue to be limited to the percentage population growth in the subdivision. Increases in school budgets should continue to be limited to the percentage of student growth. Building fund levies must be included.

We oppose legislation that would relax current spending limitations on local governments or the administrative procedures they must use to exceed the limitations.

**STATE SPENDING (2011).** We believe the Governor and Legislature should look first at spending cuts to balance the state budget. State aid to schools, other local subdivisions and other programs to provide property tax relief (like the property tax credit program), must continue to be a priority within the state budget and the Legislature should exhaust other avenues for cuts before cutting these programs. If additional revenues are necessary, we recommend broadening the sales tax base to include food as a means for balancing the budget. At the same time, the state needs to examine the curriculum requirements and accreditation standards placed on local systems to assure that providing an education remains manageable and affordable.

As the University of Nebraska looks to prioritize programs in the face of budget cuts, we believe it should give priority to education, research and extension programs that fulfill its role as a traditional land grant institution and meet the economic needs of Nebraska and its citizens.

## ***VI. TRANSPORTATION***

#### ***A. DRIVER'S LICENSE***

**CDLs (2013).** We believe the exemptions in regards to CDLs, hours of service, medical testing and other regulatory requirements provided to drivers

of farm vehicles in MAP-21 should be implemented and adopted in Nebraska.

## ***B. FARM EQUIPMENT REGULATIONS***

**PERMITS (2013).** State laws should reflect the needs of modern agriculture when establishing height, width and weight requirements for both farm equipment and vehicles used in the transport of agriculture commodities. Weight limits for agriculture equipment should include consideration for the pressure, size and type of tire on the implement in addition to the number of axles. We believe haulers of all agricultural commodities, including livestock, should be eligible to receive overweight permits. We support a graduated fine schedule for overweight violations. We believe haulers of agricultural products should be eligible to receive over-height and over-length permits to be uniform with neighboring states. We also believe truck hay movers with chain beds should be exempt from load strapping requirements.

**TRUCK LICENSES (2014).** We support modifying regulations concerning farm-licensed trucks to facilitate the transportation of farm produce and supplies across state lines. We support the elimination of mandatory filing of IRS Form 2290, enforced by the county treasurer, for farm vehicles traveling less than 7,500 miles per year. We encourage the Nebraska DOT to seek reciprocity agreements for all farm plated trucks with all states bordering Nebraska.

## ***C. HIGHWAY SAFETY***

**AUTO INSURANCE (2014).** We believe vehicle insurance companies should be required to notify the state Motor Vehicle Department when coverage is dropped on a vehicle. We support increasing penalties for uninsured motorists to prevent cancellation of policies after a vehicle is registered. We believe insurance companies should not be allowed to penalize a driver for a “not at fault accident.” We support reciprocity agreements with all bordering states to prosecute individuals who cause property damage with their vehicles and do not carry liability insurance.

**HIGHWAY DESIGN (2010).** The State of Nebraska must seek public input regarding the design and location of changes to the state highway system. The economic impact to production agriculture and related businesses must be considered prior to determining the initial design.

**RIGHT-OF-WAYS (2012).** We support more efficient maintenance of state and county road right-of-ways by the Department of Roads. We favor the establishment of a voluntary program allowing farmers and ranchers to hay right-of-ways. Landowners adjoining right-of-ways should have first priority. We support modifying current liability insurance requirements for haying right-of-ways to encourage more land owner participation. We oppose efforts to hold landowner’s responsible for right-of-way maintenance. Right-of-ways should not be used for wildlife habitat.

Nebraska Farm Bureau should urge the state and counties to place a moratorium on all new plantings of shrubs and trees in the right-of-way that

reduces highway safety and remove any volunteer or planted vegetation that reduces safety on public roads. Trees that obstruct the view of the motorist should be removed. We resolve that tree overhang be higher than 16 feet above the road and six feet from the shoulder to allow for truck clearance. We support implementation of visibility standards at intersections to ensure signage does not block the view of operators of vehicles, especially operators of high-profile vehicles.

#### ***D. RAILROADS***

**ABANDONED RAILROAD RIGHTS-OF-WAY (2010).** We believe that upon abandonment of a railroad right-of-way, the land should be reverted back to the adjoining landowner by state and federal law. We are opposed to the Game and Parks Commission acquiring abandoned railroad rights-of-way.

**CROSSINGS (2013).** We urge railroad companies to improve their efforts at maintaining safe railroad crossings throughout the state. We believe the responsibility for maintaining railroad crossings should revert from the Department of Roads to the Public Service Commission.

We support legislation to require reflective material on the sides of all railroad cars.

Vegetation and controllable obstructions within 150 yards of railroad crossings should be removed. We favor increased penalties and strict enforcement of state and local laws regarding blocked crossings by trains. Permanent and temporary closings of railroad crossings should be examined on an individual, case-by-case basis. We oppose blanket closing of railroad crossings based on criteria such as absence of warning devices and proximity to other crossings. Before the closing of any crossing the Department of Roads should be required to consider the economic impact to agriculture, needs of individual farmers, impact to the local community, as well as access issues for emergency vehicles. We support the use of hearings to ensure citizen input and support maintaining the counties' final authority on the closing of railroad crossings.

## ***VII. GOVERNMENTAL AFFAIRS***

#### ***A. PRIVATE PROPERTY***

**MINERAL RIGHTS (2011).** We resolve that parties retaining mineral rights on property should pay a portion of the property tax.

**PROPERTY RIGHTS (2011).** We support private property rights. Government should provide due process and compensation to the exact degree that an owner's right to use his property has been diminished by government action. We believe that the only just basis for compensation in such cases is fair market value. Agencies should show just cause and cost for each regulation and these should be made public so the agencies can be held accountable.



We oppose the state relinquishing jurisdictional authority of any type that would allow Indian tribes (tribal governments) to govern or regulate lands owned in whole or in part by non-Indians or a non-member of the tribe.

We oppose legislation which would allow a group of private landowners within a defined geographic area to establish a government entity for wildlife conservation with the power to raise revenue or govern the actions of other landowners whose property is located within the geographic area.

### ***B. ELECTIONS/ELECTIVE OFFICES***

**ELECTIONS (2013).** We support an effort to require registered voters to show photo identification, such as a current Nebraska driver's license or in its absence, a photo ID issued by the county clerk's office, when reporting to the polling place to receive a ballot.

Any persons filing for political office must be a Nebraska resident for at least one year prior to filing for office and be in good standing with all of their tax obligations.

**PETITION PROCESS (2011).** We support tightening the signature collection requirements of Nebraska's initiative petition process. We favor changes that would require a percentage of petition signatures be collected from every legislative district. We oppose the use of the Internet or other electronic media to collect signatures.

We believe candidates seeking to have their name placed on the ballot for county or local government offices by the petition process need to have signatures equal to at least 30 percent of the total votes cast for Governor or President of the United States at the immediately preceding general election within the county or political subdivision.

### ***C. STATE GOVERNMENT AFFAIRS***

**REGULATORY ENVIRONMENT (2013).** Nebraska Farm Bureau believes in a common sense approach to government, specifically in rules and regulations. We believe an effort should be made for state agencies and commissions to review current regulations, and make sure that all current and proposed regulations focus on clarity, transparency, simplicity and how the regulations would affect economic growth and investment in the state of Nebraska.

**RURAL TELECOMMUNICATIONS (2014).** We believe rural areas should have access to affordable and reliable telecommunications services and support the Federal and Nebraska Universal Services' Funds. We oppose diverting dollars from these funds for other non-communication related purposes. We support ways to improve and expand local service options and improve equity in high speed access between rural and urban areas.

**STATE FLEET VEHICLES (2014).** Where available, we support that the State of Nebraska operate all state vehicles purchased after the year 2001 on, at minimum, E-15 blended fuels.

**STATE PROCUREMENT (2014).** We believe payment of state purchases should be made in a more prompt and timely fashion. We believe all maintenance projects that can minimize costs by using private contractors should do so.

#### ***D. POLITICAL ACCOUNTABILITY***

**TERM LIMITS (2011).** We favor repeal of term limits on state senators or the extension of term limits to three terms.

**UNICAMERAL (2011).** We support keeping state legislative positions non-partisan. We support the adoption of a redistricting plan which preserves as many rural seats as possible.

## ***VIII. LABOR***

#### ***A. LABOR REQUIREMENTS***

**COMMISSION OF INDUSTRIAL RELATIONS (2011).** We support efforts to reform the Commission of Industrial Relations in an effort to control the ever-rising costs of employment in publically-funded entities.

**UNEMPLOYMENT COMPENSATION (2010).** Because of the nature of farm labor and the wide variation in methods of compensation, unemployment compensation for farm labor would be difficult and expensive to administer. We, therefore, will oppose legislation to provide such compensation whether for full-time or part-time labor.

**WORKERS' COMPENSATION (2010).** We support exempting agricultural employers with less than 10 unrelated employees from the Nebraska workers' compensation act.

## ***IX. LAW***

#### ***A. LEGAL ISSUES***

**BANKRUPTCY (2011).** We support modifying bankruptcy law to protect producers' interest in commodities delivered and contracted and payments received in bankruptcy proceedings.

**GUN RIGHTS (2014).** We support "Stand Your Ground" laws.

**IMMIGRATION (2011).** We support stricter enforcement of federal immigration law, but if the federal laws are not enforced, we support investigating a state immigration law.

**LEGAL BONDS (2012).** Individuals or entities that file legal actions against farmers or livestock producers that have complied with local zoning and DEQ requirements should be required to post a bond to cover the cost of all

legal fees incurred to defend such action and any discontinuation of production if a producer is prevented from operating during litigation.

**LEGAL DECISIONS (2013).** State courts must rely exclusively on the laws and Constitution of the state of Nebraska when deciding cases and not consider the laws of foreign jurisdictions.

**OFFICIAL LANGUAGE (2013).** We believe that English should be enforced as the official language of the state. Since a common language is essential to a unified state we urge the repeal of laws mandating use of multi-lingual ballots in public elections.

**OPEN RANGE LIABILITY (2013).** We support legislation that establishes open range areas. Motorists who injure and/or kill livestock on public roads in posted “Open Range” areas should be held liable for all damages.

**RECREATIONAL LIABILITY (2012).** We favor a law that would protect landowners and tenants from those who injure themselves after entering private property to hunt, fish, bike ride, etc. The Game and Parks Commission and/or the landowner should be liable for damages to adjacent property owners that are caused by allowing unrestricted access to CRP land.

We believe people who voluntarily use public property for recreation should not be allowed to recover damages from the government entity should a personal injury occur.

**REPORTING CRIMINAL ACTS (2011).** We support legislation establishing criminal penalties for people or organizations who capture images of animal cruelty and knowingly withhold that information from authorities. Such information should be reported to the proper authorities within 24 hours.

**REVOCABLE DEEDS (2012).** We believe that the 30-year sunset clause on revocable deeds needs modified. Any revocable deed that was filed before the date that the statute was passed should be eligible for grandfather rights.

Properties that were deeded to Class I school districts should be added to the exemption list with public utilities and the railroad.

**TERRORIST ACTS (2012).** We support strict penalties on those that engage in terrorist acts against agricultural entities or individuals. Those persons who engage in the destruction of grain, livestock or other agricultural or agribusiness commodities should be liable for 50 times the value of each commodity damaged or destroyed. We believe ammonium nitrate should not be sold to anyone who doesn't have a designated area to apply it.

**TORT REFORM (2011).** We support tort reform that would place primary responsibility on an individual rather than on the property owner to use reasonable care to avoid accidental injury. Unauthorized entry upon private property should be considered failure to use due care to avoid injury. We

support tort reform that includes flat compensation based on type of injury and placing reasonable limitations on attorney's fees generated by lawsuits.

## ***X. FARM BUREAU***

### ***A. PROGRAMS***

**ANTI-AGRICULTURE ACTIVISM (2012).** Nebraska Farm Bureau and County Farm Bureaus should take an active role in promoting agriculture, including showing support for local agricultural producers who come under attack from animal rights and anti-agriculture activists.

Correct information on the transmission of disease between humans and animals is important, and we should be a part of the solution by placing active farmers and ranchers on any board or committee formed to discuss animal welfare and rearing practices.

**EDUCATION ON AGRICULTURAL PRACTICES (2014).** We encourage NFBF and federal and state Departments of Agriculture to become involved and work with existing commodity groups to educate all consumers, both domestic and international, on issues like ethanol and biodiesel products, genetically-enhanced products, food safety standards, water issues, plant-based plastics and the promise of future advancements in the industry. We believe accurate information concerning the U.S. agricultural industry must be provided to the consumer not only for their own benefit, but also to combat the irrational fears created by environmental groups that can have devastating effects on various agricultural sectors.

### ***B. GOVERNMENTAL RELATIONS***

**COUNTY ACTIVITY IN PAC (2012).** County Farm Bureaus should participate in candidate forums within their legislative districts, take positions on candidates as a Friend of Agriculture, and forward results to NFBF-PAC before the deadline for "Friend of Agriculture" designations.



