

## ***I. AGRICULTURE***

### ***A. COMMODITY CHECK-OFF PROGRAMS***

**COMMODITY CHECK-OFF PROGRAMS (2010).** We believe:

1. Commodity board members should be elected by producers on a non-partisan basis, representing producers generally distributed throughout the producing area:
  - a) All terms and applications procedures should be uniform.
  - b) Board members should be able to serve no more than 10 consecutive years.
  - c) All active producers of a commodity should be eligible to serve on commodity check-off boards.
2. Check-offs on commodities should be mandatory for all producers of the commodity. Producers should have the authority to set the amount of check-off per commodity. Commodity boards should have solid support from producers before they raise the check-off level.
3. Check-off funds must not be used for the purpose of influencing legislation or political purposes. If commodity boards are allowed to use check-off funds to lobby:
  - a) Specific guidelines should be enacted as to how these funds may be used.
  - b) The commodity producer should be entitled to a refund for the amount used for lobbying.
4. Commodity check-off laws should continue to prohibit commodity boards from setting up their own research and development units and from holding intellectual property rights, patents or licenses.
5. Commodity check-off funds should not be diverted to the state general fund.
6. The check-off should be imposed on all agricultural imports.
7. A referendum should be held within two years after implementation of the check-off law and thereafter only by petition request of approximately 15 percent of the producers.
8. An annual certified audit should be made available to the public.
9. No commodity check-off funds should be given to membership commodity organizations or general farm organizations, unless the funds are used on a contractual basis to promote research, development and product utilization of that particular commodity.
10. We oppose combining the Nebraska Grain Sorghum Board, the Nebraska Corn Board and the Nebraska Ethanol Board.
11. We oppose using check-offs to fund water quality programs.
12. We believe the Ethanol and Corn Boards should be strongly encouraged to spend a higher percentage of their budgets on distiller's grain research.
13. We support continuation of the state sorghum check-off.
14. We support an increase in the corn check-off of at least \$0.0015, but not to exceed \$0.0076, for its original intent for promotion, education, and research.

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

**DAIRY (2010).** 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 multiple level regulatory systems that allow for on-farm processing and sale of dairy products. These systems should include requirements to protect the safety of dairy products sold in the state. We also support allowing licensed Grade A dairy farms to deliver unprocessed milk directly to consumers and allowing these dairy operations to advertise their milk for sale. The milk should meet strict quality requirements similar to all milk sold in the state: i.e. bacteria counts, somatic cell counts, and antibiotic tests. These are in place to protect consumers and the dairy industry.

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

**EPIC PROGRAM (2007).** We believe the Ethanol Production Incentive Credit (EPIC) fund should be funded sufficiently to meet the state obligations to plants that qualified for tax credits. The Nebraska Legislature should enact legislation that will appropriate the necessary money to the Ethanol Production Incentive Fund to meet those obligations to the ethanol producers as they begin production and those obligations become due. The Legislature should repeal language that allows the state to pro-rate payments to ethanol producers if funds in the EPIC Fund are insufficient to make full payments when those payments are earned and due according to the laws of the State of Nebraska. The plants should receive the total amount of tax credits earned under the program. Funding for the EPIC obligations should be split equally between agricultural and non-agricultural sources. We oppose a tax on distiller's grains and corn gluten feeds, however, if there is a tax it should be on a dry matter basis. We are not opposed to using additional gasoline taxes to provide funding.

**ETHANOL BOARD (2008).** We oppose any diversion of the off-road gasoline refunds to the general fund that would result in a reduction in the budget of the Ethanol Board. We are not opposed to withholding a greater percentage of the refund to be used to fund ethanol production incentives. Funds withheld from off-road state fuel tax refunds should be re-allocated to direct a larger percentage of those funds to the ethanol authority and used to encourage ethanol production and use. We support a reconsideration of the cap placed on the Ethanol Board funding.

**RENEWABLE FUELS (2011).** 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 2 percent esters derived from vegetable oil, recycled cooking oil or animal fat. 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% to 15 or 20%. 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 check-off 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 (2007).** 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.

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

**CORPORATE FARMING (2008).** 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 (2008).** 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 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 (2007).** 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.

**KARNAL BUNT (2008).** In the interest of maintaining U.S. grain export markets and fairness to all domestic wheat producers, it is imperative that the Department of Agriculture, state officials, and the wheat industry cooperate in an intensive effort to designate karnal bunt as a minor plant pest/disease. The tolerance on karnal bunt must be based on sound science and what is appropriate for each segment of the wheat industry.

#### ***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 (2011).** 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.

We support voluntary animal identification. We support efforts for affordable livestock identification for the purpose of disease control and improved food safety.

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.

**ANIMAL WELFARE (2011).** 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. A livestock care board may insure that this is accomplished. This board would be responsible for establishing and approving science-based standards of care for livestock animals. Both standards of care and the science used to develop these standards must be easily accessed by the public. The board, if it is established should operate under the authority of the Department of Agriculture and should consist predominately of industry professionals, such as farmers and ranchers, with representation from large animal veterinarians, as well as representation from the general public.

We continue to encourage livestock producers to work collaboratively to self-establish industry defined protocols for animal care. We support establishment of resources to assist producers who make transitions to meet industry established protocols.

We adamantly oppose efforts by animal rights groups that attempt to petition or legislate against science-based animal care practices. 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.

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.

**AQUACULTURE (2008).** We support classifying aquatic products with domesticated livestock. Jurisdiction should be transferred from the Game and Parks Commission to the Department of Agriculture.

We support changing representation on the Nebraska Aquaculture Commission from Governor appointed to producer elected.

**BRAND INSPECTION (2010).** 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 Commission. Failure to do so should result in a stiff penalty.

We support granting the Brand Commission the authority to establish a fee up to \$20 per site-visit for inspections of herds with fifteen head or less and raising the cap on per-head brand inspection fees from 75 cents up to \$1.00 per head.

**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.

**DEFINITION OF LIVESTOCK (2008).** We support changing the states statutes in the livestock section under e-strays and trespassing animals to include goats.

**DISEASE CONTROL (2011).** 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.

**EMBRYO TRANSFER (2007).** 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 (2009).** 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 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 (2010).** We support an investigation of the potential for placement of horse slaughter facilities on tribal lands. We encourage a study of means to facilitate the slaughter of horses in Nebraska, including a state or foreign meat inspection program for domestic or international export of horse products.

**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 (2009).** 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 (2008).** 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 evaluate opportunities to enhance growth of Nebraska's livestock industry.

**LIVESTOCK QUALITY ASSURANCE PROGRAMS (2007).** 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.

**MARKETS (2008).** Livestock producers should have access to competitive markets that accurately determines the value of their products. We are very concerned about the growing trend of vertical integration in the livestock industry. We support legislation to prevent packers

from owning livestock for more than seven days if they have a market share of more than 10 percent of national slaughter capacity.

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 to the detriment of producers.

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.

**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 (2009).** We support efforts to encourage food animal veterinarians to locate in underserved areas of Nebraska. We support the construction of new physical facilities for the Veterinary Diagnostic Center's (VDC) at the University of Nebraska-Lincoln with emphasis on large animals.

**ZONING (2008).** 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***

**RURAL ECONOMIC DEVELOPMENT (2009).** 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 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.

**SEED REGULATION (2007).** 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.

**STATUTORY AG LIENS (2008).** 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 OECD (Organization for Economic Cooperation and Development) 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 (2007).** 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.

We believe 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 check-off. 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 (2007).** 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 Public Service Commission.

**WEIGHTS AND MEASURES (2008).** 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.