

2017 STATE POLICIES

of the

Texas Farm Bureau



Our Mission

**Texas Farm Bureau's mission is to be
the Voice of Texas Agriculture.**

STATE POLICIES

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FARM BUREAU PHILOSOPHY

Preamble **101**

1. We give thanks to almighty God for the many
2. blessings He has bestowed upon us as a nation and as
3. individuals. We invoke His wisdom and direction upon
4. our every decision in order that we may be worthy
5. citizens of His Kingdom and of our nation. May He
6. grant us the grace to know and to do His will.
7. We believe that our faith in God and the democratic
8. principles of free enterprise and human freedom, upon
9. which our nation was founded, are responsible for its
10. greatness. We encourage our government officials to
11. return to the concepts of this Preamble concerning
12. our belief in God.
13. We believe in the right of all people to choose their
14. own occupation free from compulsory unionism; to
15. be rewarded in accordance with their productive
16. contribution to society; to save, invest and spend
17. their earnings as they choose; and to worship as their
18. conscience dictates.
19. We believe that the present degree of centralization
20. of power and authority and the trend toward further
21. centralization of power and authority in the Federal
22. government and the apathy of American people to this
23. trend are among the greatest dangers threatening
24. our Republic and the American way of life. "Planned
25. economy" concepts such as socialism and communism,
26. fascism and other forms of totalitarianism must be
27. opposed wherever and in whatever form they may
28. be found.
29. In order that we as individuals in our profession
30. may make greater contribution to the above stated
31. principles through group action, Farm Bureau is a free,
32. independent, non-governmental, voluntary organiza-
33. tion of farm and ranch families united for the purpose
34. of analyzing their problems and formulating action
35. to achieve educational improvement, economic op-
36. portunity, and social advancement, thereby promoting
37. the national welfare. Farm Bureau is local, national
38. and international in its scope and influence. It is non-
39. partisan, non-sectarian and non-secret in character.
40. It is wholly controlled by its members through
41. majority decision and is financed by voluntary mem-
42. bership dues.

Concepts of Government **102**

1. We believe in the American, capitalistic, private
2. competitive enterprise system in which property is
3. privately owned, privately managed and operated
4. for profit and individual satisfaction. We believe in
5. a competitive business environment in which sup-
6. ply and demand are the primary determinants of
7. market prices, the use of productive resources and

8. the distribution of output. We will work for less gov-
9. ernment control.

10. We believe in the right of every man to choose
11. his own occupation; to be rewarded, according to his
12. contribution to society; and to save, invest, spend or
13. convey to his heirs his earnings as he chooses.

14. We believe that government operation of commer-
15. cial businesses in competition with private enterprise
16. should be terminated.

17. We believe government should focus on eliminating
18. waste, abuse and fraud in all tax funded programs.

Socialism and Communism 103

1. International communism is both an internal and
2. external threat to the private competitive enterprise
3. system. Communism is foreign to all the ideals of the
4. free world. It would deny man's faith in God, his heri-
5. tage of freedom, and his belief in justice and mercy.
6. Farm Bureau is dedicated to the defeat of Communist
7. ideology.

8. We oppose one world government and any treaty
9. or pact that encourages a one world government; we
10. favor getting the United States out of the United Na-
11. tions and the United Nations out of the United States.

12. We are opposed to socialism and communism and
13. its attempt to destroy the property rights that have
14. served as a foundation for the American way of life.
15. We strongly oppose the socialistic movements attempt
16. to redistribute wealth, thereby threatening to destroy
17. the system of incentives that have built this great
18. nation. We support the basic principles behind the
19. founding of our country; namely, freedom and dignity
20. of the individual, and his right to participate in a free
21. enterprise system. To strengthen our awareness of
22. our system of government we recommend:

23. 1. American History and World History be taught
24. in all American schools and colleges.

25. 2. The true nature of communism and socialism be
26. taught in our schools and in the armed services so that
27. people can better recognize its character, understand
28. its purposes, and counteract its objectives.

29. 3. Adult education programs, including forums,
30. assemblies, and other forms of communication, be
31. promoted to increase the awareness of citizens to any
32. system of government that threatens the American
33. way of life.

34. We oppose any efforts of our government to estab-
35. lish a "North American Union" that would dilute our
36. U.S. Constitutional rights and powers, reduce the sov-
37. ereignty of the United States, remove the supremacy
38. of the U.S. Supreme Court, or open our borders with
39. Mexico or Canada.

States' Rights

104

1. We favor increased emphasis on the assumption
2. of responsibility by states and local units of govern-
3. ment for exercising their appropriate functions. Re-
4. sponsibility for performance of government functions
5. should be assigned to that unit of government closest
6. to the people which can administer such functions
7. effectively.
8. We urge the Texas legislature to join with the
9. legislatures of other states in passing legislative af-
10. firmations that assert their sovereign rights under the
11. Tenth Amendment of the United States Constitution
12. and demand that the United States government cease
13. all unfunded mandates and interference that exceeds
14. the powers specifically delegated to federal authorities
15. by the supreme law of the land.
16. Therefore, we urge the Texas Farm Bureau and the
17. American Farm Bureau to exert all possible power
18. and influence to assert and maintain states and lo-
19. cal rights. These rights are guaranteed by the Bill of
20. Rights in both the Constitution of the United States
21. and the Constitution of the State of Texas and must
22. not be diluted.
23. We support increased efforts by the State of Texas
24. to secure our borders with Mexico. Immigration laws
25. should be enforced.

AGRICULTURAL AGENCIES

Texas A&M AgriLife Extension Service

105A

1. Texas A&M AgriLife Extension Service should:
2. • continue its role of making available useful and
3. practical information on subjects related to agriculture
4. and home economics.
5. • continue to be a part of the Texas A&M Univer-
6. sity system.
7. • have a director who is separate from other parts
8. of the agricultural complex; thereby allowing the
9. agency to market itself and respond to the needs of
10. agriculture.
11. • continue to work primarily with all farmers
12. and ranchers as long as individuals and various farm
13. groups seek and respond to this type service, but the
14. Service should abstain from educational activities on
15. matters of political policy.
16. **We support:**
17. • funding for the Extension, Texas 4-H program,
18. and Wildlife Services that would be sufficient to at
19. least maintain current program levels and to continue
20. these services to farm and ranch families.
21. • Wildlife Services to dedicate funds for control of
22. all species of predators affecting agriculture and to
23. consider the impact that each predator has on differ-
24. ent sectors of agriculture production.

25. **We oppose:**
26. • reducing the number of ag specialists in the
27. Texas A&M System.
28. • funding reductions for the Texas A&M AgriLife
29. Extension Service. If funding reductions are necessary,
30. we support maintaining, to the extent possible, the cur-
31. rent programs and services to farm and ranch families.
32. • any legislation that would combine the Texas
33. A&M AgriLife Extension Service and the Texas A&M
34. AgriLife Research of the Texas A&M System.
35. • new programs providing services to non-farm
36. people at the expense of programs for farm and ranch
37. families.
38. • the elimination of the position of county AgriLife
39. Extension agents as a means of achieving cost reduc-
40. tions until all other options are considered.
41. • the combination of two or more counties into one
42. AgriLife Extension unit without the approval of the
43. counties involved.
44. • the funding of youth programs such as 4-H with
45. user fees.

Texas A&M AgriLife Research 105B

1. We support funding for on and off-campus research.
2. Funds should not be reduced for agriculture research.

Texas Department of Agriculture 106

1. The primary purpose of the Texas Department of
2. Agriculture (TDA) should be to promote the advance-
3. ment of agriculture and to educate the public on
4. agriculture.
5. TDA should:
 6. • be adequately staffed and funded.
 7. • promote and support development of agricultural
 8. development districts.
 9. • provide information and assistance in creating
 10. Internet services for the sale of commodities.
 11. • mirror United States Department of Agriculture
 12. (USDA) regulations for the inspections and licensing of
 13. kennels and only certified Department of Agriculture
 14. employees should be authorized to conduct inspections.
15. **We support:**
 16. • legislation requiring the Weights and Measures
 17. Division of the Texas Department of Agriculture to
 18. regulate all grain moisture testers used by commercial
 19. grain handlers and dealers; and to levy appropriate
 20. penalties against offenders
 21. • existing laws be properly enforced with respect
 22. to weights and measures, and seed laws.
 23. • legislation giving the TDA regulatory authority
 24. over in-house inspectors of bonded grading facilities.
 25. • reimplementation of Texas Department of Agri-
 26. culture road inspection stations.
 27. • the continued development of agribusiness and
 28. value-added processing of Texas products by the Texas

29. Department of Agriculture.
30. • the Texas Department of Agriculture being
31. charged with implementing the Federal Food Safety
32. Modernization Act within the State of Texas and that
33. all costs be paid for with federal funds.
34. We support repeal of the Agricultural Hazard
35. Communications Act. Until repealed, modifications
36. should be made to make the law more workable for
37. farm employers. We urge the Texas Department of
38. Agriculture to review worker protection standards
39. and re-evaluate existing policies and ensure that
40. new policies are feasible and workable with the least
41. amount of paperwork required.
42. TDA should exempt a grain buyer or handler from
43. warehouse regulation if they do not provide public
44. storage or store delivered grain that has not been
45. purchased.
46. We support to maintain the integrity of organic ag-
47. riculture, keeping organic standards strictly organic.
48. Not allowing tolerances or percentages of non-organic
49. crops, GMO plants or pesticide residue and still be-
50. ing able to retain the certified organic label. Organic
51. growers should maintain appropriate buffer zones to
52. protect their crops from pollen drift or other factors
53. that affect the integrity of their crops.

Texas Animal Health Commission 107

1. **We support:**
2. • having livestock producing members on the
3. Texas Animal Health Commission (TAHC).
4. • legislation which would provide that the Texas
5. Animal Health Commission be exempt from provisions
6. of the Freedom of Information Act in matters related
7. to animal health, animal identification, and disease
8. control to protect information related to individual
9. producers, locations and animal health traceback from
10. unnecessary harassment, invasion of privacy, and to
11. enhance the provision of homeland security in the
12. agricultural sector.
13. • the TAHC guidelines for animal identification.
14. • the TAHC having the authority to determine
15. whether to close the borders of Texas to the importa-
16. tion of certain traditional or alternative livestock and
17. these powers should not be transferred into the hands
18. of the legislature or any other state agency.
19. • the right to use antibiotics for livestock & poultry
20. in matters related to animal health care.
21. • TAHC being granted enforcement authority of
22. existing laws to restrict the movement of feral hogs
23. on public roads.
24. • state revenues to fund the TAHC.
25. • the rights and opportunities of small flock or
26. urban poultry operations and encourage best manage-
27. ment practices as recommended by TAHC for disease
28. control.

29. • adequate funding for TAHC to monitor poultry
30. disease at markets.
31. **We oppose:**
32. • the TAHC being combined with any other state
33. agency.
34. • user fees being assessed to finance TAHC or
35. any other agricultural regulatory agency; however, if
36. the legislature requires that agricultural regulatory
37. agencies assess user fees, we encourage the fees be
38. assessed proportionally for all services provided and
39. not exceed the cost of providing the service. Rather
40. than requiring fee increases we encourage agencies
41. to review their existing services to determine which
42. services may be ended or modified for cost savings.

Texas State Soil & Water Conservation Board

108

1. We encourage further development of the agency's
2. program and capabilities so that future responsibilities
3. may be placed under its authority.
4. **We support:**
5. • the Texas State Soil & Water Conservation Board
6. and Conservation Districts continuing to govern the
7. states conservation programs for renewable natural
8. resources.
9. • the Texas State Soil and Water Conservation
10. Districts continue to be independent, locally con-
11. trolled bodies with directors elected by the local
12. landowners; and that the Texas State Soil and Water
13. Conservation Board continue to be elected on an
14. area basis by the directors of local Soil and Water
15. Conservation districts.
16. • the present staffing of local Soil & Water Conser-
17. vation districts be maintained.
18. • the State Legislature appropriate matching
19. funds to Soil and Water Conservation Districts on a
20. per county basis. This allows multi-county districts
21. funds to be based on the number of counties in the
22. districts, relieving inequities now experienced by
23. multi-county districts.
24. • any funding increase to the Texas State Soil
25. and Water Conservation Board should be directed
26. for local use.
27. • local Soil and Water Conservation Districts abil-
28. ity to provide technical assistance and incentives for
29. voluntary soil and water conservation planning and
30. implementation.
31. • the use of state funds for maintaining small
32. watershed flood control structures, built under the
33. USDA PL-566 program, that are listed as public safety
34. concerns.
35. We oppose any appointees to the Texas State Soil
36. and Water Conservation Board.

AGRICULTURAL COMMODITIES

Commodities-General 109

1. All commodities are inter-related, and any change
2. in supply, demand or price of one affects the others.
3. Careful consideration should be given to the economic
4. impact of a major change in one commodity's policy
5. on other commodities before such policy is approved.
6. **We support:**
7. • country of origin labeling of all foreign products
8. imported into Texas.
9. • requiring public institutions to buy domestic
10. agricultural products when they are available.
11. • legislation granting producers a "Hold Harm-
12. less" position from any changes that occur after their
13. production is sold and leaves their control.
14. • strengthening TDA's regulatory authority to
15. audit and inspect storage facilities and records. The
16. bonding amount required for storage facilities should
17. be increased.
18. • licensing of grain dealers.
19. • a statewide producer funded commodity indem-
20. nity program to protect producers and ensure full
21. payment is received for commodities.
22. • small scale local farmers being allowed to sell
23. low risk foods such as jams, jellies, raw honey, baked
24. goods and dry herbs without being required to have
25. a commercial kitchen.
26. • research, licensed cultivation, production, pro-
27. cessing, commercialization and utilization of indus-
28. trial hemp.
29. **We oppose:**
30. • all attempts by political subdivisions (cities or
31. counties) to limit the production of, or the use of, ge-
32. netically modified crops or animals.
33. • growing castor beans in Texas until adequate
34. regulations are enacted and educational programs are
35. available to address storage, handling, and production
36. concerns and low ricin varieties are available, so that
37. the accidental adulteration of our food and feed sup-
38. ply is prevented.
39. • agricultural programs that adversely affect any
40. agricultural commodity.

Citrus 110

1. **We support:**
2. • strict enforcement of maturity, size, and grade
3. standards for all citrus shipped into Texas.
4. • continuation of recent safeguards and the ban
5. on shipments of citrus fruit and nursery stock into
6. Texas due to the continuing spread of citrus canker
7. and greening disease into additional nurseries and
8. production areas
9. • Texas Department of Agriculture inspecting for
10. diaprepes weevil and Asian citrus psyllid.

1. **We support:**
2. • the STAX Group Risk Program of Crop Insurance
3. or other additional shallow loss plans of insurance
4. specifically developed for cotton that would address
5. the World Trade Organization issues with Brazil.
6. • the Cotton Promotion and Research Program.
7. • a full-time statewide cotton specialist.
8. • studies for feasibility of containment, suppression
9. and/or eradication of pink bollworm.
10. • charging for the exact amount of time the bale
11. is stored in the warehouse.
12. • specific cut-off date for application of 2,4-D Ester
13. in counties where cotton is produced to coincide with
14. uniform recommended planting dates for cotton in
15. each county.
16. • the registration of Propazine (Milo Pro) for use
17. on cotton.
18. • commodity (cotton) contracting is an essential
19. component of the marketing system for all producers
20. (sellers). In order to provide an effective and fair
21. system for contracting (cotton) the following elements
22. should be included:
23. 1. Clear identification of the type of contract that is
24. being offered and the terms of the contract.
25. 2. Growers (sellers) not being subjected to supply
26. cotton to a buyer based on crop estimates.
27. 3. A fair and equitable conflict resolution process
28. that includes elements protecting sellers such as mediation
29. or dispute resolution conducted in the county
30. where the crop was grown.
31. 4. A uniform, standard contract containing terms
32. agreeable to both buyers and sellers (ie: Texas Real
33. Estate Contract) and governed by Texas law.
34. **We oppose:**
35. • changes in the trade rules of cotton trading associations
36. that pass marketing and storage charges from buyer to seller.
37. • the present penalties on low micronaire cotton.
38. **Boll Weevil Eradication:**
39. **We support:**
40. • a mandatory statewide Boll Weevil Eradication
41. Program and favor state funding assistance.
42. • a plow-up date be established for cotton to aid in
43. the control of boll weevils in affected areas.
44. • use of controlled burning of CRP acreage prior to
45. spring planting in the affected areas to assist in the
46. boll weevil eradication program.
47. • stalk destruction dates for areas under pink
48. bollworm or boll weevil regulation continue to be set
49. by the Commissioner of Agriculture following a public
50. hearing for the area affected. The cotton stalk destruction
51. deadline should be strictly enforced.
52. • the Texas Department of Agriculture and the
53. Texas Boll Weevil Eradication Foundation developing
54. procedures to ensure that cotton harvesting equipment
- 55.

56. and raw cotton products being transported are certi-
57. fied boll weevil free. No equipment should cross any
58. zone boundary without being certified boll weevil free.
59. • allowing producers harvesting cotton near, on, or
60. after the stalk destruction deadline to have ten days
61. after harvest to destroy stalks without incurring a
62. penalty or fine.
63. • TDA in its effort to control non-commercial cot-
64. ton, (not located in a crop field), by making the users
65. of gin by-products aware they are responsible for the
66. destruction of any re-growth resulting in hostable
67. cotton from the use of such products.
68. • chemical as well as mechanical means as an ap-
69. proved method by the TDA for cotton stalk destruction.
70. • the TBWEF using prudent spending practices
71. and striving to reduce overhead.
72. • TBWEF personnel staying on existing turnrows
73. and designated roads.
74. • removal of the 10 day application period for
75. cotton stalk destruction, with a 24 hour notification
76. for extension enforced and TBWEF and TDA should
77. coordinate efforts to accomplish this task
78. • work with Mexico to control boll weevil popula-
79. tions along the Texas/Mexico border.
80. • development of an efficient funding mechanism
81. for producer assessments to fund the TBWEF that
82. will not exceed current producer cost.
83. • a beltwide (multi-state) program to assist pro-
84. ducers on the Mexican border with control of boll
85. weevils which will serve as a buffer for the entire
86. cotton industry.
87. • transferring funds between zones in the state
88. to provide extra funds to areas that experience an
89. unexpected outbreak and to assist producers along
90. the Rio Grande River in maintaining a buffer zone.
91. • Federal and State cost share monies for TBWEF
92. as long as there are active zones in the state.
93. We oppose a mandatory referendum for boll weevil
94. eradication and support a referendum upon request
95. by 10 percent of producers.

Dairy

112

1. Only a qualified Texas Department of Health
2. Sanitarian should be permitted to degrade a “Grade
3. A” dairy based on a sample of milk. The sample should
4. be in possession of a qualified sanitarian at all times
5. until delivered to a state laboratory. The Department,
6. at producer’s request, should retest a producer’s milk
7. as promptly as possible following an unacceptable test.
8. Imitation dairy products should be labeled as such,
9. particularly when displayed with dairy products.
10. The minimum requirements for consumer grade
11. milk should be increased to 12 percent solids. Compo-
12. nent standards should comply with state regulations
13. and be printed on the product labels.

14. **We support:**
15. • an inspection service that will emphasize milk
16. quality rather than physical requirements and ap-
17. pearance of facilities.
18. • an annual state inspection, unless a milk sample
19. fails to meet the state requirements for quality. A fail-
20. ing sample should result in an immediate visit by the
21. state inspection service.
22. • the dairy promotion and advertisement program.
23. • the concept of regional compacts to price Class
24. 1 milk and legislation to create a Texas state milk
25. marketing order.

Forestry

113

1. **We support:**
2. • the right to harvest our crop of timber since it
3. has been classified as an agricultural crop.
4. • the use of agroforestry and integration of land
5. use practice.
6. • the education of the public economic and envi-
7. ronmental importance of timber and its production.
8. • the principles of Sustainable Forestry Initiative
9. (SFI), Best Management Practices (BMP), prescribed
10. burning, and the availability and use of effective pesti-
11. cides, to manage and promote the health of all forested
12. areas and their neighboring properties.
13. • increased funding for the Texas Forest Service in
14. order to fulfill its increased responsibilities for fighting
15. wildfires statewide.
16. • the task of regenerating sufficient acreage to
17. timber production to satisfy the economics of domestic
18. and export markets and the environmental needs of
19. all concerned, ensuring an adequate supply of nursery
20. seedstock by fostering policies favorable to private
21. or public landowners, through reduced taxes and/or
22. abatements, eliminating frivolous lawsuits, and reduc-
23. ing restrictive regulations and harvesting mitigated
24. forestlands.
25. • the Texas Forest Service remaining under the
26. jurisdiction of TAMU System.
27. • genetics research for improved hardwood plant
28. stock to meet the demand of hardwood markets and
29. increased forest diversity.
30. When insects, fire, disease or noxious infestations
31. occur in state or national forests, parks, or other pub-
32. licly owned property, appropriate agencies should be
33. required to immediately apply proper management
34. and protection practices to control these problems and
35. prevent their spread to private land.

Fruits and Vegetables

114

1. **We support:**
2. • uniformity of state and federal standards and
3. inspections for fruits and vegetables produced in and
4. imported into Texas and the United States.

5. • Land Grant Colleges to research genetic engineering to develop new varieties of fruit trees and
6. vegetables for disease, nematode and insect resistance.
- 7.

Hay and Forage **115**

1. We recommend the Texas Department of Agriculture coordinate with the USDA in establishing
2. standards for hay testing.
- 3.
4. **We support:**
5. • the development of a federal crop insurance
6. program for hay producers.
7. • government assistance for building private hay
8. storage facilities.

Honey **116**

1. **We support:**
2. • Texas A&M investigate the adequacy of the honeybee inspection service to ensure proper inspection
3. and supervision to better serve the beekeeper.
- 4.
5. • Texas honey standards being set at 100 percent of
6. the definition of honey; sweet, viscous fluid elaborated
7. by bees from nectar obtained from plant nectaries,
8. chiefly floral.
9. • appropriate officials take effective legal action
10. to end the deliberate adulteration of honey by using
11. corn syrup.
12. • honey labeled as honey being pure honey with
13. no additives. Any additives should be labeled as such.
14. • Texas A&M and the USDA continue monitoring
15. the expansion of the Africanized Bee and the Varroa
16. Mite, while obtaining the necessary funding to limit
17. this expansion.
18. • priority be given to the rapid development of
19. Varroa and Tracheal Mite control methods that will
20. be economically useful to beekeepers.
21. • Texas A&M and USDA jointly develop an applied
22. method of rearing European queen bees inside
23. an Africanized area.
24. • the beekeeping industry and the American Farm
25. Bureau Research Foundation support Africanized Bee
26. and Varroa and Tracheal Mite research.
27. • continuation of the Texas European Honeybee
28. Certification Program administered by the Texas
29. Apiary Inspection Service.
30. • legislation allowing private property owners
31. or their agents to control wild swarms or colonies of
32. honeybees or Africanized Bees on their own property.
33. • legislation allowing beekeepers registered with
34. the Texas Apiary Inspection Service to remove bees
35. without regulation from the Texas Structural Pest
36. Control Board.
37. • Texas A&M AgriLife Extension Service and the
38. school lunch nutritionists encouraging use of pure
39. quality honey in the school lunch program.
40. • a cooperative program among commercial bee-

41. keepers, farmers, ranchers and other land managers
42. to develop bee habitat where feasible and possible.

Horses **117**

1. Processing and exportation of equine meat should
2. be legal when performed in compliance with USDA
3. Humane Slaughter of Livestock regulations. We rec-
4. ognize a healthy horse racing industry is beneficial to
5. Texas horse breeders.
6. **We support:**
7.
 - all horses sold by private treaty or through auc-
8. tion markets should be tested for Equine Infectious
9. Anemia (EIA).
10.
 - continuing the classification of horses as livestock
11. and personal property.
12.
 - legislation authorizing Texas & Southwestern
13. Cattle Raisers Association brand inspectors to inspect
14. horses for brands and identifying marks at all posted
15. markets and slaughter plants in the state.
16.
 - changes in the current Texas Transportation
17. Code regarding vehicle and trailer registration to
18. include, as farm use, transportation of horses between
19. farms and veterinarians, breeding facilities, training
20. facilities, and for demonstration, sale, pick up and de-
21. livery in trailers, with or without temporary personal
22. accommodations, designed with intended purpose to
23. haul livestock.
24.
 - changes in the current Texas pari-mutuel law
25. designed to increase revenue to racetracks, resulting
26. in larger purses, breeders' awards and other industry
27. incentive programs.
28.
 - legislation allowing the placement of VLTs (Video
29. Lottery Terminal) at all race tracks in Texas.
30.
 - equine owners/producers making the decision
31. on who performs the floating of equine teeth and
32. chiropractic care.
33.
 - a humane horse processing facility in Texas.
34. We oppose horses being classified as companion
35. animals.

Livestock **118**

1. We urge that the brand inspection law be extended
2. to cover all slaughter plants. We oppose compulsory
3. statewide branding, but we support district or regional
4. brand laws when established on a local option basis.
5. However, we recommend that each cattleman adopt an
6. individual permanent method of identifying his cattle.
7. County clerks should be required to notify animal
8. brand owners, by mail, concerning the re-registration
9. of animal brands.
10. **We support:**
11.
 - State funding for a brucellosis testing program
12. as needed.
13.
 - an eradication program of the horn fly.
14.
 - implementation and funding for the National

15. Strategic Plan for the Cattle Fever Tick Program
16. developed in 2006. Immediate funding should be
17. made available to eliminate fever ticks from livestock
18. and wildlife in the temporary preventive quarantine
19. areas of Texas. An awareness program should be
20. implemented to educate and to assist Texas ranchers
21. in identifying this pest.

- 22. • any bull 18 months or older sold through a com-
23. missioned livestock sale should be for slaughter pur-
24. poses only, unless accompanied by a current, negative
25. trichomoniasis test.
- 26. • an animal disease traceability program that is
27. a voluntary market driven program until such time
28. as there is a federal mandate requiring the establish-
29. ment of such system. The program should have the
30. following guidelines:
 31. 1. The program should be as simple and cost effec-
32. tive as possible for producers.
 33. 2. The federal government should provide metal ID
34. tags at no cost, and cost sharing for radio frequency
35. ID tags.
 36. 3. Confidentiality of producer information must be
37. respected and changes in the Freedom of Information
38. Act must be made to further ensure that confidential-
39. ity.
 40. 4. The Texas Animal Health Commission will main-
41. tain the state animal ID data base.
 42. 5. Livestock markets will continue recording owner
43. addresses with USDA back tags.
 44. 6. ID is mandatory at the stocker operator/order
45. buyer level for cattle going out of state.
 46. 7. Information shall be made available only to the
47. proper animal health authorities in the event of an
48. animal disease incident and must not be used for any
49. other purpose or by any other governmental authority.
 50. 8. Identification of animals will not be required
51. before movement from the original registered premise.
 52. 9. Responds to the specific needs of each species
53. rather than an identical program being required for
54. all species.
 55. 10. Uses the current brucellosis eradication ID
56. system as one method of cattle identification.
 57. 11. Producer must be protected from liability for
58. acts of others after livestock have left their control.
 59. 12. Support the flexibility of using currently es-
60. tablished and evolving official identification methods.
 - 61. • under Country of Origin Labeling, only animals
62. that are born, raised and processed in the U.S. are
63. eligible for a “Product of USA” or similar label.
 - 64. • expanded facilities and increased personnel
65. working at the Texas Department of Agriculture ex-
66. port pens along the Texas/Mexico border. We encour-
67. age the Texas Department of Agriculture to cooperate
68. with Mexican authorities at all levels to create ways to
69. reduce the large volume of livestock awaiting approval
70. for passage into Mexico at these facilities.

71. • a concerted joint Texas/Mexico effort to control/
72. eradicate bovine tuberculosis and brucellosis.
73. • the work of the U.S./Mexico Bi-National Tuberculosis and Brucellosis Committee.
74. • the Texas Cattle and Deer Tuberculosis Management Plan using regionalization approach to
75. controlling movement of cattle exposed to infected
76. herds with TB.
77. • continued research of bovine growth hormones
78. with special emphasis on human health and the effects
79. on carcass quality.
80. • measures to hold owners of dogs liable for damage to livestock and property.
81. • legislation that would prohibit dogs that are
82. known to worry or kill goats, sheep, poultry, calves, or
83. other livestock, from running at large.
84. • the humane treatment of all domestic animals
85. and wildlife. We recognize that livestock and wildlife
86. are part of the human food chain, they are not equal
87. to humans, nor do they have human rights.
88. • continuation of the Texas Veterinary Medical
89. Diagnostic Lab and the Texas Animal Health Commission Lab as separate entities, each with its own
90. distinct mission.
91. • minimum guidelines of the National Research
92. Council's recommendation for phosphorus levels in
93. feed rations.
94. • livestock assistance programs for natural disasters.
95. • revenue assurance programs. The producer
96. should have the option to participate in government-
97. assisted insurance.
98. • state funding of the Rural Veterinarian Incentive Program.
99. • financial or other incentives to increase the
100. number of large animal veterinarians.
101. • the expansion of the current veterinary college
102. and/or the establishment of additional Colleges of
103. Veterinary Medicine in the State of Texas.
104. • surveillance for screwworms on a state and national level, and continued eradication efforts on the
105. international level.
106. • uniform guidelines for control of the fever tick
107. in Texas.
108. • soliciting Mexico's assistance in increasing the
109. width of the Mexican "border barrier zone". Inspections should continue for brands, marks and other
110. identifying characteristics at posted markets in Texas.
111. • the open range doctrine.
112. • legislation requiring penalties for the owner of
113. livestock which are habitually allowed to run at large
114. with reckless disregard to the welfare and property
115. of others.
116. • Texas estray laws being amended to require that
117. the proceeds of the sheriff's sale of impounded estrays
- 118.
- 119.
- 120.
- 121.
- 122.
- 123.
- 124.
- 125.

126. be used for compensation of property damages caused
127. by the estrays. The damages should be determined by
128. a panel of disinterested landowners.

- 129. • a State law be passed that clarifies and states
130. as a principle of law that due to the unpredictable
131. nature of any livestock and livestock activities, those
132. who participate in these activities have to accept the
133. inherent danger and responsibility of their actions.
- 134. • livestock and poultry manure be classified and
135. promoted as reusable by-products or organic fertilizer.
- 136. • auction and commission companies be required
137. to furnish a copy of the weight ticket to the seller of
138. all livestock sold on a weight basis.
- 139. • the regulation of livestock imports to protect
140. domestic livestock from foreign animal diseases.
- 141. • the development of agricultural information and
142. education programs that will give the public a clear,
143. realistic, and technically accurate perspective of ani-
144. mal rights issues relative to producer responsibilities.
- 145. • the selection committee of the College of Vet-
146. erinary Medicine at Texas A&M University to place
147. greater emphasis on selecting new students who will
148. pursue food animal practices.
- 149. • the Texas Animal Health Commission and the
150. Texas A&M AgriLife Extension Service should con-
151. tinue to work together to educate producers on the
152. rules and regulations of the Trichomoniasis Program.
- 153. • all live cattle entering the U.S. from Mexico
154. should be identified with a firebrand indicating import.
- 155. • all imported live cattle from other countries
156. destined for commercial feedlots should be spayed or
157. castrated and S branded.
- 158. • efforts to extend to bison producers the same
159. legal status and protection afforded to other livestock
160. producers.
- 161. • adequate funding for research and control of the
162. lone star tick.

163. **We oppose:**

- 164. • bison from Yellowstone Park being transported
165. to Texas.
- 166. • restrictions on the sale and/or administration of
167. antibiotics and other drugs for animal health by pro-
168. ducers or their agents, unless such use is adequately
169. proven detrimental to human health.
- 170. • any attempt to impose regulations on palpation
171. of livestock.
- 172. • any changes to the current animal cruelty laws
173. that adversely impact the normally accepted practices
174. of handling livestock.
- 175. • any methane or greenhouse gas tax levied on
176. livestock and/or wildlife because of normal biological
177. bodily functions.
- 178. • muscle meat grown in a laboratory labeled as
179. meat.

Nursery and Greenhouse **119**

1. We support legislation that would make it unlawful to sell or offer for sale any plants or nursery stock
2. which are not viable (represented as live plants or live nursery stock) at the time and place of sale.
- 3.
- 4.
5. We oppose local invasive plant list ordinances, that
6. would lead to differing, conflicting, and uncoordinated
7. efforts to control or ban potentially harmful plant
8. species.

Peanuts **120**

1. **We support:**
2. • a voluntary checkoff program administered by
3. the Texas Peanut Producers Board.
4. • Texas peanut growers' effort to develop a pro-
5. gram to promote peanut consumption.
6. • research to increase production and guarantee
7. crop integrity, and any other activities which would
8. be beneficial to Texas peanut producers.
9. • legislation authorizing the Texas Commissioner
10. of Agriculture to establish uniform grades and sizes
11. of peanut seed, and to enforce proper labeling of such
12. grades and sizes.

Pecans **121**

1. **We support:**
2. • state legislation to establish grades and stan-
3. dards on thin shell fancy pecans, specifying the ap-
4. proximate kernel content of pecans sold to consumers
5. by dealers or handlers of such pecans.
6. • genetic engineering to develop new varieties of
7. pecans for disease and insect resistance.

Poultry **122**

1. **We support:**
2. • updating the Texas Egg Labeling and Grading
3. Law to assure consumers a quality product, and elimi-
4. nate the present inspection fee now assessed.
5. • continuous inspection of out-of-state eggs by
6. the Texas Department of Agriculture at retail outlets
7. so that they will meet the requirements of the Texas
8. egg laws.
9. • improving relationships between companies and
10. producers.
11. • requiring length of contracts to adequately pro-
12. tect growers' investment in buildings and equipment.

Ratites **123**

1. **We support:**
2. • legislation that would insert the family name
3. Ratite (rather than exotic fowl) when any regulatory
4. agency or legislation refers to Emu, Ostrich, Rhea
5. and/or Cassowary.
6. • the promotion of ratite value-added products.

7. • allowing producers the choice of the most economical method for identifying ratites.
- 8.

Rice **124**

1. **We support:**
2. • rice producers and related entities of the rice industry continuing support of the U.S. Rice Producers Association.
- 3.
- 4.
5. • the U.S. Rice Federation when the policies are beneficial to rice producers.
- 6.
7. • work by the Texas Rice Research Foundation and Texas A&M Research Center at Beaumont to combat blackbirds and red rice in rice fields.
- 8.
- 9.
10. • the release of genetic engineered rice.

Sheep and Goats **125**

1. **We support:**
2. • the establishment of wool, mohair and meat product processing plants within the State of Texas.
- 3.
4. • increased funding for research and development for sheep, mohair and meat goat production.
- 5.
6. • differentiation of wool sheep, hair sheep, mohair and meat goats by the Texas Agricultural Statistical Service.
- 7.
- 8.
9. • feasible enrollment of sheep producers in the APHIS Scrapie program.
- 10.

Soybeans **126**

1. We support a national soybean promotion and research checkoff to support the programs of the Texas Soybean Producers Board and the American Soybean Association.
- 2.
- 3.
- 4.

Wheat and Feed Grains **127**

1. **We support:**
2. • all grain samples be kept a minimum of ten (10) days and that grading results be available within twenty-four (24) hours.
- 3.
- 4.
5. • all in-load suction grain probes used for automatic sampling be approved by the USDA Research Management Office.
- 6.
- 7.
8. • the United Sorghum Checkoff Program.
9. • continuation of research and production of wheat seed, insecticides and production practices to help control disease and pests in order to maintain and improve current yields and profitability.
- 10.
- 11.
- 12.
13. **We oppose:**
14. • any type of grain compact between states.
15. • the addition of foreign matter to grains.
16. • any practices by grain handling companies that result in a reduction of grain quality.
- 17.

Wildlife **128**

1. **We support:**
2. • legal sports hunting.

3. • the right of landowners, within legal limits, to
4. control hunting and fishing on their land, both un-
5. fenced and fenced property.
6. • research, law enforcement, and educational ac-
7. tivities designed to improve hunting and fishing for
8. this and future generations.
9. • laws and regulations that make it illegal for a
10. person to use a spotlight from a public road, other than
11. onto his own property, except in cases of emergency.
12. • the arrest and removal of all people who disrupt
13. the rights of hunters that hold a valid Texas hunting
14. license and/or permit.
15. • Texas Parks and Wildlife Department leasing
16. rather than acquisition of property to provide public
17. hunting opportunities.
18. • classifying exotic game as personal property and
19. that it not be regulated.
20. • classifying farmed elk in Texas as exotic live-
21. stock.
22. • Texas Legislature's efforts to reverse the quail
23. decline in Texas.
24. • legislation that prohibits public hunting in Texas
25. public streams and riverbeds.
26. • legislation that would exempt all property
27. owners from liability for damages or injuries caused
28. by wildlife, including Africanized Bees, on private
29. property.
30. • clarifying hunter harassment laws so that nor-
31. mal agricultural activities cannot be construed as
32. harassment by a hunter on adjoining property.
33. • an exemption from the Endangered Species Act
34. for those exotic species located in Texas that, although
35. endangered in their native country, are thriving in
36. Texas under private management and ownership.
37. • classifying feral hogs as an invasive species and
38. not as exotic animals.
39. • additional state funding for animal damage and
40. depredation control.
41. • programs of cost share approaches to control
42. deer and/or feral hog damage to crops and/or property.
43. • Texas Animal Health Commission Regulations
44. regarding Chronic Wasting Disease for Native and
45. Non-Native susceptible cervid species.
46. • a 3 percent maximum limitation on the number
47. of deer that have to be sacrificed for the testing of this
48. disease prior to intrastate relocation.
49. • legislation to repeal the law that requires land-
50. owners to purchase hunting and/or fishing license to
51. hunt or fish on one's own property.
52. • all money received from fish and game license
53. fees and park entrance fees shall go to the Parks and
54. Wildlife Department with proper legislative oversight.
55. • rights of private property owners to be recog-
56. nized and respected by the Texas Parks and Wildlife
57. Department by giving greater attention and follow-
58. up on citizens input concerning game laws at county

59. public hearings.
60. • laws and regulations pertaining to hunting,
61. fishing, and trapping seasons, bag limits, license fees,
62. and damages to agricultural properties by hunters
63. and fishermen, trespassers and wildlife to be compat-
64. ible with normal agricultural practices and private
65. property rights.
66. • local landowners notification prior to any trap-
67. ping and translocating of game species.
68. • law enforcement officers protect the rights of
69. hunters on public land.
70. • fine for illegal hunting be increased, and repeat
71. offenders be charged with a felony and automatic fine
72. including full restitution when it applies to damaged
73. or destroyed property.
74. • Texas Parks and Wildlife Department use land
75. acquisition funds for operating, rather than buying
76. more park land, while at the same time closing exist-
77. ing parks.
78. • the hunting season for all game species begin on
79. a Saturday or other first holiday morning and end on
80. a Sunday or other last holiday evening.
81. • the Governor appoint bona fide ranchers and
82. landowners from the white-tailed deer areas of Texas
83. to the Texas Parks and Wildlife Commission.
84. • Texas Parks and Wildlife Commission designat-
85. ing the spring turkey hunting season “shotgun or
86. archery only” for safety reasons.
87. • Texas Parks and Wildlife Department and the
88. Texas Animal Health Commission address disease
89. problems associated with interstate and intrastate
90. shipment of native wildlife, particularly those related
91. to the hunting economy in Texas.
92. • cooperation between landowners to ensure deer
93. blinds, feed, feed plots, and feeders are more than
94. 100 yards from boundary fences for safety purposes
95. without encouraging any new laws.
96. • the closing of the Managed Lands Deer Permit
97. (MLD) season the first weekend in February.
98. **We oppose:**
99. • any designation of exotic livestock animals as
100. an invasive species.
101. • normal agricultural practices, such as top seed-
102. ing, be considered “baiting.”
103. • regulations that require a landowner to pay for a
104. lease license to be able to lease their land for hunting.
105. • regulations that require landowners to have a
106. hunting license to kill feral hogs, coyotes and other
107. non-game animals.
108. • killing of “trophy” deer on Managed Lands Deer
109. Permit (MLD) land with a firearm outside of the dates
110. of the general firearm season set by TPWD.
111. • any efforts that result in conversion of Texas’
112. wildlife to private ownership.

Information

129

1. We recognize the vital importance of accurate crop
2. and livestock reports, market price reports and county
3. agricultural statistics in the marketing of farm and
4. ranch products.
5. **We support:**
6. • programs and appropriations that provide accu-
7. rate and up-to-date marketing information for farmers
8. and ranchers.
9. • an educational program be implemented to edu-
10. cate the general public that we have the safest food
11. supply in the world, and that our economical food sup-
12. ply is a partial result of government farm programs.
13. • programs to educate the public on GMOs and the
14. positive effects on their lives.
15. • TDA including hay quotations with their 800
16. telephone service grain quotes.
17. • public television programs that are devoted to
18. agriculture on a regular basis.
19. • the creation of a statewide Ag Day for schools to
20. recognize the importance of agriculture. This should
21. be in conjunction with National Agriculture Day.
22. • the local water districts, land grant universities,
23. and agricultural extension agencies continuing their
24. roles as educators.

Marketing

130

1. We will work to develop foreign and domestic mar-
2. kets for our agricultural products.
3. **We support:**
4. • the development of a producers protection act to
5. cover agricultural production contracts and legislation
6. clarifying producers' ownership of commodities deliv-
7. ered to a facility and kept in open storage.
8. • farmers' ability to choose arbitration, mediation
9. or a civil trial in any and all disputes between farmers
10. and agribusinesses. We therefore support legislation
11. that prohibits clauses in agricultural marketing or
12. production contracts that require farmers to submit
13. to arbitration and give up rights to mediation or a
14. civil trial.
15. • regulations that provide for prompt payment
16. and/or payment on demand by grain dealers.
17. • adequately bonding of all posted markets, meat
18. packers, processors and farm commodity commission
19. sales offices to protect the consignor and buyer.
20. • checkoffs voted by producers for commodity
21. promotion.
22. • the establishment of a statewide beef checkoff
23. program in the event the national Beef Checkoff Pro-
24. gram should be discontinued.
25. • a state Beef Checkoff Program in an amount to
26. be determined by producers. The Beef Promotion and

27. Research Council of Texas would have the authority
28. to retain all collections in the State or send a percent-
29. age to National Programs according to the following
30. guidelines:

31. 1. Funding produced by a Texas checkoff shall be
32. used for promotion, research and education in Texas
33. and/or;

34. 2. Promotion and education in export markets
35. through programs conducted by the Texas Beef
36. Council or through programs operated by the U.S.
37. Meat Export Federation with direct funding from the
38. Texas checkoff;

39. 3. Any funds in excess of in-state and export needs
40. shall be sent to the Cattlemen's Beef Board for Fund-
41. ing of national programs;

42. 4. No funds from a Texas checkoff shall be used to
43. replace the state share of funding from the national
44. checkoff.

45. 5. Direct funding for research and programs that
46. improve the profitability of Texas beef producers.

47. • the National Beef Promotion and Research
48. Program.

49. • separation of the Federation of State Beef Coun-
50. cils from the National Cattlemen's Beef Association
51. by the appointment of an administrator to oversee the
52. Federation of State Beef Councils.

53. • a corresponding increase for imported boxed beef.

54. • agricultural products be marketed on the basis of
55. uniform standards and grades and that food products
56. be clearly identified by grade in retail outlets.

57. • market agencies, processors and retailers re-
58. flecting the value of quality products through price
59. differentials.

60. • all meat products containing fillers be labeled
61. identifying the filler and the percentage use.

62. • the Texas A&M AgriLife Extension Service in its
63. educational program of improved livestock market-
64. ing procedures, to include revised feeder and stocker
65. grades of cattle.

66. • the TDA requiring individuals who buy commodi-
67. ties and check them for aflatoxin be required to take
68. a second sample when it is requested by the farmers
69. selling the commodities.

70. • the use of Texas grown fruits, vegetables and
71. other products in the federal W.I.C. program.

72. • a producer cooperative beef packing facility in
73. Texas.

74. • tax-free bonds to enable agricultural producers
75. to develop facilities for value-added products.

76. • the TDA "Go Texan" campaign.

77. • wine makers being allowed to market their
78. products at their production sites.

79. • agritourism as an important potential for agri-
80. culture growth.

81. • allowing electronic food stamp benefits to be ac-
82. cepted at farmers' markets.

83. **We oppose:**
84. • any monopolistic practice that would have a
85. detrimental effect on the free market.
86. • any checkoff system when the funds are not
87. controlled by the producers of that commodity.
88. • farmer's market vendors being required to pur-
89. chase a vendor's license from city or county govern-
90. ments.

Research

131

1. **We support:**
2. • continuation and intensification of agricultural
3. research programs, including mechanical, chemical,
4. biological, organic and other methods, to solve current
5. and anticipated problems in agriculture.
6. • efforts to ensure that research done is appropri-
7. ate, necessary, and non-repetitive, and that data be
8. used to do comparative analysis between the different
9. methods for cost effectiveness and practicality.
10. • funds be made available for all agricultural
11. research.
12. • intensive research to improve soil and soil testing
13. methods for Texas.
14. • Texas A&M or TDA developing and operating a
15. state of the art soil testing facility.
16. • increased efforts through biotechnology to in-
17. crease the marketability of our products, solve envi-
18. ronmental concerns and increase net farm income by
19. decreasing input costs and improving product quality.
20. • biotechnology research, labeling and product
21. development.
22. • traditional agricultural research programs.
23. • market research for the use of U.S. guar.
24. • research being conducted at Texas A&M Agri-
25. Life Research facilities throughout the state that is
26. directed towards beneficial commercial agriculture
27. production in the region where the centers are located.
28. • an active advisory committee comprised of lo-
29. cal agricultural producers which offers input to the
30. research center in their area.
31. • research efforts at each Texas A&M AgriLife Re-
32. search center be coordinated among AgriLife Research,
33. USDA/ARS and private research as appropriate.
34. • AgriLife Extension personnel being utilized by
35. AgriLife Research centers to disseminate results of
36. research work to local agricultural producers.
37. • Texas A&M and USDA continuing research for
38. general and specific crop pollination requirements
39. for such crops as hybrid cotton, sunflowers, soybeans,
40. cucurbits, rapeseed and canola.
41. • Texas A&M and USDA continuing applied re-
42. search on alternative crops.
43. • development of affordable desalination of brack-
44. ish, saline and seawater to increase the supply of
45. fresh water.
46. • research and development of heat and drought

47. tolerant seeds.
48. • all private and public universities and USDA to
49. reinstate or expand the oats and wheat breeding and
50. research programs.
51. **We oppose:**
52. • the practice of an entity obtaining exclusive
53. rights to results derived from taxpayer-funded re-
54. search.

AGRICULTURAL REGULATORY PROGRAMS

Agricultural Chemicals **132**

1. **We support:**
2. • educational programs that teach agricultural
3. producers and laborers safe chemical handling prac-
4. tices according to label directions.
5. • continued research and experimentation relative
6. to the use of farm chemicals to promote a viable and
7. productive agriculture.
8. • the safe use and promotion of biotechnology and
9. genetically modified plants which reduce our reliance
10. on chemicals.
11. • the use of sound science for the basis of any re-
12. strictions or bans on the use of agricultural chemicals.
13. • requiring any group that challenges a previously
14. approved as safe chemical to pay for the new test un-
15. less they prove the safety issue to be true.
16. • legislation which provides pesticide authority
17. be placed in state government rather than in other
18. political subdivisions.
19. • lifting of state restrictions on current pest control
20. products used in other states.
21. • the Texas Department of Agriculture issuing
22. a temporary applicators license immediately upon
23. completion of all requirements. No fee or tax should
24. be charged for a private applicators license.
25. • regulations governing application of agricultural
26. chemicals to be workable, effective, and should always
27. be accompanied by an economic impact statement.
28. • state restrictions on farm chemicals not to exceed
29. EPA labels.
30. • reviewing the use of herbicides and chemicals by
31. area, rather than nationwide
32. • requiring regulations and an applicator's license
33. for the use of "restricted use" chemicals in urban areas,
34. households, and yards.
35. • continued research for methods to control weed
36. species that have developed herbicide resistance.
37. • farm chemical manufacturers and dealers
38. providing farmers with a place to dispose of empty
39. chemical containers.
40. • TDA recalling, collecting and disposing of all
41. outdated farm pesticides, with no penalty for posses-
42. sion of these chemicals.

43. • State funding for annual agricultural waste
44. pesticide collection events through TDA or TCEQ
45. throughout the state on a rotational basis at no cost
46. to participants on a strict no-questions-asked basis.
47. • farm chemical manufacturers packaging chemi-
48. cals in returnable, reusable, refundable containers
49. that are permanently marked as to product content.
50. • the creation of a clearinghouse for chemical
51. problems so producers can call in to pinpoint chemicals
52. that are not working.
53. • consistent state and federal record keeping
54. requirements.
55. • continued use of 2, 4-D where it can be safely
56. applied and strict enforcement of chemical laws
57. pertaining to the Butyl Ester form of 2, 4-D after a
58. county's cut-off date.
59. • Lorsban chemical being approved for the control
60. of Russian Wheat Aphid.
61. • "Reflex" chemical being approved for West Texas.
62. • the use of Atrazine for commercial and agricul-
63. tural use only.
64. • the registration of carbofuran granular and liq-
65. uid formulation for the control of wireworms in grain
66. sorghum and corn, and for aphids in cotton.
67. • subjecting imported agricultural commodities to
68. the same agricultural chemical restrictions as applied
69. to domestically produced commodities.
70. • a state requirement that all anhydrous ammonia
71. tow vehicles be equipped with a fully functional water
72. storage container for first-aid purposes.
73. • expanded biological pest control research.
74. • biological pest control programs that are useable,
75. practical and feasible substitutes for chemical controls.
76. • the use and funding of Integrated Pest Manage-
77. ment Programs in the Texas A&M AgriLife Extension
78. Service.
79. • legislation to prevent towns, communities, or cit-
80. ies from regulating or limiting the use of agricultural
81. pesticides.
82. • making available new and "proven safe" pesti-
83. cides by:
84. 1. allowing more use of Fast Track full registration;
85. 2. giving the Texas Department of Agriculture more
86. authority to authorize use of "proven safe" pesticides
87. in emergency situations without waiting for EPA ap-
88. proval; and,
89. 3. making Section 18 authorization good for 18 or
90. 30 months so that the farmer can use it if the same
91. problem occurs the next year.
92. • the revision of current pesticide application laws
93. to be more producer-friendly.
94. • TDA obtaining authority to use a combination of
95. "Arsenal" and "Roundup" for the control of salt cedar.
96. • requiring an applicator to be licensed or certified
97. when applying any aquatic pesticides.
98. • restitution for those who have false claims filed

99. against them for misapplying agricultural chemicals.
100. • any person or entity filing a false claim be held
101. accountable for TDA's cost of testing.
102. **We oppose:**
103. • the EPA or TDA being the main source of infor-
104. mation for restricting or banning pesticides.
105. • the right of TDA to have unrestricted access to
106. private property of farmers and ranchers using the
107. 1080 collar and/or M-44 devices. (Confidentiality of
108. the users should be protected.)
109. • the TDA regulations that are responsible for
110. the rising cost of liability insurance for commercial
111. applicators of agricultural products (chemicals).
112. • farmers and ranchers being held liable for dam-
113. ages arising from the use of any chemical that has
114. been applied according to label instructions.
115. • charging a fee or tax for a private applicators
116. license.
117. • any regulation that would require a permit to
118. apply a chemical for crop protection.
119. • politically mandated buffer zones.

Feed and Fertilizer Law 133

1. **We support:**
2. • a feed and fertilizer control law, with adequate
3. funds, personnel, and enforcement authority to cover
4. all regulations related to ingredients and weights and
5. measure for commercial feeds and fertilizers in bulk,
6. sack or liquid form.
7. • the sale of high aflatoxin corn, cottonseed, and
8. other commodities that have been detoxified within
9. the state as long as the buyer is informed.
10. • the toxicity levels of aflatoxin need to be reviewed
11. and reevaluated.
12. • increased oversight and accountability of the
13. State Chemist and the Texas Feed and Fertilizer
14. Control Service.
15. • the Feed & Fertilizer Control Service Advisory
16. Committee consisting of farmers and ranchers that
17. represent 50 percent of the committee; feed proces-
18. sors who process for their own purposes should not
19. be permitted to represent end users because they
20. neither pay tonnage fees nor are under the jurisdic-
21. tion of the feed law.
22. • Texas Feed and Fertilizer Control Service regula-
23. tions that require feed tags to clearly label ingredients
24. so that kinds of grains, sources of protein, TDN and
25. kinds of roughage will be placed in order of percentage
26. and not labeled by a generic description.
27. • the Fertilizer Control Act provisions for the
28. labeling of fertilizer showing minimum guaranteed
29. analysis, including percentage of water soluble nu-
30. trients; chemical source; elements derived from; and
31. if it is a blended fertilizer.
32. • analysis being made at least quarterly and pen-

33. alty for violations should be severe enough to ensure
 34. compliance.
 35. • the state Feed and Fertilizer Control Service
 36. dealing more effectively with repeat violators.
 37. • tolerances should not be relaxed.
 38. • regulations requiring the calcium content and
 39. solubility of agriculture lime be guaranteed to the
 40. consumer.
 41. **We oppose:**
 42. • cities and counties enacting more restrictive
 43. regulations on fertilizer facilities than state law.
 44. • fertilizer falling under the same regulatory
 45. guidelines as pesticides and other chemicals.
 46. **Ammonium Nitrate:**
 47. **We support:**
 48. • regulations implemented by the Office of the
 49. Texas State Chemist be reasonable and reduce risks
 50. associated with ammonium nitrate storage while
 51. preserving availability.
 52. • regulations that do not limit the availability
 53. and affordability of ammonium nitrate fertilizer for
 54. agricultural use as determined through a compre-
 55. hensive cost-benefit analysis and are promulgated using
 56. negotiated rule making.
 57. • training programs for fire departments in areas
 58. where ammonium nitrate is stored.
 59. • Tier Two reporting for the storage of ammonium
 60. nitrate to the proper authorities.
 61. • the Office of the Texas State Chemist being the
 62. preferred regulatory authority for fertilizer storage
 63. and handling.
 64. • increased research on stabilizing agents for
 65. nitrogen fertilizers.

Plant Diseases and Insects 134

1. **We support:**
 2. • all efforts to eradicate the fire ant and Raspberry
 3. crazy ant.
 4. • controlling fire ants on all government owned
 5. lands.
 6. • state and federal funded research for a control
 7. program for insects and diseases of plants and animals.
 8. • quarantine regulations that control the quaran-
 9. tined plant as well as any host plant.
 10. • a systematic method of reviewing quarantine
 11. parameters and communicating any updates to pro-
 12. ducers in a timely fashion.
 13. • control and eradication of the citrus black fly,
 14. Mediterranean fruit fly, horn fly, white fly and aphid,
 15. Bermuda grass stem maggot, and Hessian fly.
 16. • an effective grasshopper control program in
 17. Texas.
 18. • adequate funding for research of the biologi-
 19. cal control or eradication of the Southern Pine Bark
 20. Beetle.

21. • the efforts of the U.S. Forest Service to control
22. the Southern Pine Beetle by the cut and leave and/or
23. salvage methods on wilderness areas and on all other
24. national forest land in Texas.
25. • increased state and federal research on the
26. control or eradication of the Africanized Bee and the
27. Japanese beetle and dissemination of resulting infor-
28. mation to the general public.
29. • research on Phynatotricul Omnivorum (root rot).
30. • prescribed burning of the CRP land without
31. penalty to the landowner and/or tenant when due
32. to overwintering of insects in Conservation Reserve
33. Program lands.
34. • the Feed & Fertilizer Control Service measures
35. to assure a more uniform and equitable system of
36. testing for aflatoxin.
37. • increased research on genetics and culture prac-
38. tices to reduce aflatoxin and support the approval of
39. Novacil for use on corn intended for livestock feed.
40. • funding for ergot control in grain sorghum.
41. • adequate funding for research, control, and
42. eradication of army worms in Texas.
43. **Karnal Bunt:**
44. USDA should:
45. • work cooperatively with the wheat industry to
46. designate Karnal bunt as a minor plant pest/disease.
47. • set tolerance levels, based on sound science, that
48. are appropriate to each segment of the wheat industry.
49. • sponsor an international meeting of scientists to
50. evaluate the status and strategies for management of
51. the smut and bunt diseases of cereals worldwide, with
52. particular attention to Karnal bunt.
53. • take a leading role in reevaluation of interna-
54. tional policies on the use of quarantines to prevent
55. the movement of cereal smut and bunt fungi, and
56. maintain a research effort on smut and bunt diseases
57. of cereals, including Karnal bunt.
64. • deregulate Karnal bunt and handle it as a qual-
65. ity issue.
66. • continue compensation discussions with the
67. minimum compensation level the same as 1996 and
68. should include harvesters and transporters establish
69. consistent regulations for sanitizing equipment to lim-
70. it the movement of Karnal bunt or any other disease.

Seed Law

135

1. We support revisions of the Texas Seed Law to
2. reflect the following:
3. • stronger enforcement and increased penalties
4. for violators.
5. • the Commissioner of Agriculture be required to
6. publish quarterly a list of violators.
7. • information on the registration or analysis tag
8. should show the year grown and the actual germina-
9. tion, uniformity, and vigor of the seed.

10. • prohibiting the shipment of vegetable plants
11. identified as grown from hybrid seed when the plant
12. is grown from non-hybrid seed.
13. • requiring seed companies to include the results
14. of annual cold germination and vigor tests on the seed
15. tag of cotton and grain sorghum.
16. • protected seed varieties being allowed to be sold,
17. variety stated, between farmers as long as one of the
18. parties is involved in the production of said seed.
19. • farmers being allowed to use or to sell to other
20. farmers, cottonseed grown on their own farm.
21. • regulating the quality and varieties of wild
22. flower seeds in order to prevent the unwanted spread
23. of noxious weeds through seed sales.
24. • requiring all certified peanut seed sold for plant-
25. ing purposes in Texas to meet zero noxious weed seed
26. tolerance.
27. • require germplasm and variety names of seed be
28. stated on the bag and certification tag.
29. • require germplasm and variety names of seed be
30. stated in advertising of seed varieties.
31. • allow the sale of "Bin Run" seed for cover crops
32. (non-harvest use) and livestock grazing.
33. • technology seed fees being prorated based on
34. yield per acre with a cap.

Weed Control

136

1. **We support:**
2. • legislation requiring state and/or county govern-
3. ments to use either mechanical or chemical means,
4. following TDA rules and regulations, to control brush
5. and noxious weeds before they mature on rights-of-
6. way, or allowing adjacent landowners and operators
7. to control weeds and brush when necessary.
8. • legislation requiring state and/or county govern-
9. ments to work with farmers or ranchers who have
10. property adjoining roads allowing them to manage
11. and hay the rights-of-way under contract with the
12. state and/or county governments with guidelines to be
13. followed by the farmer or rancher. If these guidelines
14. are followed, there should not be any liability incurred
15. by the farmer or rancher.
16. • enactment of legislation detailing the respon-
17. sibility of each governmental agency concerned with
18. enforcement of such controls. This legislation should
19. provide for severe penalties for failure of control and
20. for recourse by damaged landowners.
21. • the Texas Noxious Weed Control District Law
22. (VTCA, Agriculture Code, Chapter 78); noxious weeds
23. should include Johnson grass, cocklebur, sunflower,
24. blueweed, thistle and sandbur.
25. • expansion of the field bindweed program to in-
26. clude all affected counties in Texas.
27. • programs to control or eradicate invasive species,
28. including salt cedar.

29. **We oppose:**
30. • Texas Department of Transportation planting of
31. any grass which may be detrimental to adjoining land.
32. • the inclusion of invasive weed species such as
33. thistles in wild bird feed.

LABOR

General Labor

137

1. **We support:**
2. • enforcement of the Texas “right to work” law and
3. recommend that it be added to the state constitution.
4. • the Texas Workforce Commission canceling its
5. cooperative agreement with the U.S. Labor Depart-
6. ment and operating as an independent state agency.
7. • an increase in the minimum number of em-
8. ployees that fall under Texas Workforce Commission
9. jurisdiction.
10. • raising the payroll thresholds used for Workers’
11. Compensation and the Texas Workforce Commission
12. as the minimum wage increases.
13. • replacement of any employee of a state entity or
14. school district as soon as the employee strikes or uses
15. any of the other commonly known weapons of labor
16. unions such as slowdown or call-in-sick techniques.
17. • legislation making unions responsible for their
18. actions in violating their contracts.
19. • true reform of Workers’ Compensation insur-
20. ance laws in Texas including the elimination of Trial
21. de Novo and unnecessary litigation which makes
22. Workers’ Compensation insurance costs prohibitive
23. for employers.
24. • multiple business entities under one ownership
25. which file separate federal employers tax returns, also
26. file separate Texas Workforce Commission quarterly
27. reports.
28. • any agricultural operator working a non-agricul-
29. tural job be eligible for full unemployment benefits.
30. • mandating the Texas Workforce Commission to
31. allow 30 days for an employer that is under their in-
32. vestigation to set a date for them to audit their records
33. at the employer’s place of business.
34. • allowing employers 12-14 days upon receipt of
35. certified mail from the Texas Workforce Commission
36. to appeal an unemployment claim filed against them.
37. • increasing the screening of unemployment ap-
38. plicants by the TWC to prevent collection of unemploy-
39. ment benefits without just cause.
40. • clarification of just cause for termination in
41. which an employer could justifiably terminate an
42. employee and that employee be denied benefits
43. • restricting any unemployed from filing for un-
44. employment claims for 5 years, when that employee
45. files a false claim.

46. **We oppose:**
47. • the creation of a state labor department.
48. • any changes in the present state picketing laws.
49. • mandatory deduction of any tax or membership dues from an individual's pay.
50. • use of union dues or corporation funds for the support of political candidates.
51. • any state or national law and/or regulation mandating hiring on any basis other than ability.
52. • the unionization of public employees.
53. • providing state aid such as welfare and unemployment compensation to workers while on strike.
54. • the hiring or use of minors for the purpose of dispensing or selling materials in heavily congested traffic areas or hazardous areas.
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Farm Labor

138

1. We defend the right of farm workers to organize and bargain collectively without the assistance of federal or state government.
2. We support State laws and regulations concerning farm labor that contain the following principles:
3. • secret ballot elections.
4. • prohibition against harvest-time strikes.
5. • unbiased arbitration of labor disputes, using the concept that the arbitrator shall choose one of the final proposals, or a compromise, of the two parties involved to ensure speedy settlement of the dispute.
6. • prohibition against secondary boycott.
7. • legal recourse for injured third parties.
8. • prohibition against the use of compulsory dues for political purposes.
9. • denial of tax-exempt status to any organization using compulsory dues for political purposes.
10. • prohibition against the Texas Workforce Commissions solicitation of labor for out-of-state jobs.
11. • workers' compensation on a voluntary basis by employers.
12. • a bonding requirement for commercial labor recruiters and their sub-agents with a penalty for violation of any labor recruiting law of \$1,000 or three months in jail for each offense.
13. • provisions for school-age minor employment when employment does not interfere with school program.
14. • a requirement that parents and employers share the responsibility of fulfilling child-labor law requirements.
15. • prohibition against licensing crew leaders.
16. • prohibition against any group of laborers gathering on a producer's property for any reason without producer's consent.
17. **We support:**
18. • legislation to develop a definition of contract labor to include all employees hired for specific, short-
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39. term jobs not normally done by permanent employees.
40. • penalties for fraudulent suits or harassment
41. of farm employers or farm employees by the Legal
42. Services Corporation and/or its agents.
43. • expenses for lawsuits found to be brought for
44. frivolous reasons be paid by the attorney filing the suit.
45. • the use of agricultural labor from foreign coun-
46. tries when local labor cannot be secured.
47. • the exemption of seasonal agricultural employ-
48. ers from the state unemployment compensation law.
49. • an unemployment compensation tax rate for
50. seasonal employees at the lowest Texas Workforce
51. Commission rate if unemployment compensation tax
52. is required.
53. • the retention of the current agricultural exemp-
54. tions from unemployment compensation.
55. • lowering of workers' compensation rates for
56. custom harvesters.
57. • laws that would prevent the Texas Rural Legal
58. Aid from producing and distributing material designed
59. to promote lawsuits against farm employers.
60. • exemption of agricultural wages from state
61. minimum wage laws.
62. • a change from calendar to annual reporting
63. requirements for state unemployment taxes.
64. • a change from quarterly threshold levels to an-
65. nual threshold levels.
66. • increasing these threshold levels to reflect wage
67. inflation that has occurred since the enactment of agri-
68. cultural coverage, and that it be indexed for inflation.
69. • excluding farm and ranch workers from workers'
70. compensation insurance. Until accomplished, we favor:
71. 1. lower rates with a deductible clause for agri-
72. culture.
73. 2. laws being clarified and simplified for agricul-
74. tural workers.
75. 3. exemption of employers with 5 or fewer em-
76. ployees.
77. 4. agricultural employers having the option of
78. either private insurance or workers' compensation
79. insurance.
80. We support the following guidelines to reform the
81. workers' compensation system:
82. 1. The Texas Legislature continues its study to
83. reduce premiums and provide for fair, equitable, and
84. workable agricultural workers' compensation laws.
85. 2. Segregating rate classifications so agricultural
86. employers pay lower rates on hand laborers than on
87. equipment operators.
88. 3. Those agricultural employers otherwise exempt
89. from workers' compensation insurance should not
90. be liable, nor lose basic common law of defense, if an
91. employee gains employment by presenting falsified
92. documents to said employer.
93. 4. Provide for criminal penalties for fraudulent
94. workers' compensation claims.

95. 5. Owners, stockholders and relatives of owners
 96. and stockholders should be exempt from the workers'
 97. compensation act if they choose to be excluded. If they
 98. choose to be excluded, their payroll or employment
 99. should not count towards the minimum payroll or
 100. number of employees before the Texas workers' com-
 101. pensation act takes jurisdiction.
 102. 6. Workers' compensation policies should require
 103. premium payments on a quarterly basis as they accrue
 104. and not demand full payment at time of policy issue.
 105. **We oppose:**
 106. • the formation of a state labor relations board.
 107. • legislation which requires employers to deter-
 108. mine the citizenship or legal immigration status of
 109. employees, or which penalizes employers for hiring
 110. illegal aliens.
 111. • the classification of migrant workers as a sepa-
 112. rate class of labor.
 113. • a state minimum wage law; however, as long
 114. as a state law is in effect, its provisions should not
 115. be more burdensome than the provisions found in
 116. federal wage laws.
 117. • allowing temporary or seasonal workers hired
 118. in agricultural-related industries to file for unemploy-
 119. ment benefits.

TAXES

Tax Structure Generally

139

1. **We support:**
 2. • a more equitable tax structure that requires all
 3. the people to share in the responsibility of supporting
 4. governmental entities.
 5. • the Secretary of State to work with the attorney
 6. general and county tax collectors to utilize the state-
 7. wide voter registration roll to locate and collect from
 8. delinquent property tax violators.
 9. • abolishing the Heavy Equipment Inventory Tax
 10. on equipment for agricultural use.
 11. • a constitutional amendment prohibiting a state
 12. income tax. If the State of Texas adopts an income tax,
 13. all ad valorem taxes should be abolished.
 14. • retaining all agricultural sales tax exemptions,
 15. including current exemptions for food, medical ex-
 16. penses and industry.
 17. • a balanced budget with no increase in taxes
 18. or fees and additional cuts in state spending before
 19. considering increased taxation.
 20. • members of the Texas congressional delegation
 21. co-sponsoring a federal retail sales tax as a complete
 22. replacement for all forms of income, inheritance, Social
 23. Security and Medicare taxation.
 24. **We oppose:**
 25. • retroactive taxes

We support:

- 1.
2. • a legislative review of Section 23.55 of the Texas
3. Tax Code, regarding rollback taxes, to define the intent
4. of the law and evaluate potential impacts to agricul-
5. ture. Depending on review, we support a reduction
6. in rollback taxes for ag valuation that will avoid any
7. negative impacts on agriculture.
8. • repealing, or reducing and constitutionally
9. capping, all property taxes and lowering the current
10. appraisal cap. All increases above the cap should be ap-
11. proved by countywide election. Any new tax should be
12. accompanied by a pro-rata reduction in property taxes.
13. • legislation for property tax relief that allows for
14. the implementation of a voter approved sales tax to
15. help finance voter approved bond issues at the county
16. level. The sales tax would exist for the life of the bonds
17. or until voters recalled in a proper election. This sales
18. tax will be in addition to any existing sales tax.
19. • property tax relief efforts in the State of Texas.
20. • the state constitution retaining, as a permanent
21. provision, assessing for tax purposes agricultural
22. land according to its productive value. Legislation
23. should mandate compliance with agricultural use
24. value provisions by all agencies which levy and collect
25. property taxes.
26. • legislation that would deny the power of eminent
27. domain and taxing authority to development districts
28. until a district referendum has passed.
29. • appraised values reflecting any decreased use
30. and/or value as a result of power lines, pipelines, oil/
31. gas field roads, oil/gas field locations, pipeline facilities,
32. and wind turbines.
33. • taxation of property and assets of public and
34. private utilities by appropriate taxing jurisdiction.
35. • legislation that reduces taxable value and/or
36. tax rate (primarily school taxes) on idled agriculture
37. facilities to a level where the facility can be maintained
38. with the intent of the facility restarting in the future.
39. • apiary be recognized as an agricultural en-
40. terprise and receiving ag valuation on related real
41. property.
42. • all structures and facilities used for producing
43. agricultural income not being valued separately when
44. income method is used to value farms and ranches.
45. • legislation exempting buildings used for the
46. storage or protection of farm equipment, tools, feed,
47. livestock, poultry, animal and poultry waste, and other
48. agricultural supplies from property taxes.
49. • legislation to exempt dairy barn equipment from
50. property taxation and that the dairy barns be taxed at
51. the same rate as other agricultural buildings.
52. • all implements of husbandry remaining exempt
53. from property taxes.
54. • legislation to prevent taxing authorities from
55. applying penalty taxation surcharges whenever roll-

56. back taxation applies to the sale or change of use of
57. agricultural land.

- 58. • reducing the years of rollback tax penalty as-
59. sessed on property that does not change ownership
60. from 5 years to 3 years, or less.
- 61. • no waiting period for property to qualify for ag
62. valuation when it is taken out of ag use and then
63. returned to ag use.
- 64. • Open-Space (1-d-1 forms) for Agricultural Use
65. Appraisal should only be required to be updated when
66. the property has change of ownership or a change of
67. use from agricultural land.
- 68. • Article 8, Section 19 of the state constitution,
69. relating to exemptions for farm products and family
70. supplies, be retained. Orchards should qualify for this
71. exemption.
- 72. • incorporated cities being prohibited from col-
73. lecting city taxes from any area designated as farm
74. and ranch, as long as such land is operated as a farm
75. or ranch.
- 76. • continued ag value designation when agricul-
77. tural use land is annexed into cities while production
78. exists.
- 79. • the present law, as passed by the Legislature in
80. 1983 (SB 969), pertaining to the authority of certain
81. counties should be amended to exempt farm and ranch
82. property.
- 83. • increasing and applying the homestead exemp-
84. tion on all ad valorem taxes. All property taxes on
85. homesteads should be frozen at the age of 65. Due
86. to inflation, these exemptions should be indexed us-
87. ing the local appraisal district calculated inflation
88. index for rising property values. A homestead should
89. be defined as being up to 200 acres, and classed as
90. agricultural land at the owners option, for taxation
91. purposes in this state.
- 92. • legislation to freeze all property taxes for indi-
93. viduals 65 years of age or older on land valued for
94. agricultural use.
- 95. • a uniform tax code for all two-year educational
96. institutions and all other taxing entities that includes
97. a standard \$25,000 homestead exemption and freezing
98. of ad valorem taxes for individuals 65 years of age
99. or older and requirements that constituents of a new
100. taxing districts vote to remain a taxing district of the
101. institution every 5 years.
- 102. • election of appraisal districts' boards of direc-
103. tors and oppose a state appraisal system controlled
104. from Austin. Appraisal districts should be allowed to
105. do only those jobs intended by the Texas Legislature.
106. There should be no statewide or area wide methods of
107. property valuation. Section 5.10 of the Property Tax
108. Code entitled "Ratio Studies," should be repealed and
109. we oppose any effort to require mandatory revaluation
110. in an appraisal district. The Property Tax Assistance

111. Division should continue to serve only as an advisory
112. board to county tax offices. We support legislation
113. eliminating expensive requirements of the Property
114. Tax Assistance Division that affect appraisal districts
115. and favor the 3/4 jurisdiction rule assuring rural ar-
116. eas adequate representation. We support imposing a
117. spending limit on appraisal to 1/2 of 1 percent of the
118. total tax collected from all taxing entities in the district
119. the previous year. Legislation should be passed to
120. place the Central Appraisal Districts under budget-
121. ary control of the county commissioner's court. The
122. Central Appraisal District should provide a worksheet
123. reflecting changes in valuation any time a taxpayer
124. receives a notice of value increase.

- 125. • elimination of the current unelected position of
126. County Chief Appraisal Officer and support the shift-
127. ing of the duties of the Chief Appraiser to the County
128. Tax Assessor/Collector which is an elected position.
- 129. • amending existing legislation to provide for the
130. public election of at least one member of each Ap-
131. praisal Review Board in each appraisal district.
- 132. • legislation that would require any taxing entity
133. to be subject to a rollback if, by either raising the tax
134. rate or raising property values, or a combination of
135. the two, the amount increased exceeds 8 percent. We
136. support lowering the current rollback rate of 8 percent.
- 137. • Timber Price Trends publication used by county
138. appraisal districts for property tax calculations con-
139. tain figures representing at least fifty percent (50
140. percent) of all timber sales, including gatewood prices.
- 141. • modifying the methodology used in calculating
142. the annual growth of timber to reflect a value that is
143. a more reasonable projected rate of growth.
- 144. • the legislation that holds timber land appraisal
145. to no more than the projected growth of timber. For
146. property tax purposes, areas that have been converted
147. to pine plantations and replanted timberland should
148. be valued as unimproved open pasture land for the
149. first 15 years.
- 150. • legislation that would prohibit local taxing agen-
151. cies and appraisal districts from assessing the market
152. value of property on the basis of speculative and
153. theoretical values for subdivision or resort property,
154. and taxing agencies and appraisal districts should
155. be required to use a lower realistic value. Taxing
156. entities and appraisal districts should provide a list
157. of improvements and/or attributes of the properties
158. used for establishing comparative value.
- 159. • any charitable organization having income
160. producing property to be taxed for that property. Any
161. governmental entity or any other tax-free organiza-
162. tion, except houses of worship, as defined by the U.S.
163. Tax Code, acquiring land or property should not be
164. allowed to remove it from its tax roll. The places of
165. worship of churches should be tax-exempt, but all
166. other church-owned revenue-producing properties

167. should be taxed.

168. • state law which allows tax free housing be

169. amended to provide for taxes to be paid to local taxing

170. entities on those projects.

171. • volunteer fire departments being exempt from

172. taxes.

173. • only real property owners should be eligible to

174. vote in bond or property tax elections. These property

175. owners should be permitted to vote in bond or prop-

176. erty tax elections in the voting district in which their

177. property is located, even though this location is not

178. the location of their residence.

179. • legislation which precludes election, appoint-

180. ment, or incumbency to any public office of any indi-

181. vidual who is delinquent in property tax payments.

182. • reappraising property every three years instead

183. of annually.

184. • exempting agricultural land from the higher

185. productive value appraisal at which land registered

186. with TPWD is taxed.

187. • legislation which clearly defines “Ecological

188. Laboratories” in the tax code in order to provide

189. meaningful guidelines to judge the legitimacy of ap-

190. plications for this status.

191. • appraisal districts refunding mistakes in assess-

192. ments that run for multiple years up to a maximum

193. of five years, and the removal of judgment error im-

194. munities from statutes.

195. • an appraisal system which values minerals based

196. on actual value and that is more responsive to move-

197. ments in the market.

198. • an amendment to 23.175 a, b, c, tax statute that

199. delays the initial ad valorem property tax of the min-

200. eral gas pool values for 12 months and also provides

201. a methodology to adjust incorrect valuations, overpay-

202. ments and refunds.

203. • appraisal districts with mineral valuations to

204. inform royalty owners of the appraisal methodology

205. utilized on gas wells prior to the owners meeting with

206. the appraisal staff.

207. • improvement valuations to farm or ranch acreage

208. such as wind turbines, mineral development or other

209. commercial development to revert to ag valuation if

210. the development is abandoned.

211. • reduction of time required for attaining agri-

212. culture or open space valuation on land acquired for

213. agriculture use purposes.

214. • tightening requirements to include regular

215. verification of a legitimate active management plan to

216. qualify for and retain wildlife management valuation.

217. • the Texas Parks and Wildlife working with the

218. Comptroller’s Office to clearly define requirements for

219. Wildlife Co-ops/Wildlife Management Associations.

220. • appraisal districts’ policies that assess stock-

221. ing rates required for an agriculture valuation being

222. determined by the productivity of the property not

223. acreage alone.

224. • land purchased or managed solely for environ-
225. mental conservation, water stewardship, or water
226. production purposes being assessed on current market
227. value.

228. • monitoring and working closely with the State
229. Comptroller's Office to assure that more accurate
230. data is used in determining hunting lease income and
231. expense factors as well as cash lease values, rather
232. than the information presently gathered from sources
233. such as Parks and Wildlife, FSA, NRCS and the Ex-
234. tension. Such data can be obtained at the local level
235. by the Chief Appraiser and the County Agricultural
236. Advisory Committee.

237. • the comptroller's office accepting local actual ag-
238. ricultural production data (income and expense from
239. producing crops and livestock) from each appraisal
240. district when valuating agricultural land, especially
241. when the data can be substantiated.

242. • all production expenses being considered in valu-
243. ation formulas using a ten year average.

244. • persons evaluating farm property having knowl-
245. edge and experience in agricultural land valuation.

246. • appraisal boards appointing appraisal review
247. boards with equal rural representation.

248. • appraisers meeting the following standards:

249. 1. All Appraisers in an appraisal district shall be
250. licensed by the State of Texas.

251. 2. A person seeking certification shall take classes
252. at any college offering the appropriate classes.

253. 3. Passing the State exam shall certify the ap-
254. praiser.

255. 4. No internship shall be required.

256. • property that has not changed ownership or
257. type of ag usage only requiring the owners signature
258. for recertification for ag valuation with the Central
259. Appraisal District.

260. • Farm Services Agency (FSA) certification report
261. being accepted for ag use certification when property
262. has changed ownership or type of ag use.

263. • appraisal districts valuing water wells and septic
264. tanks as part of existing improvements and not as
265. additional value on properties.

266. • appraisal district employees entering private
267. property to make accurate appraisals but, we oppose
268. the practice of appraisal district employees making
269. appraisals without the landowner's actual knowledge.
270. Employees of appraisal districts will obey the Texas
271. trespass law. Any taxing authority that enters any
272. property should have properly identified vehicles and
273. name badges and notify owners of property prior to
274. entering.

275. • school districts continuing to be reimbursed for
276. state mandated exemptions on a dollar-for-dollar basis.

277. • cities buying property for municipal use or for
278. lakes outside their own county being required to pay

279. all taxes that would have gone to the county where
280. the property is located.

- 281. • cities building reservoirs to provide a water supply being forced to pay county and school taxes on land
- 282. inundated where such land, at the time acquired, was
- 283. covered by bonded indebtedness to the extent necessary to retire their proportionate share of the bonded
- 284. indebtedness.
- 285. • any property held solely for investment or
- 286. speculation by any political subdivision of the state
- 287. or state agency, being required to pay a fee equal to
- 288. all applicable property taxes.
- 289. • the appraisal district posting in the local paper
- 290. the average increase in value if the county's property
- 291. values have gone up, to show a real increase in taxes.
- 292. • a property owner that prevails in court against
- 293. a taxing entity in a property valuation dispute being
- 294. entitled to recover all expenses incurred in association
- 295. with the lawsuit, plus compensatory damages,
- 296. if applicable.
- 297. • the Texas Property Tax Assistance Division of
- 298. the Comptroller developing more precise appraisal
- 299. guidelines for the valuation of manufactured homes
- 300. for property tax purposes.
- 301. • legislation that would require taxing and tax
- 302. collecting entities to send receipts by mail to those
- 303. who pay by mail. Taxing entities which do not send
- 304. receipts for taxes paid through the mail should be
- 305. prohibited by law from foreclosing on property for
- 306. non-payment of taxes.
- 307. • Texas Property Tax Exemption for Surviving
- 308. Spouses of Disabled Veterans.

309. **We oppose:**

- 310. • the inclusion of crop insurance payments when
- 311. calculating ag value.
- 312. • two tier tax for homes and other property.
- 313. • any tax on personal property.
- 314. • mandatory listing on county tax rolls of any personal
- 315. property used in the production of agricultural
- 316. commodities.
- 317. • taxation of unmined or unproduced coal and
- 318. other minerals.
- 319. • subjective and/or unrealistically high values
- 320. (such as views, possible building sites/development,
- 321. etc.) being used to set the appraised value of property.
- 322. • clearing of cedar, ashe juniper, and removing dead
- 323. oak wilt, or the installation of a rainwater collection
- 324. system being the basis for increasing the appraised
- 325. values of land by appraisal districts.
- 326. • the Property Tax Assistance Division setting
- 327. out hunting lease income as a separate line item in
- 328. determining agriculture income.
- 329. • farms that border public roads or highways
- 330. being taxed from the center of the roadway. In some
- 331. cases, easements to widen rights-of-way were given by
- 332. owners without compensation. The farm tax bound-
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- 334.

335. ary should be at the road or highway right-of-way
 336. and mineral rights should go with the farm from the
 337. center of the road.

- 338. • the state or appraisal districts being allowed to
- 339. increase value on property with agriculture or open
- 340. space land valuation, including property under wildlife
- 341. management, by changing the calculation methods or
- 342. caps. All property should be individually assessed to
- 343. ensure equal valuation. Adjoining properties should be
- 344. compared to like properties and should not be assumed
- 345. to have the identical value of a neighboring property.
- 346. • any state agency setting property tax values
- 347. higher than a school district's local values if the district
- 348. is in a uniform county valuation unit, as this results
- 349. in lowering the state funding of the school district.
- 350. • all river authorities having the powers of taxa-
- 351. tion.
- 352. • any tax being imposed on the seventeen (17)
- 353. counties in the Trinity River Basin for the purpose
- 354. of construction or maintenance of the Trinity Canal.
- 355. • the taxing entities being allowed to foreclose on
- 356. property because of nonpayment of minimum taxes,
- 357. if the entity fails to send tax statements. For taxing
- 358. districts and entities, if it is the entities fault for not
- 359. notifying the landowner of record that taxes are due,
- 360. then any penalties, collection fees, and interest should
- 361. be waived.

362. During a declared drought or other natural disaster,
 363. selling of livestock, or discontinuance of hay, grain,
 364. fiber or nut production, or receipt of crop insurance
 365. payments shall not result in the loss or change of ag
 366. valuation status for a period of five (5) years follow-
 367. ing the end of the declared drought, or other natural
 368. disaster.

369. The intent of the open space legislation is being
 370. abused by granting open space valuation to unquali-
 371. fied tracts of land. In order to qualify for agriculture
 372. valuation, Wildlife Management acreage must meet
 373. 4 of 7 management objectives.

374. We oppose mandatory disclosure of sales price of
 375. real estate transactions.

Other Taxes

141

1. **We support:**
2. • the Legislature exempting from state sales tax
3. material used in construction of new agricultural
4. barns or material used for remodeling or repairing
5. of such existing barns used for storage of feed or
6. machinery.
7. • the State Sales Tax Exemption of agricultural
8. precision services, subscriptions and agriculture
9. equipment when used exclusively for agricultural
10. purposes. All exemptions should require a Texas Ag-
11. riculture or Timber Registration number.
12. • exempting from sales tax recreational income

13. on agricultural land.

14. • those claiming agricultural exemptions be issued a number from the Comptroller's office to be placed on purchase invoices. The Comptroller's office should take action against businesses which refuse to honor sales tax exemptions for items purchased for agricultural use.

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20. • exempting the tax on the resale of a vehicle on which the state sales tax was paid when purchased new.

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23. • all exempting taxes on fuels and lubricants used for agricultural purposes.

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25. • up to one cent per gallon sales tax on fuels to be returned to the respective counties for county road improvement. The present motor fuel tax refund for non-highway uses should be maintained. We support a tax exemption for clear diesel purchased for off-road use. All fuel tax money should be spent on roads rather than being put in a general fund for other purposes. There should be no tax on vehicle miles traveled as a means of funding new road construction.

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34. • repeal of the state inheritance tax. If the estate tax is not repealed, we support the use of Ag Use/Open Space valuation in calculating the estate tax. In order to preserve private property rights and to facilitate transfer of estates to legal heirs without unreasonable expenses, we favor amending Texas probate laws to simplify the probate process and to reduce the excessive legal fees involved. We recommend the value of agricultural property be valued at the ag valuation used to calculate ad valorem taxes.

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44. • the Texas Legislature allocating the Severance Tax collected on every barrel of oil or condensate produced and sold in Texas as follows: 25 percent to the Permanent School Fund, 25 percent to be divided between TxDOT districts and the counties from where the Severance Tax was derived, and 50 percent to the Economic Stabilization Fund (Rainy Day Fund). TxDOT and the counties will utilize their respective funds to repair the roads being destroyed by the drilling and production activity.

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54. • a refinery tax on petroleum or petroleum products, provided that revenue is used only for financing public school education in Texas with a corresponding reduction in the allowed ceiling of property taxes.

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58. • the Attorney General's office rendering an opinion regarding the purchase of unexpired contracts of persons paid with tax funds and enabling employers to place these persons in other positions.

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62. • a truth in taxation statement from all taxing entities to end misleading statements from the press.

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64. • amending state law to allow an increase of the county sales tax cap to 1%. Increases must be approved by a county referendum.

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67. • the use of sales tax receipts by community economic development corporations to develop and

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69. encourage businesses that will process or add value
70. to agricultural products.
71. • a reasonable increase or indexing of dedicated
72. fuel taxes for construction and improvement of non-
73. toll roads.
74. • Volunteer Fire Departments receiving a tax
75. rebate on fuel.
76. • tax rebates and/or payments to school districts
77. and/or counties for land taken off of the tax rolls by
78. government mandate.
79. • any increase in the state gasoline tax being at
80. least partially allocated to county commissioners
81. courts for the purchase of rights-of-way for roads,
82. because of the importance of farm-to-market roads
83. to rural residents and to agriculture in general. Cit-
84. ies needing additional funds for roads, highways, or
85. other similar improvements should not be permitted
86. to utilize revenues generated by increased motor ve-
87. hicle fuel taxes for these purposes. Such funds should
88. come instead from city vehicle taxes imposed within
89. the city limits.
90. • a proportional share of the tax on aviation fuel
91. being used to repair airports in counties where the
92. tax is paid.
93. • payments to municipalities or entities benefiting
94. from construction of water infrastructure being paid
95. for through sales tax or fees on water and wastewater
96. service.
97. • an increase in local sales tax to finance water
98. projects and for incentives to mitigate harm to en-
99. dangered species.
100. • all public entities handling tax money being
101. required to publish their annual budget requests in
102. column form in their local newspapers.
103. • a public referendum being permitted to roll back
104. any tax increase by any entity.
105. • the people's right to an election by roll back
106. petition when property tax rate increases exceed 8%.
107. • voters having the right of "recall vote" when the
108. Texas Legislature increases our tax burden.
109. • a resolution preventing a taxing entity from is-
110. suing any type of indebteding instruments that would
111. extend beyond the current operating year without a
112. public referendum.
113. • legislation allowing a property owner to vote
114. on bond and tax issues in every political subdivision
115. where he/she owns taxed property.
116. • exempting rural cemeteries from mineral taxa-
117. tion.
118. **We oppose:**
119. • a punitive tax or any consumption restrictions on
120. carbonated sweetened beverages, food, or consumables
121. containing agricultural products regardless of size.
122. • a medical tax on hospital bills to go to a state fund
123. for allocation to hospitals to defray indigent care costs.
124. • the collection of exempt taxes and the subsequent

125. application of taxes for refund of bonding, in order to
126. bypass the refund application.
127. • legislation that would eliminate any of the coun-
128. ties portions of funds from road use, such as road
129. assumption, vehicle registration fee and school funds.
130. • any taxing entity using tax dollars dedicated
131. to a specific purpose for any other purpose without a
132. public referendum.
133. • taxation being used as a method of regulating
134. energy use or of implementing EPA standards.
135. • Legislature allowing taxing entities in the State
136. to grant tax abatements.
137. • sales tax on the sale of seeds and annual plants,
138. the products of which constitute food for human con-
139. sumption.
140. The Subchapter S Corporation is a tool for estate
141. planning and should not have to carry the burden
142. of a franchise tax, since all assets and profits of the
143. Subchapter S Corporation are taxed as individual
144. proprietorships. We propose that all family corpora-
145. tions which derive more than 50% of their earned
146. income from agricultural production be exempt from
147. any franchise and margins tax because farm or agri-
148. culture production income is unable to pass on any tax
149. expense. Retained earnings, also referred to as earned
150. surplus, should be deleted for franchise tax purposes.
151. We oppose any unemployment taxation on an owner-
152. manager of a Subchapter S corporation.
153. We oppose the establishment of Tax Reinvestment
154. Zones (TRZ) unless it is approved through a majority
155. vote of all property owners located within the taxing
156. entity. Prior to a vote, all property owners within
157. the taxing entity should be given advanced written
158. notification by mail of proposed TRZ and its purpose
159. as well as dates of all related hearings and meetings
160. discussing the proposed TRZ.

NATURAL RESOURCES

Energy and Fuels

142

1. **We support:**
2. • the use of nuclear energy as a dependable, eco-
3. nomical and safe source of power.
4. • fully developing fusion nuclear power.
5. • reinstatement of the nuclear breeder reactor pro-
6. gram to provide energy from nuclear waste.
7. • efforts to establish the infrastructure to provide
8. natural gas to all motorized vehicles.
9. • appropriate agencies of state government es-
10. tablishing a high priority for agricultural use of fossil
11. fuels to ensure necessary production of agricultural
12. commodities.
13. • trash and garbage be recycled or used as energy
14. where possible.
15. • the repeal of the regulation against a second

16. liquid draw line on LP gas motor fuel tanks.
17. **We oppose:**
18. • the processing, reprocessing and the production
19. of mixed oxide fuel (MOX) in areas where there is
20. possibility or risk of pollution and contamination of
21. agricultural land, air and groundwater.
22. • any mandatory regulations or fees with the reg-
23. istration or monitoring of above ground fuel storage
24. for farm use.

Renewable Energy

143

1. **We support:**
2. • legislation encouraging renewable energy.
3. • exempting fuel alcohol from state taxes.
4. • eliminating the fuel alcohol percentage require-
5. ments in gasoline.
6. • increased research and development of alterna-
7. tive fuels using agricultural products and by-products.
8. • farm-based renewable energy from wind, solar,
9. geothermal, and biomass sources.
10. • photosynthesis research to help better under-
11. stand how solar energy can be converted into electri-
12. cal energy.
13. • legislation and interpretation of present envi-
14. ronmental law that would classify biofuels (biodiesel,
15. ethanol, and biomass electrical generation) as “green
16. fuel.”
17. • better incentives for the production of renewable
18. energy use.
19. • exempting fuel or energy derived from agricul-
20. ture products and by-products from taxation.
21. • legislation requiring ethanol blends to be used
22. where air quality violations exist.
23. • the creation of a renewable fuel producer as-
24. sessment fund (assessed on each gallon of ethanol or
25. biodiesel produced) to be matched with funds from
26. the State of Texas fuel, ethanol and biodiesel produc-
27. tion account.
28. • the establishment of self-help programs with
29. oversight and administration by the TDA or the Texas
30. A&M AgriLife Extension Service.
31. • legislation that would give landowners in the
32. State of Texas all geothermal energy rights.
33. • new transmission infrastructure for electricity
34. generated from renewable energy sources.
35. • lighting requirements for all temporary test tow-
36. ers for wind generation of electrical power.
37. • allowing landowners to lease and reserve wind
38. interests.
39. • the Public Utility Commission having oversight
40. and bonding authority for the siting and decommis-
41. sioning of wind turbines.
42. • electric companies’ efforts to assist with informa-
43. tion and source contracts for construction and instal-
44. lation of sun or wind energy units that will provide

45. excess energy to be transmitted back to the electric
46. company.
47. **We oppose:**
48. • requiring fuel alcohol to be denatured if it is
49. contaminated during manufacture to the extent that
50. it is unfit for human consumption.
51. • classifying carbon released from energy genera-
52. tion by biofuels as a pollutant.

Utilities

144

1. **We support:**
2. • the Public Utilities Commission (PUC) members
3. be initially appointed by the Governor for a term of
4. four years and subsequently required to run for elec-
5. tion after one term.
6. • a constitutional amendment prohibiting a public
7. utility from passing on to consumers and landowners
8. the costs of expansions and improvements, within
9. reasonable limits.
10. • the following areas of the PUC policies that are
11. currently administrative be enacted by the Texas
12. Legislature to become law:
13. 1. The only hearings held in Austin should be the
14. hearings before the PUC.
15. 2. All public meetings mandated by law for new or
16. increased capacity of any facilities or lines be subject
17. to the Open Meetings Act. The County Judge of the
18. affected county should act as the presiding officer.
19. 3. The County Judge in affected counties should
20. hold administrative hearings on matters of new or
21. alternative structures and/or easement changes.
22. 4. Distances of transmission lines to inhabited
23. structures.
24. 5. A Special Office of Property Owners Advocacy
25. should be created and administrated by the legislature
26. and funded by stockholder-owned utilities.
27. 6. Annual royalty payment should be arrived at
28. in conjunction with damages and initial easement
29. purchase. They should be considered as property that
30. can be passed from landowner to landowner.
31. 7. Utility companies should pay overcharge rebates
32. within twelve months.
33. 8. Utility companies “take or pay” provision should
34. be prohibited.
35. • expansion of the acceptable uses of the Texas
36. Universal Service Fee to include expanding and im-
37. proving broadband internet service in rural areas of
38. Texas.
39. • the wholesale competition provisions of the Pub-
40. lic Utility Regulatory Act of 1995.
41. • allowing any deregulation of public utilities only
42. if access to affordable and reliable service by rural
43. users is maintained.
44. • exempting from regulation transporting com-
45. panies who sell natural gas for agricultural purposes

46. only, and who do not sell or deliver natural gas to
47. urban areas.

48. • action being taken by the Texas Public Utilities
49. Commission to investigate and work toward a reso-
50. lution of the problems of rural telephone service and
51. rural electric service.

52. • revocation of any service area granted to a
53. telephone company if the entire area is not supplied
54. telephone service within two years, or allowing other
55. telephone companies to cross area boundaries to pro-
56. vide the needed service.

57. • amending laws regulating public utilities to
58. provide for competition within a given franchise when
59. the first five years of that franchise shows a 300%
60. business increase.

61. • the Public Utilities Commission granting only
62. those increases in telephone rates that can be justified.

63. • efforts being made to lower intrastate long dis-
64. tance telephone rates to make them more compatible
65. with interstate rates.

66. • the Communications Act of 1934.

67. • keeping the “access charge” for rural telephone
68. co-op and oppose the “bill & keep” concept.

69. • amending the Texas statutes under which the
70. electric cooperatives and rural utilities operate to
71. provide:

72. 1. That an electric cooperative and/or rural util-
73. ity cannot sell all or a major segment of its property
74. without the approval of a majority of its members.

75. 2. That the by-laws of an electric cooperative and/
76. or rural utility can only be amended by the members.

77. 3. That electric cooperatives and/or rural utilities
78. have equal rights with any electric power supplier in
79. rural areas.

80. 4. That electric cooperatives retain the right to
81. serve certified areas assigned to them by the Public
82. Utilities Commission. The right to provide services
83. to these areas should be the sole right of the Board of
84. Directors of the co-op.

85. 5. That cooperatives be permitted to assess a pen-
86. alty charge to utility customers who are delinquent
87. in paying their utility bills.

88. • legislation which holds a utility company liable
89. for any damage caused by the company or its contrac-
90. tor entering private property.

91. • utility companies carrying a performance bond in
92. order to restore a landowner’s property to its previous
93. state. The bond should be increased annually to reflect
94. the increased costs of restoration.

95. • the Texas Legislature passing laws requiring
96. utility companies to follow existing rights-of-way,
97. where possible, with all utility lines. If not, then follow
98. established fence lines.

99. • legislative measures that would allow landown-
100. ers to have the opportunity to negotiate utility right-
101. of-way easements based either on a monthly, annually,

102. or one-time payment option.
103. • requiring TV cable providers to provide the same
104. safety requirements in rural areas that electric coop-
105. eratives and/or rural utilities are required to provide,
106. including safety shields on guide wires on poles with
107. anchors.
108. • legislation requiring removal of abandoned cable
109. TV and telephone cables in rural areas.
110. • enforcement of the uniform minimum height
111. code (22 feet) of all overhead wires over all roadways
112. to allow movement of farm machinery.
113. • installation of all new telephone lines under-
114. ground where feasible.
115. • labeling of any electrical devices containing any
116. toxic substance and being near any home site in such
117. a manner that the individuals near the devices are
118. aware of their contents or the landowner should be
119. notified of their contents.
120. • requiring utility companies to follow all state and
121. pesticide laws when using chemicals on rights-of-way.
122. • legislation giving authority to the Agriculture
123. and Consumer Protection Division of the Texas De-
124. partment of Agriculture to check the accuracy of the
125. natural gas master meters (agricultural use) within
126. the State of Texas as well as the BTU rating of the
127. natural gas so that all consumers within the state can
128. be assured of quantity and quality of the natural gas
129. for which they are paying.
130. • an interim study committee of legislators and
131. agricultural producers using natural gas for irriga-
132. tion to study the inconsistencies of natural gas prices,
133. billing procedures, and methods to notify natural gas
134. users of price prior to use.
135. • a tax on natural gas that leaves the State of
136. Texas.
137. • legislation giving agricultural producers who use
138. natural gas in their production the right to appeal a
139. rate increase.
140. • regulation of electrical energy to control the cost.
141. • requiring utility companies to maintain their
142. rights-of-way.
143. • requiring utility and construction companies to
144. stay within their easements during their work.
145. • giving agriculture producers the right to appeal
146. classifications of electrical meters as residential or
147. commercial.
148. **We oppose:**
149. • exporting natural gas and oil out of the State of
150. Texas for less than it is selling for in Texas.
151. • any deregulation plan that infringes upon the
152. responsibility of electric cooperatives to provide me-
153. tering, billing and other services to their members.
154. Any deregulation plan must be consistent with state
155. and federal policies that encourage and support rural
156. economic development.
157. • public utilities declaring their gifts to charities

158. as an expense when testifying before the PUC for
159. rate increases.
160. • rural users having to pay higher utility fees than
161. comparable urban users.
162. • “add-ons” and other assessments to utility bills.

Environmental Issues

145

1. **We support:**
2. • Texas Commission on Environmental Quality
3. (TCEQ) being independent of the Environmental
4. Protection Agency (EPA) in regulating environmental
5. issues in Texas.
6. • the Public Utility Commission and TCEQ adopt-
7. ing incentives that would encourage utilities to use
8. advanced clean coal technologies.
9. • monitoring of ambient air quality in unclassified
10. areas to determine a base line before any coal-fired
11. power plants are permitted by TCEQ.
12. • the rights of all citizens to complain to their
13. regulatory agencies; however, we vigorously oppose
14. the complainant’s abuse of privilege.
15. • legislation to limit on-site inspections of the same
16. nature by regulatory agencies to one complaint per
17. annum. Thereafter, the complainant should pay for
18. inspection costs incurred by the defendant and agen-
19. cies for the same type complaint, unless the complaint
20. proves to be a permit violation.
21. • false accusation penalties for persons making a
22. false complaint about chemical drift.
23. • legislation that restricts environmental agency
24. powers preventing unnecessary discrimination toward
25. individuals and communities.
26. • the confidentiality of all environmental audits
27. requested by non-governmental institutions of real
28. property. These audits should remain privileged infor-
29. mation between the buyer, seller and lender.
30. • Texas anti-littering laws.
31. • a deposit on aluminum can and glass bottles to
32. reduce litter.
33. • the use of recycled and recyclable products when-
34. ever financially feasible.
35. • the use of agricultural products in the production
36. of biodegradable products.
37. • legislation limiting TCEQ’s ability to enforce,
38. restrict, and/or fine an entity for spilling, dropping,
39. or losing small amounts of petroleum products into
40. the environment during the normal everyday use of
41. agriculture equipment, tools, and lubricants.
42. • the use of prescribed burning as a valuable
43. agricultural management tool to manage vegetation
44. in Texas.
45. • a state-sponsored training program for pre-
46. scribed burning.
47. • the Texas program for Certification of Prescribed
48. Burn Managers.
49. • the use of prescribed burning during the county

50. burn bans provided the burn is conducted by a certi-
51. fied prescribed burn manager or other individual ap-
52. proved by the commissioners' court who has adequate
53. prescribed fire training.

- 54. • research and actions to provide accurate weather
- 55. forecasting and storm detection as a vital aid to farm-
- 56. ing and ranching activities.
- 57. • the setting of a maximum acceptable level of salt
- 58. water in the land as a result of oil and gas production.
- 59. This maximum level should not take into consideration
- 60. naturally occurring salt water levels.
- 61. • TCEQ replacing the Texas Railroad Commission
- 62. as having authority to investigate, remediate, and take
- 63. enforcement action against a person or entity that
- 64. exceeds the maximum acceptable level of salt water
- 65. due to oil and gas production.
- 66. • requiring mitigation land to be managed at the
- 67. highest practicable level.
- 68. • legislation requiring land controlled or monitored
- 69. by Texas Parks and Wildlife or any environmental/
- 70. conservation group be maintained in a manner which
- 71. improves water conservation and diminishes fire risks
- 72. by reducing or removing excess undergrowth and
- 73. thinning forest to an acceptable number of trees per
- 74. acre. Methods to accomplish these goals may include
- 75. prescribed burns, livestock grazing, mechanical and
- 76. chemical control.
- 77. • adequate protection for land owners who own the
- 78. surface rights without mineral rights.
- 79. • an in-depth agriculture impact study concerning
- 80. nuclear weapons assembly plants expansion.

81. **We oppose:**

- 82. • greenhouse gas emissions from energy usage or
- 83. from livestock being considered pollutants.
- 84. • TCEQ issuing permits for new coal-fired power
- 85. plants unless they consider incorporating Integrated
- 86. Gasification Combined Cycle (IGCC) or advanced com-
- 87. bustion technologies along with latest pollution control
- 88. technologies that meet or exceed EPA requirements.
- 89. • a coal-fired power plant disposing pollutants in
- 90. areas that could harm ground or surface water even
- 91. if the plant is permitted with latest technology and
- 92. meets clean air standards.
- 93. • passage of legislation that would give any indi-
- 94. vidual or group the right to sue farmers, ranchers or
- 95. others in cases of claimed environmental pollution
- 96. where the person or persons bringing the suit are not
- 97. directly affected.
- 98. • an individual or entity moving into a farming or
- 99. agriculture production area having the right to sue an
- 100. agricultural producer because of dust, noise, odor, or
- 101. drift, so long as the property has been in production
- 102. prior to the new resident, individual or entity moving
- 103. in to the area.
- 104. • legislation, regulating or taxing "dust" in any
- 105. open-air agricultural operation.

- 106. • TCEQ's Citizen Watch Program.
- 107. • any environmental assessments of rural rights-
- 108. of-way performed by or for public or private utility
- 109. companies, and the release of these assessments for
- 110. public review without the landowner's prior written
- 111. consent.
- 112. • legislation limiting the handling, use and storage
- 113. of oils, oil filters, air filters, gas, diesel or any other
- 114. items needed to operate an agricultural enterprise.
- 115. • weather modification activities and research
- 116. being conducted with full public understanding and
- 117. recognition of possible effects to property in the area.
- 118. We recommend that before any weather modification
- 119. activities take place over any region, landowners of
- 120. that region be given the right to vote on this issue.
- 121. **Uranium Mining:**
- 122. **We support:**
- 123. • TCEQ being the entity responsible for regulating
- 124. uranium exploration, mining, and restoration.
- 125. • due process permit proceedings and approval by
- 126. local commissioners court and groundwater conserva-
- 127. tion districts before any permit is granted.
- 128. • groundwater baseline testing being required
- 129. before any significant exploration is allowed.
- 130. • confirmation of the suitability of an aquifer to
- 131. allow safe mining without the potential of harming the
- 132. groundwater prior to the issuance of any exploration
- 133. permits for in-situ uranium mining.
- 134. • continued monitoring of the aquifer until there
- 135. is no longer a danger of radioactivity.
- 136. • early warning detection wells placed no more
- 137. than 100 feet from the mine in addition to the already
- 138. mandated monitoring wells set at 200 feet.
- 139. • third party monitoring of the wells
- 140. • monitoring reports being sent to the local ground-
- 141. water conservation districts.
- 142. • indemnity funds being made available for use
- 143. by surrounding landowners outside the permit area
- 144. when such landowners are affected.
- 145. **We oppose:**
- 146. • in-situ uranium mining in a drinking water or
- 147. stock water aquifer.

Animal Species Generally 146

- 1. **We support:**
- 2. • farmers, ranchers, and appropriate state employ-
- 3. ees being able to use all effective methods of predator
- 4. control, including the use of steel traps, aerial hunting,
- 5. chemical toxicants, and M-44s, to protect livestock,
- 6. wildlife, poultry and crops.
- 7. • a concerted statewide effort to retain present
- 8. laws allowing the taking of furbearing and other non-
- 9. game animals whose pelts may be of value, and the
- 10. shipment and sale of their pelts.
- 11. • classifying the mountain lion as a predator

12. rather than a game animal.
13. • efforts of state and federal agencies to improve
14. and practice control measures for destructive species
15. of predators, rodents, and pests.
16. • continued adequate funding for predator control,
17. which includes bounties for predators of perishable
18. crops.
19. • federal funding for the USDA Animal Damage
20. Control program and request that more of the ADC
21. funds be utilized at the field level to reduce some of
22. the burdensome administration.
23. • the state and federal government taking action
24. to prevent public lands, parks, military bases, and
25. other government-controlled land from becoming safe
26. havens for predators or any other agricultural pest
27. from which they can stage raids on nearby farms and
28. ranches.
29. • legislation making it a crime and a civil tort to
30. release hogs or other destructive animals into the wild.
31. • state funding for any research or program includ-
32. ing the use of a bounty to control and/or eliminate
33. feral hogs.
34. • the State of Texas developing a comprehensive,
35. multi-agency plan to fight the growing number of feral
36. hogs in Texas.
37. • research on the adverse economic impact of
38. blackbirds, grackles, and other avian pests that leads
39. to their control and/or elimination in both agricultural
40. and non-agricultural areas.
41. • the Texas Department of Agriculture working
42. with chemical companies to obtain a chemical labeled
43. to control the “prairie crayfish.”
44. • any recovery program for endangered species
45. including but not limited to The Edwards Aquifer
46. Recovery Implementation Program which includes
47. landowner and/or producer incentives and avoids any
48. restrictions and punishment that would have a finan-
49. cial impact on the private property owner, including
50. any fees or taxes.
51. • a landowner and/or producer operating private
52. property that is declared habitat for endangered spe-
53. cies should receive adequate annual reimbursement
54. for restrictions placed on the land.
55. • an economic impact study being made and its
56. results considered before declaring any endangered
57. species.
58. • the Texas State Comptroller Office being the
59. lead state agency with responsibility for endangered
60. species issues.
61. • requiring multiple agencies to be involved in any
62. scientific studies, planning, or permitting involving
63. candidate or listed endangered species.
64. • the right of landowners and/or producers or ten-
65. ants to protect themselves, their families, livestock
66. and properties from all predators, or invasive species,

- 67. including those listed in the Endangered Species Act.
- 68. • removal of all poisonous reptiles from any list of
- 69. threatened or endangered species.
- 70. • removal of the Black Vulture “Coragyps atratus,”
- 71. from the protected status of the Texas Parks and
- 72. Wildlife Department.
- 73. • the right of producers to protect their livestock
- 74. from vultures without reprisal from state or federal
- 75. regulatory agencies.
- 76. • legislation to save the Texas oyster industry and
- 77. to protect public health.
- 78. • legislation allowing pet owners to buy the vaccine
- 79. and vaccinate their own pets for rabies.
- 80. • best management practices of evaluating the
- 81. populations of endangered species or candidate spe-
- 82. cies.
- 83. **We oppose:**
- 84. • confiscation of air vehicles of coyote hunters for
- 85. minor violations.
- 86. • the introduction of any species into any area that
- 87. could cause detriment to agriculture.
- 88. • legislation or regulation establishing the clas-
- 89. sification of feral hogs as “game.”
- 90. • legislation that would prohibit or restrict the use
- 91. of dogs as a means of trailing, hunting and/or elimi-
- 92. nation of feral hogs, provided the permission of the
- 93. landowner or landowner s agent has been obtained.
- 94. • Texas Parks and Wildlife Department being al-
- 95. lowed to request listing of any species as endangered
- 96. species.

Animal Welfare 147

1. We support the humane treatment of all animals.
2. We oppose any change to the current animal cruelty
3. laws or licensing that adversely impacts the normally
4. accepted practices or handling of animals.

Real Property Rights 148

1. **We support:**
2. • stronger action through legislation, regulation
3. or otherwise to provide maximum protection for land
4. and water property rights of farmers and ranchers
5. and other landowners in Texas.
6. • legislation to deny public access to navigable in
7. statute rivers, creeks, and streams located within the
8. boundaries of privately held lands. We oppose public
9. use of streambeds located within the boundaries of
10. privately held lands that are navigable by statute,
11. but not navigable in fact.
12. • the right of landowners to sell the development
13. rights, including conservation easements.
14. • a landowner having the option of selling devel-
15. opment rights or an easement versus the loss of title
16. through eminent domain for mitigation purposes.
17. • fair compensation for an agricultural producer if

18. that agricultural producer loses income, productivity
19. and/or the right to own or use property, or property
20. value due to these activities or regulation.
21.
 - the right of property owners to erect and main-
22. tain billboards.
23.
 - the current law protecting the right-to-farm and
24. any reasonable changes which strengthen it.
25.
 - statutory and constitutional protection of farm-
26. ing and ranching practices used in production agri-
27. culture in Texas.
28.
 - the immediate cessation of state government
29. agencies purchasing real estate from non-profit orga-
30. nizations at a profit to those organizations.
31.
 - the removal of tax exempt status for non-profit
32. organizations and require payment of taxes at the
33. appropriate rate when real estate purchased by these
34. groups with tax-exempt dollars is transferred or sold
35. to a government body rather than being donated.
36.
 - no net loss in private land ownership.
37.
 - legislation that would grant ownership to the
38. current owner or adjacent owner of abandoned state
39. and county rights-of-way, or abandoned railroad
40. rights-of-way.
41.
 - the requirement that any governmental agency,
42. or other entity, which establishes a hike and bike trail,
43. ensures protection of adjoining landowners through
44. construction and maintenance of adequate fences
45. and protection from liability issues related to the use
46. of such facilities.
47.
 - allowing all landowners in Texas to have the
48. option of maintaining a fireguard within boundaries
49. of highway rights-of-way and railroad rights-of-way
50. next to their property.
51.
 - limitations on rights-of-way permits and ease-
52. ments requiring that the right be exercised within
53. 5 years.
54.
 - requiring public utility companies to use existing
55. rights-of-way where possible.
56.
 - strict enforcement to prevent trespassing on
57. private property.
58.
 - relief from liability for property owners and
59. lessees for injuries to trespassers on their property,
60. whether their property is posted or not.
61.
 - classifying the unauthorized landing of hot air
62. balloons on private property as illegal.
63.
 - holding all aircraft operators, including military,
64. liable for all damage to livestock and property caused
65. by over flight of the aircraft.
66.
 - establishing a minimum flight altitude to ensure
67. safety of livestock.
68.
 - landowners being able to forcefully remove non-
69. military drones in flight over an owner's land without
70. notice to the operator if the drone is endangering
71. livestock or property.
72.
 - legislation that makes trespassing below the
73. surface of land as well as on the surface of land illegal.

74. • legislation that would exempt all property owners
75. from liability for damages or injuries from wildlife,
76. including Africanized Bees, on private property.
77. • legislation to reduce, limit or eliminate the li-
78. ability on agricultural and/or agritourism operations
79. due to the inherent risks of those operations.
80. • agritourism which includes, but is not limited
81. to: corn mazes, educational farm tours, choose-and-
82. cut Christmas trees, farm animal exhibits or petting
83. corrals, hay rides, bed and breakfasts, on-farm event
84. hosting, on-farm retail markets, pick-your-own fruits
85. and vegetables, winery tours and wine tasting.
86. • a landowner's right of ownership to artifacts as-
87. sociated with archeological and historic sites, when
88. they occur on private land.
89. • the right of property owners to use their property
90. for whatever purpose within the law.
91. • the right of property owners to sell, lease, or
92. donate all or any part of their property.
93. • requiring any buffer around the perimeter of
94. military bases, designed to keep land in production
95. agriculture, be clearly focused on that purpose alone.
96. • any agreements between the military, or its
97. agents, and landowners to be by lease or contract
98. rather than easement, and in terms of years, not
99. perpetuity.
100. • amending Texas probate laws to simplify the pro-
101. bate and to reduce the excessive legal fees involved to
102. preserve private property rights and facilitate transfer
103. of estates to legal heirs without unreasonable expense.
104. • legislation that will provide a remedy for prop-
105. erty owners who have been victimized by erroneous
106. or improper appraisals in inheritance tax and land
107. condemnation cases that will include a course of ac-
108. tion within civil law against such appraisers, including
109. the awarding of compensatory and punitive damages.
110. • state tenancy laws that provide lessees rights of
111. fair treatment but that maintain the property rights
112. of landowners.
113. • legislation which would prevent foreign owner-
114. ship of agricultural land, production units, processing
115. plants and/or warehouses which would result in un-
116. equal and unfair foreign trade advantages.
117. • a requirement for foreign landowners to pay the
118. same taxes required of citizens.
119. • landowners being able to own property to the
120. center of a creek if they hold an appropriate deed.
121. • limiting the Texas Parks and Wildlife Depart-
122. ment's authority for acquisition of agricultural land to
123. voluntary purchases without the use of condemnation,
124. and with authorization from the Legislature.
125. • a property owner's right to utilize resources to
126. preserve environmentally sensitive ecosystems from
127. development.
128. • encouraging the use of Texas Parks and Wildlife
129. and/or U.S. Fish and Wildlife expertise, but it should

130. not be required.

131. • current law that provides landowners with

132. safeguards under the development of regional habitat

133. conservation plans.

134. • any reasonable changes to strengthen the current

135. law to benefit private property rights.

136. • requiring highway departments, utility compa-

137. nies, local, state and federal governments that damage

138. property to notify property owners within 24 hours,

139. post a guard on all fence damage until repairs can be

140. accomplished, and to settle claims within 30 days of

141. occurrence.

142. • legislation giving the Texas Legislature authority

143. to clear up land vacancy issues relieving the property

144. owner from the burden of proof of ownership.

145. • requiring vacancy applicants to assume all

146. expenses related to proving a vacancy, including ex-

147. penses of all parties in an unsuccessful application.

148. • legislation that a vacancy be awarded to the

149. party(s) without charge and no compensation to the

150. “discoverer/finder” in cases where there is “Vacant

151. Land” (unsurveyed, unsold public school land) and

152. the land is held by a “good-faith” party.

153. • divesting occupied land and unoccupied land

154. without title as required by the Texas General Land

155. Office.

156. • landowners, who as good-faith claimants have

157. purchased title and paid taxes on land, having prior-

158. ity standing in ownership disputes between parties,

159. including state or federal governments.

160. • the establishment of reasonable property line

161. setbacks for industrial wind farms by the Public Utili-

162. ties Commission, utilizing input from accredited orga-

163. nizations and approval by property owners’ coalition.

164. • requiring the entity requesting a Dig Test to

165. notify the landowner/operator at least 48 hours prior

166. to digging/excavation.

167. • greater protection and access to information for

168. the landowner/operator under the Dig Law.

169. **We oppose:**

170. • the recreational use of motor driven land con-

171. veyance vehicles on or in any public stream or public

172. stream bed in the State of Texas.

173. • any waters of the State of Texas being desig-

174. nated for any purpose that would adversely affect a

175. landowner, including the American Heritage Rivers

176. Initiative.

177. • any state or federal money being spent on the

178. American Heritage Rivers Initiative.

179. • State and Federal Government efforts to expand

180. the San Bernard Bottom Lands Project on farm and

181. ranch land located in Brazoria, Matagorda, Wharton,

182. and Fort Bend counties.

183. • any activity or regulation by governmental or

184. non-governmental entities that will interfere with the

185. rights and control of private property.

186. • any legislation that assesses adjacent landown-
187. ers for cost of any road construction.
188. • the use of inactive rail beds as hike and bike
189. trails.
190. • public access to private land, including historic
191. or archeological sites, except when specific permission
192. is granted by the landowner.
193. • the use of advanced technologies to collect sur-
194. face and subsurface data without landowner consent,
195. including all aircraft and drones.
196. • burdensome and unnecessary state and/or fed-
197. eral agency regulation of privately owned unmanned
198. aerial vehicles (UAVs) while being used as an aid for
199. agricultural purposes with landowner, and/or tenant
200. authorization.
201. • the use of drones over private property without
202. permission from the land owner, or tenant, except in
203. the case of a public emergency or court order.

Eminent Domain

149

1. **We support:**
2. • landowners being compensated for the value of
3. the natural resources, if the property is being con-
4. demned to acquire those natural resources.
5. • a constitutional amendment prohibiting the
6. use of eminent domain to take private property for
7. economic development purposes, unless it contains
8. unacceptable provisions.
9. • additional protection for the private property
10. rights of landowners when eminent domain is used
11. to acquire property.
12. • legislation requiring those exercising eminent
13. domain to make a good faith offer.
14. • requiring the condemning authority to pay attor-
15. ney fees, appraisal fees, and related costs whenever the
16. offer is challenged and the amount awarded exceeds
17. the initial offer.
18. • adequate time being given to a landowner to
19. allow a satisfactory relocation.
20. • a governmental review to determine the number
21. and kinds of entities that have the right to exercise
22. eminent domain and this review be made available to
23. the public. We encourage the Legislature to consider
24. limiting the number of entities with these powers.
25. • state legislation that would require proper and
26. sufficient notice when legislation is filed that could
27. conceivably grant eminent domain powers.
28. • entities that have eminent domain authority
29. being required to go under sunset review.
30. • having at least two owners of agricultural or
31. open-space land represented on all condemnation
32. courts when agricultural or open-space land is being
33. condemned.
34. • legislation that would provide more adequate
35. compensation to owners of property condemned and

36. taken, including the option of participation or royalty
37. payments and for property rendered less valuable as a
38. result of property being divided, or adjacent property
39. taken in condemnation.
40. • additional annual compensation for a landowner
41. based on its potential revenue produced from addi-
42. tional use of an easement.
43. • an entitlement to landowners that would share
44. in the revenue produced on property lost by condem-
45. nation or easement.
46. • actions requiring that pipeline or utility ease-
47. ments have a minimum content of landowner protec-
48. tions in the initial offer.
49. • the landowner having the option of a lump sum
50. payment and/or annual lease throughout the produc-
51. tion period.
52. • appraisals on condemned land being made public
53. information, so the people involved can be assured of
54. obtaining fair and equitable prices for their land.
55. • property being acquired through condemnation
56. for a stated purpose but not used for that purpose
57. within a two (2) year period, or property which ceases
58. to be used for the specified purpose, being returned to
59. private ownership.
60. • giving the last owner or heirs the first option to
61. buy back condemned property at the original sale price.
62. • legislation requiring complete satisfaction of
63. all financial responsibilities before any construction
64. commences on property or easements taken under
65. eminent domain.
66. • amendment of the existing Texas-enabling
67. process to require review and approval by the county
68. commissioner's court for all federal or state govern-
69. ment land purchases or exchanges.
70. • the reduction of state-owned land.
71. • requiring by law, that any entity acquiring land by
72. condemnation to replace in kind based on actual replace-
73. ment cost, subject to approval by the property owner.
74. • limiting condemnation to only the surface estate
75. when the public purpose can be accomplished by only
76. acquiring the surface, with the minerals and water
77. rights remaining in the possession of the owner.
78. • legislation that would deny the power of eminent
79. domain and taxing authority to a development district
80. until a county-wide referendum has passed in all the
81. affected counties.
82. • Texas Railroad Commission (RRC) establishing
83. and strictly following a meaningful review process of
84. approving Common Carrier Permit applications (cur-
85. rently known as T-4 Form).
86. • Texas Railroad Commission (RRC) verifying
87. information submitted by applicants to ensure those
88. entities accurately meet the legal standards for com-
89. mon carrier status.
90. • a landowner whose property may be or will be
91. affected by a pipeline or utility project receiving notice

92. by certified mail from any company with the power
 93. of eminent domain when their land is identified as a
 94. proposed route.
- 95. • a landowner whose property may be or will be
 - 96. affected by a pipeline project having an opportunity to
 - 97. challenge the common carrier status of any company
 - 98. with the power of eminent domain in a local trial court
 - 99. of jurisdiction and local intermediate appellate court.
- 100. • legislation that would require all entities with
 - 101. the power to obtain property by the right of eminent
 - 102. domain to have all required state and local permits
 - 103. before the acquisition of property can begin.
- 104. • Legislation to add a fee on all products trans-
 - 105. ported through intrastate pipelines established us-
 - 106. ing eminent domain and all revenues generated be
 - 107. directed to state highway repairs and education.
108. **We oppose:**
- 109. • any agency of government using its power of
 - 110. eminent domain without establishing positive proof
 - 111. that there is an urgent and overriding public need for
 - 112. the land that is more important than future produc-
 - 113. tion of food and fiber, and that there is no alternative
 - 114. to taking the land.
- 115. • using the power of eminent domain for recre-
 - 116. ational, environmental or private business, or any
 - 117. non-governmental purposes.
- 118. • statewide legislation which would grant the
 - 119. power of eminent domain to any additional groups
 - 120. or agencies.
- 121. • any unit of government holding an election af-
 - 122. fecting the acquisition of rural property by condemna-
 - 123. tion prior to it having permitted voting by rural and
 - 124. absentee property owner of voting age, if their rural
 - 125. property may be acquired.
- 126. • easements being used for any purpose other than
 - 127. the purpose for which it was originally agreed.
- 128. • the use of eminent domain to acquire land for
 - 129. mitigation.
- 130. • the use of eminent domain to acquire agricultural
 - 131. land for lakes from which the water is allocated for
 - 132. municipal and industrial use only.

Minerals

150

1. **We support:**
- 2. • measures which protect an owner's right to the
 - 3. fullest development, production and benefits of min-
 - 4. erals consistent with sound conservation practices.
- 5. • the Texas Railroad Commission regulating state
 - 6. natural mineral resources, other than sand and gravel.
- 7. • TCEQ having authority over all environmental
 - 8. issues regarding extraction of minerals.
- 9. • legislation requiring state agencies to adopt new
 - 10. practices to assure that land and mineral owners are
 - 11. fully informed regarding hearings and orders on oil
 - 12. and gas field rules, directives regarding pollution, and

13. other actions which directly affect mineral or surface
14. rights. These hearings should be held in the area
15. where the minerals in question are located, and that
16. appeals be heard in the nearest court of jurisdiction.
17. • requiring the Texas General Land Office to follow
18. Texas Railroad Commission rules and regulations and
19. Texas Commission on Environmental Quality recom-
20. mendations concerning the oil and gas explorations
21. and production on state lands.
22. • the Texas Railroad Commission being respon-
23. sible for periodic inspection of casings on all producing
24. wells, oil and gas pipelines, and waste disposal and
25. injection wells.
26. • pipeline carriers being required to adhere to
27. strict policies for checking and repairing leaks in
28. lines and valves as well as in replacing old lines and
29. installing new lines.
30. • the development of mineral and energy resources
31. on federal lands by private enterprises.
32. • legislation to provide the Texas Railroad Com-
33. mission Well I.D. Number as the one identifying num-
34. ber for reference in all jurisdictional agencies inclusive
35. of the ad valorem taxing entities.
36. • legislation reducing the minimum withhold pay-
37. ment from \$25.00 to \$10.00 in a calendar year.
38. • the Texas Railroad Commission Informal Com-
39. plaint Process as the FIRST ATTEMPT in resolving
40. any claim before hiring legal assistance for litigation.
41. We support legislation that allows the mineral owner,
42. when forced into litigation, to recover all reasonable
43. lawyer fees and court costs whenever a well operator
44. and payer are found in violation of Railroad Commis-
45. sion rules and the Texas Natural Resources Code.
46. • legislation that would provide the prevailing
47. litigant treble the award from Small Claims or J.P.
48. Court and treble reasonable lawyer fees and court
49. costs in a case where a mineral owner has prevailed
50. by favorable decision in Small Claims Court or J.P.
51. Court, then, having such favorable decision appealed
52. to a higher court.
53. • legislation that helps protect mineral owners
54. from fraudulent operators, by removing the statute of
55. limitations in the case of fraudulent activities.
56. • price information being plainly exhibited on any
57. payment detail and must accompany the payment.
58. • legislation requiring oil and gas production
59. royalty checks be paid on time in accordance with the
60. terms of respective leases.
61. • legislation providing a minimum damage pay-
62. ment to surface owners where a well may be drilled or
63. a pipeline installed, inclusive of any required surface
64. production equipment for the well and pipeline. Such
65. minimum damage payment should be paid within five
66. (5) working days of commencement of any excavation.
67. • minimum damage payments being made on a
68. per acre basis for the area excavated for a drilling rig

69. and on a by-the-foot basis for pipeline installation(s).
70. Where such minimum payment cannot be agreed
71. upon, then binding arbitration is preferred over
72. litigation; the parties sharing equally in the costs of
73. arbitration.
74. • legislation ensuring that mineral rights sepa-
75. rated from the surface rights return to the current
76. surface owner after 10 years unless the mineral owner
77. is known.
78. • all mineral and royalty rights withheld when
79. land is sold reverting to the surface owner if not
80. claimed within a specified amount of time after be-
81. ing recorded.
82. • all new land sales having a specified time limit
83. on withholding of minerals. After due process of law
84. has been executed to find mineral and royalty owners
85. who have executive rights with their minerals and
86. royalty, at this time the executive rights through court
87. hearing should be returned to the current landowner
88. and the unknown heirs share of proceeds be put in
89. escrow for them to claim.
90. • efforts to clear mineral ownership for certain
91. university fund land held in good faith under color of
92. title for at least 50 years.
93. • regulations from the Texas Department of Insur-
94. ance which make exclusions in title policies regarding
95. mineral rights more conspicuous in order to better in-
96. form the land purchaser of this exception to coverage.
97. • legislation allowing title insurance coverage be
98. made available as an option for mineral rights on land
99. title insurance policies.
100. • a requirement that producers with one or more
101. active oil leases have a minimum of \$1,000,000 in
102. liability insurance prior to drilling and maintain
103. coverage until production ceases.
104. • requiring proof of insurance to secure a drilling
105. permit and to sell oil with no grandfathering of leases.
106. • requiring the lessee to obtain a damage release
107. from the surface owner that includes provisions to
108. reimburse the surface owner for:
109. 1. Damage to livestock.
110. 2. Damage to the surface.
111. 3. Damage sustained because of reduced produc-
112. tion of the land.
113. 4. Damage incurred because of devaluation of the
114. property.
115. 5. Damage resulting from the use of any natural
116. resources other than those for which the lease is
117. executed.
118. 6. Damage resulting from the inability of the sur-
119. face owner to carry on farming or ranching operations
120. as previously conducted.
121. • the following restrictions for seismographic
122. operations:
123. 1. No seismographic permits should be granted
124. without consulting all landowners in the survey area.

125. 2. All seismographic holes should be recorded.
126. 3. All seismographic holes should be either ce-
127. mented, filled with mud or gel before surface capping.
128. 4. All exploration work from aircraft should be
129. stopped.
130. 5. The seismographic operations should be assigned
131. to the jurisdiction of the Texas Commission on Envi-
132. ronmental Quality.
133. 6. Seismic companies should be responsible for
134. damages to the land owner and surface tenant by any
135. company with which they subcontract.
136. • legislation protecting royalty owners in the event
137. of the financial failure of the crude oil gathering or
138. purchasing company.
139. • legislation preventing any oil operator or oil
140. company in violation of Railroad Commission regula-
141. tions from securing any drilling permits by changing
142. the name of the company or by other questionable
143. practices.
144. • legislation granting counties the statutory au-
145. thority to execute a valid oil and gas lease on a county
146. road right of way where it owns a fee simple interest
147. including the mineral estate.
148. • enforcement of the strip mining law and regula-
149. tions to provide full protection for surface property
150. rights and to minimize damages resulting from extrac-
151. tion of subsurface minerals.
152. • regulations requiring sulfur bearing sand should
153. be placed back in the pit near the depth from which
154. it was extracted and surface damage created by
155. strip mining or other mineral and/or sand extraction
156. practices be repaired to restore the land surface to a
157. condition acceptable to the surface owner.
158. **We oppose:**
159. • efforts of federal authorities to regulate our state
160. resources.
161. • any compulsory unitization or pooling of gas or
162. oil acreage.
163. • legislation that would change existing agree-
164. ments between the surface owner and the lessee.
165. • oil and gas exploration, surface pipe lines and
166. seismographic testing from county roads and rights-
167. of-way without consent of adjacent property owners.

Groundwater

151

1. We believe that under common law, landowners own
2. the groundwater in place beneath their land. And, this
3. common law ownership provides the landowner with a
4. vested property right to a fair chance to capture a fair
5. share of groundwater under their land for beneficial
6. use. But, this common law ownership does not give
7. the landowner the right a to specific quantity of water
8. under their land.
9. We also believe in reasonable regulation of this
10. vested property right in groundwater based on valid

11. scientific information to prevent waste, conserve and
12. preserve groundwater, prevent subsidence, and protect
13. the property rights of all landowners.
14. **We support:**
- 15. • landowners having an ownership interest in all
16. groundwater beneath the surface of their land, includ-
17. ing brackish groundwater.
 - 18. • this ownership interest giving the landowner a
19. vested or “constitutionally protected” right to drill a
20. well and produce groundwater; however, we do not
21. believe the ownership interest in groundwater gives
22. the landowner a vested right to a specific quantity of
23. groundwater under their land.
 - 24. • the reasonable regulation of the ownership
25. interest in groundwater beneath the surface and the
26. vested right to produce groundwater while protecting
27. the groundwater resources of the area.
 - 28. • landowners lawfully owning and controlling the
29. groundwater captured on their land.
 - 30. • the common law doctrine rule of capture in ar-
31. eas of the state without a groundwater conservation
32. district.
 - 33. • the creation of locally controlled groundwater
34. conservation districts to manage groundwater where
35. management is needed to ensure the viability of ag-
36. riculture and rural communities.
 - 37. • allowing districts to adopt rules to manage an
38. aquifer based on local conditions, to prevent waste, to
39. preserve and protect the aquifer, to preserve existing
40. and historic uses, to prevent subsidence, and to achieve
41. desired future conditions.
 - 42. • districts adopting rules to manage an aquifer
43. under the correlative rights principle where practical
44. and feasible.
 - 45. • groundwater districts being required to follow
46. established procedures when considering rules or
47. permits to provide landowners a fair opportunity to
48. be involved in the process.
 - 49. • groundwater conservation districts rules that:
 - 50. - are based on the best science available,
 - 51. - promote good stewardship of available water
52. supplies.
 - 53. - allow landowners to exercise their constitu-
54. tionally protected private property right to use or
55. market groundwater and respects a landowner’s
56. right to a fair share.
 - 57. - We support the right of the landowner, user,
58. or groundwater rights owner to petition a ground-
59. water conservation district to initiate a change in
60. the rules.
 - 61. - define brackish water.
 - 62. - apply the same rules and procedures to all
63. groundwater, including brackish groundwater,
64. regulated by a groundwater conservation district.
 - 65. • the authority of districts to prohibit the export of
66. groundwater when the amount to be exported exceeds

67. the amount of groundwater needed for future use in
68. the local area.

- 69. • prohibiting the exportation of groundwater from
70. a local groundwater conservation district until the
71. district has obtained or developed reliable scientific
72. information about the stored supply and recharge
73. characteristics of the district aquifers, and has adopted
74. a management plan and rules.
- 75. • districts being granted specific authority to pro-
76. hibit pumping of groundwater into “vanity ponds” for
77. appearance purposes, and districts being required to
78. prohibit such pumping in a critical groundwater area.
- 79. • groundwater conservation districts evaluating
80. and considering the impact on the rights of all ground-
81. water users and landowners in a manner consistent
82. with the right to a fair share when adopting rules or
83. issuing permits.
- 84. • groundwater wells for domestic and livestock
85. purposes with a maximum capacity of 25,000 gallons
86. per day located on real property of ten acres or more
87. being exempt from regulation by a district.
- 88. • all state lands located within a groundwater
89. conservation district being subject to all rules and
90. regulations of the groundwater district.
- 91. • any person capturing groundwater from any
92. aquifer against which a tax has been levied, being
93. required to pay taxes on groundwater transported
94. from the district.
- 95. • the authority of locally controlled groundwater
96. conservation districts to assess a fee on groundwater
97. captured by a governmental entity who owns the
98. property on which the groundwater is captured, but
99. is exempt from being assessed property taxes by the
100. district.
- 101. • the state assisting districts with the legal and
102. data resources necessary to manage groundwater.
- 103. • the authority of districts to require a permit to
104. export groundwater outside the boundaries of the
105. district.
- 106. • the inclusion of a fee under export permits
107. when needed to mitigate harm caused by the export
108. of groundwater or finance the operation of a district.
- 109. • groundwater conservation districts being allowed
110. to set their own fees for water leaving the district.
- 111. • a streamlined petition process for the creation of
112. a district through the TCEQ.
- 113. • strong agricultural representation on the gov-
114. erning bodies of groundwater conservation districts.
- 115. • the directors of a groundwater conservation
116. district being elected to office by the residents of that
117. district. Board members of a ground water conserva-
118. tion district should keep residence within the precinct
119. of the district they represent. A vacancy should be de-
120. clared if he or she moves from that precinct before the
121. term is up. The board should only be appointed when

122. it is clear agricultural interests will not otherwise be
123. represented on the board.

- 124. • groundwater conservation districts managing
- 125. a common area of an aquifer meeting annually and
- 126. having a cooperative management plan where the
- 127. management practices of the districts can directly
- 128. impact one another.
- 129. • allowing groundwater districts the authority to
- 130. ensure other districts within the same ground- water
- 131. management area do not deplete the aquifer.
- 132. • districts considering the following when adopting
- 133. rules limiting the production of groundwater:
 - 134. - the groundwater available in all aquifers
 - 135. under the district's jurisdiction;
 - 136. - the amount of groundwater available to be
 - 137. produced under the majority of the district; and
 - 138. - the input of the owners or lessees of the
 - 139. groundwater that will be impacted by the rules
- 140. • a meaningful appeals process that allows a
- 141. property owner to challenge a rule, permit, or the
- 142. establishment of a Desired Future Condition of the
- 143. aquifer that will result in unreasonable restrictions
- 144. on a property owner's right to produce groundwater
- 145. or harm investment-backed expectations.
- 146. • Texas Farm Bureau educating members on the
- 147. benefits of creating a groundwater conservation dis-
- 148. trict in certain areas of the state as an option to the
- 149. rule of capture.
- 150. • the following regarding the Edwards Aquifer
- 151. Authority Act:
 - 152. - changes to better reflect the needs of agricul-
 - 153. ture and landowners.
 - 154. - protection of the two acre foot minimum for
 - 155. irrigation and the two dollar acre fee cap for agri-
 - 156. culture in the Edwards Aquifer authority.
 - 157. - amending the EAA Act to give irrigation per-
 - 158. mit holders the right to lease or transfer their full
 - 159. permit to another person for any use.
 - 160. - any feasible methods to aid in the recharging
 - 161. of water aquifers.
 - 162. • State and Federal agencies bearing full financial
 - 163. responsibility to remediate any action(s) that contami-
 - 164. nate groundwater supplies. They offending agency
 - 165. should also bear the cost of providing neutral repre-
 - 166. sentation and technical expertise for affected parties.
 - 167. • exempting hand dug wells less than 50 feet deep
 - 168. from registration.
 - 169. • water districts using observation wells, nozzle
 - 170. packages, hour readings, center pivots, electric and/
 - 171. or gas consumption, or meters to determine historical
 - 172. water usage. All methods should be formulated allow-
 - 173. ing for an efficiency decline of at least 10%.
 - 174. • all "water users" abiding by the rules of the
 - 175. groundwater conservation district, including state
 - 176. agencies, governmental entities, municipalities, and

177. the oil and gas industry.

178. • all groundwater pumped for use in drilling or

179. hydraulic fracturing of gas or oil wells:

180. - be metered at the pump and reported to the

181. Groundwater Conservation District;

182. - have a working check valve at the well head

183. to prevent any water flowing back into the aquifer;

184. and

185. - be properly contained.

186. • the privacy of all information obtained by water

187. districts on specific individuals or farm entities and

188. support that said information be kept confidential and

189. not available for public information release.

190. • all data information being de-identified and ag-

191. gregated before release to any entity or State agency.

192. Producer information should remain confidential

193. and exempted from disclosure from the Freedom of

194. Information Act (FOIA).

195. • groundwater conservation districts receiving

196. notice of and having standing to protest injection wells

197. that may have a detrimental impact on the ground-

198. water resources in the district.

199. • Aquifer Storage and Recovery (ASR) projects that

200. will provide needed water supplies, while protecting

201. the property rights of landowners.

202. • TCEQ permitting ASR projects, but groundwater

203. conservation districts having the authority to monitor

204. ASR projects to ensure there are no detrimental im-

205. pacts to the existing groundwater supplies or private

206. property rights.

207. • all landowners being compensated for drainage

208. of their brackish groundwater in regulated areas.

209. **We oppose:**

210. • any state or federal control, oversight or manage-

211. ment of groundwater including brackish groundwater.

212. • the exportation of groundwater out of an arid

213. region.

214. • mandatory consolidation of groundwater conser-

215. vation districts.

216. • districts should not be required to issue permits

217. for uses outside the boundaries of a district that are of

218. longer term than are issued for in-district uses.

219. • the statute requiring a separate process for per-

220. mitting and regulating brackish groundwater.

221. • assessing landowners a fee or tax for capturing

222. groundwater on their own property, except when nec-

223. essary to fund the operations of a locally controlled

224. groundwater conservation district or for exporting

225. groundwater outside the boundaries of the district.

226. • the classification of any aquifer as an under-

227. ground river that would be regulated by the state.

228. • permitting pumping of groundwater into any

229. water course for the purposes of transporting ground-

230. water downstream.

231. • the use of groundwater to maintain a certain

232. level for amenity lakes.

- 233. • water meters being required on irrigation equipment by TCEQ, taxing entities, or other agencies.
- 234. • any entity being granted sovereign immunity from the rules and fees of a groundwater conservation district.
- 235. • any changes to the Edwards Aquifer Authority Act that will harm agriculture or landowners.
- 236. • districts allowing permit holders to retain full right to historical use of the water changes to some other use.
- 237. • regulations that attempt to prioritize the beneficial uses of groundwater between groundwater users, whether fresh or brackish.
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Surface Water

152

1. **We support:**
2. • diffuse surface water and wetlands being the lawful property of the surface owners of the land.
3. • actions to limit non-essential domestic uses during times of drought.
4. • the right of landowners to utilize the rainfall that occurs or flows on their land for impoundment, irrigation, or other use regardless of prior claims downstream.
5. • agricultural producers and landowners rights to impound a reasonable amount of surface water, up to 200 acre feet, without permit for domestic, livestock and wildlife management use based upon the climate in the geographic location of the impoundment, the degree of intensity of the operation, and the tract size where the impoundment will be located.
6. • the construction of retention ponds to store runoff water to help control flooding and to allow for greater recharge of the underlying aquifers. These facilities should be built through cooperative agreements between willing landowners and governmental entities.
7. • a study on the sale of allocated water rights.
8. • state and regional water planning that takes into consideration future needs for water for agricultural uses, and protects established rights of prior beneficial users of water as well as the riparian rights of landowners.
9. • water for agricultural purposes should be classified as an essential use of water.
10. • actions that assure agricultural producers that their right to water use is guaranteed and that no industrial user be allowed to infringe upon these rights.
11. • agricultural use being given priority over water for recreation, pleasure, environmental and other less beneficial uses, and having the same priority as industrial use.
12. • regulations requiring river authorities and other publicly owned water management entities to manage water in such a way as to maximize the beneficial use of water.
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41. • rules which would require the use and sale of
42. interruptible water by a river authority or public entity
43. be considered an allocation of state water and made
44. in accordance with Texas Water Code section 11.024,
45. referring to preferences of use.
46. • TCEQ having the ability to require municipali-
47. ties and industries to have a conservation plan and
48. implement drought contingency plans when Emer-
49. gency Orders are issued suspending agricultural water
50. rights due to a senior or Priority Call for water.
51. • a water banking system or TCEQ creating an
52. emergency water banking system or fund to ensure
53. that senior water rights are fairly compensated as
54. required by law when the state must temporarily
55. reallocate senior water rights for emergency purposes.
56. • changing the definition of domestic and mu-
57. nicipal use in the Administrative Code to delete
58. recreational and industrial use since they are already
59. listed in statute.
60. • regulations that would require that when reser-
61. voirs are constructed a predetermined percentage of
62. the impounded water should remain in state control
63. to help maintain natural flow history.
64. • local control of use planning for rivers, streams,
65. and the land bordering them.
66. • a standard for classification of “navigable waters”
67. so that the classification has the least impact on pri-
68. vate property rights.
69. • defining navigable waters as continuously mov-
70. ing water with a depth of 24 inches or more.
71. • an administrative process to challenge the des-
72. ignation of a river or stream as “navigable water,” and
73. a process to reevaluate this designation periodically.
74. • small economically efficient dams and reservoirs
75. located closer to the point of utilization or off-channel
76. reservoirs that scalp excess flow during flood events
77. and storing that water either on the surface or in an
78. aquifer.
79. • construction of reservoirs along streams for
80. urban use if the cost of the reservoir is paid for by the
81. users of the water.
82. • more landowner protection when land is con-
83. demned for public reservoirs.
84. • Texas Commission on Environmental Quality
85. and the U.S. Corps of Engineers to consulting with
86. landowners bordering rivers and streams below dams
87. and reservoirs regarding release of water. Water dis-
88. charge should maintain historic normal flow. Excess
89. of flood discharge should be gradual and managed to
90. prevent downstream flooding and erosion.
91. • rules which would require that environmental
92. impact studies on the impact of discharges from dams
93. or reservoirs in excess of 3,000 cubic feet per second
94. on the bed, banks, and streams below the dams or
95. reservoirs. These studies should be done and reported

96. to the riparian stream owners at least every five years.
97. • capturing excess river flow in off-channel reser-
98. voirs to be stored and used provided that:
99. - the off channel reservoirs are filled only when
100. the river basin is deemed by its governing authority
101. to have excess flow,
102. - to the extent possible any land used in con-
103. struction of the off channel reservoirs and other
104. facilities needed be purchased from willing sellers
105. with the seller having the right to request a cash
106. payment or other property in exchange for the
107. land purchased.
108. • voluntary water rights marketing systems that
109. provide maximum protection and compensation to
110. landowners. The Texas Water Bank should remain a
111. voluntary program.
112. • changes to simplify TCEQ's irrigation permit pro-
113. cedures and standardize expiration and renewal dates.
114. • TCEQ initiating the development of a system of
115. irrigation allotment for the middle section of the Rio
116. Grande River which will provide a minimum percent
117. of the yearly amount of water available to irrigate.
118. • legislation which would prohibit water rights
119. that have been canceled or forfeited, from being re-
120. permitted for use outside of the county where the
121. water right was originally appropriated.
122. • compensation or reimbursement for landowners
123. for flood damages caused by an over storage of water
124. in reservoirs controlled by state river authorities, the
125. Corps of Engineers, or others.
126. • the expedited construction of the Allens Creek
127. reservoir project.
128. • legislation that provides funds for the repair and
129. maintenance of current and future levees and flood
130. control structures by federal or state entities. Levees
131. should be constructed, maintained, and repaired to
132. ensure the maximum amount of agricultural land is
133. available to producers. However, we oppose require-
134. ments for surveys of aquatic resources and the devel-
135. opment of relocation plans.
136. **We oppose:**
137. • any legislation or action which would take away
138. the riparian rights of landowners to use water from
139. streams adjacent to or on their property, for essential
140. domestic or livestock uses regardless of the use of such
141. rights in the past.
142. • activities such as irrigation of lawns and water
143. for aesthetics being considered essential domestic
144. uses of water.
145. • modification or canceling of current beneficial
146. users water rights to maintain "instream flow" on
147. segments of Texas rivers and streams.
148. • subjecting current diverters to further test and
149. requirements not currently required by law.
150. • state or federal control of runoff water into non-

151. navigable streams, roadside ditches, or depressions
152. that temporarily hold water.
153. • any legislation that would hinder agricultural
154. producers in obtaining water for their crops and live-
155. stock or that would make the water more expensive.
156. • condemnation of surface water rights, except for
157. domestic, essential municipal, or livestock use neces-
158. sary to sustain life.
159. • reclassification of state water from recreational
160. or instream use to industrial use.
161. • instream flows being served strictly for bays and
162. estuaries, recreation, pleasure or other uses, other
163. than water for livestock, not presently designated as
164. beneficial uses under current water law.
165. • any effort by the state to expand the interpreted
166. definition of the term “navigable water.”
167. • TCEQ assessing individuals an administrative
168. penalty, without due process, for dams constructed on
169. rivers, creeks, or streams the agency later determines
170. to be navigable.
171. • the construction and funding of large reservoirs,
172. dams, channelization and channel realignment proj-
173. ects that create a large loss of tax base, destroy enor-
174. mous agricultural acreage for the advantage of cities,
175. recreation, or other uses of state water detrimental
176. to agriculture, unless the water project would have
177. less of an impact on agriculture and rural Texas than
178. other potential water projects in addressing those
179. water needs.
180. • the forced release of any water from river authori-
181. ties or reservoirs without remuneration.
182. • the planning and further consideration of the
183. CUERO I and SANDIES reservoirs in DeWitt and
184. Gonzales counties and the Goliad Dam on the San An-
185. tonio River in Goliad County and the Marvin Nichols
186. Reservoir in Northeast Texas due to the loss of tax base
187. for the taxing entities in each county and because the
188. intended end-users have not considered all alternative
189. means of additional water sources.
190. • river authorities or other publicly owned water
191. management entities intentionally or unintentionally
192. changing historic water use to solely benefit recre-
193. ational users at the expense of other higher priority
194. water users; however, in the event this happens the
195. recreational users should be required to compensate
196. the water management entity so other alternative
197. water supplies can be developed or conservation
198. measures can be implemented to satisfy the unmet
199. demands of the higher priority water users that have
200. been impacted.
201. • maintaining reservoir levels for recreational
202. purposes instead of flood control or consumptive use.
203. • any inter-basin transfer that would leave the
204. basin of origin with unmet future water needs.
205. • inter-basin transfers unless:

- 206. - a surcharge is required on the transfer to
- 207. provide monies to assist agricultural producers
- 208. with satisfying their demand for water;
- 209. - the receiving basin has implemented a water
- 210. conservation plan;
- 211. - the receiving basin has exhausted all other
- 212. reasonable means of providing their water needs;
- 213. - the receiving basin agree to assist with con-
- 214. servation efforts in the basin of origin;
- 215. - an impact study is conducted and shows that
- 216. the transfer will benefit both the receiving basin
- 217. and the basin of origin and will not negatively
- 218. impact agricultural production, local or regional
- 219. economies or the environment of the basin of origin;
- 220. - the water being transferred is given a junior
- 221. priority date for any inter-basin transfer that
- 222. would harm existing water right holders or third
- 223. party surface water users in the basin of origin.
- 224. • the Rio Grande Water Master failing to designate
- 225. flood flows in the Rio Grande below Falcon Reservoir
- 226. as “No Charge” water when no stored water is being
- 227. released from Falcon Reservoir.

Water Masters:

We support:

- 230. • Water Master programs that:
- 231. - are initiated by water right holders to address
- 232. specific water availability concerns, such as short-
- 233. ages or drought.
- 234. - are limited in scope to encompass the smallest
- 235. geographical area practicable to ensure effective
- 236. management in accordance with the Texas Water
- 237. Code.
- 238. - establishes an oversight body that is represen-
- 239. tative of the water rights held in the program area.
- 240. • the appointment of temporary water masters in
- 241. areas of the state where normal conditions and water
- 242. use do not merit the need for a water master.
- 243. • the termination of a water master program upon
- 244. submittal of a petition signed by a majority of the
- 245. water permit holders in the program area.

We oppose:

- 247. • permanent, basin-wide water master programs
- 248. without the explicit consent of a majority of water
- 249. right holders in a given river basin.
- 250. • any added, basin-wide fees on water right per-
- 251. mits to support a water master program that only
- 252. benefits a small portion of a given river basin.
- 253. • any action(s) by a water master that would ef-
- 254. fectively exempt junior water rights from the doctrine
- 255. of prior appropriation.

Water Management

153

We support:

1. • regional water planning that is balanced between
2. surface water and groundwater and provide the great-
- 3.

4. est benefit to all the citizens of the State of Texas.
5. Prohibiting inter-basin transfers while allowing the
6. exporting of groundwater will not provide that balance,
7. and will harm those dependent on groundwater while
8. benefiting those who use surface water.
9.
 - the appointment of at least one owner of an
10. agricultural production enterprise as a commissioner
11. to the Texas Commission on Environmental Quality
12. (TCEQ).
13.
 - the Texas Legislature specifying the Texas Com-
14. mission on Environmental Quality as the lead agency
15. for water, water quality and wetlands; however, the
16. TCEQ should recommend rather than formulate policy.
17.
 - the establishment of an agricultural division
18. within the TCEQ.
19.
 - state fundings for a “state of the art” water labo-
20. ratory, available to run water samples for individuals
21. on a cost basis.
22.
 - a dedicated source of revenue to fund the state’s
23. share of projects in the state water plan, including an
24. appropriation of general revenue or Rainy Day Funds
25. into a dedicated revolving fund for water infrastruc-
26. ture. This source of revenue should be broad-based and
27. low-cost with minimal effect on agricultural producers.
28.
 - the election of all directors of river authorities.
29.
 - legislation to divide river basins into geographi-
30. cal voting districts, with the directors being elected by
31. the people they serve.
32.
 - all state river authorities being placed under
33. the state’s Sunset Review process for accountability
34. and oversight.
35.
 - all municipalities and water supply districts, in
36. need of water, look into the feasibility of desalination.
37.
 - state and federal assistance for the development
38. of desalination projects.
39.
 - water for agricultural purposes being classified
40. as an essential use of water.
41.
 - expeditious development of brackish and sea wa-
42. ter desalination projects to meet the growing demands
43. of municipalities.
44.
 - state and federal resources being allocated with
45. a high priority to assure a timely availability of this
46. new water supply.
47.
 - state funding of mandatory water programs since
48. regulation and enforcement of state water law accom-
49. plishes a public purpose and is in the public interest.
50.
 - rainwater collection for domestic use and to
51. encourage state and county governments to promote
52. incentives for the use of rainwater.
53.
 - legislative funding of low interest loans and
54. tax incentives to promote water conservation and ef-
55. ficiency in both urban and rural environments, thus
56. preventing waste.
57.
 - reinstating the provisions in the U.S. Tax Code
58. that would allow the Agricultural Water Conservation

59. Equipment Loan Program administered through the
60. Texas Water Development Board to be utilized.

61. • legislation that encourages and supports vol-
62. untary water and land stewardship by providing
63. assistance and incentives to landowners for activities
64. which benefit both urban and rural Texas.

65. • using the most practical water conservation mea-
66. sures available for all above ground sprinkler systems
67. that utilize groundwater as their source.

68. • the concept of importing water into Texas for
69. domestic, municipal, agricultural, commercial and
70. industrial purposes. Imported water should be paid
71. for by the users.

72. • the construction of pipelines or reservoirs being
73. financed by the beneficiaries of the project.

74. • more aggressive programs to improve water
75. conservation and water quality, by increasing both
76. research and investment in removal and control of
77. non-beneficial/non-productive, invasive plant and
78. animal species that consume or impede water flow in
79. our streams, ponds, lakes and estuaries.

80. • the continued programs of brush removal and
81. riparian management that aids in flood control.

82. • intense research on beneficial plant species,
83. animal species and agricultural practices that will
84. conserve water and more efficient methods of apply-
85. ing water, as well as developing crops with low water
86. requirements and creating more efficient methods of
87. dry land farming.

88. • brush control programs that are positive for
89. range, wildlife and livestock management and benefits
90. endangered species and water conservation.

91. • Texas and United States government efforts to
92. solve the problem of Mexico not delivering water to
93. Rio Grande reservoirs as specified in the 1944 water
94. treaty between the U.S. and Mexico.

95. • efforts to ensure that water deliveries to the Rio
96. Grande River and allocations are strictly honored by
97. U.S. and Mexico as stipulated by the 1944 treaty.

98. • federal and state programs designed to allevi-
99. ate hardships to Texas agribusinesses as a result of
100. Mexico's treaty non-compliance, including crop insur-
101. ance APHs (Actual Production History).

102. • financing of improvements to water delivery
103. systems along the Rio Grande River.

104. • the construction of channel dams to prevent loss
105. of water into the Gulf of Mexico.

106. • changes to the Texas Department of Licensing
107. and Regulations rule to enable persons who work on
108. submersible pumps, pump jacks and windmills to op-
109. erate under a single license instead of three separate
110. licenses.

111. • TCEQ providing statistical information about
112. water rates to the water utilities that they regulate
113. and assist in establishing and defending water tariffs.

114. • requiring that all new or amended water right
115. permits, reuse authorizations, or certificates of adjudi-
116. cation be subject to conservation requirements.
117. • requiring municipalities and water utilities that
118. have taxing authority or collect fees for water imposing
119. water conservation measures.
120. • legislation which would require restriction for
121. environmental flows to be considered in re-permitting
122. an existing water right for a new use.
123. • public water utilities restructuring their water
124. rates to promote water conservation.
125. • voluntary soil and water conservation programs.
126. • the use of best management landscape principles
127. to promote water conservation.
128. • legislation requiring “smart controllers” with
129. rain sensors or moisture sensors on all landscape ir-
130. rigation systems.
131. • Texas Water Development Board in its respon-
132. sibility to develop and implement a process for state
133. and regional water planning.
134. • a requirement that all developers assure an
135. adequate water supply for all properties to be sold
136. within their development.
137. • the Board of Directors of local conservation,
138. water, and water control and improvement districts
139. having a voice in retaining qualified personnel at the
140. local level.
141. • reclamation and reuse of water used in hydraulic
142. fracturing in gas and oil drilling and completions.
143. • regulations of water restrictions implemented by
144. municipalities being regulated and enforced to assure
145. the economic stability of production agriculture and
146. agribusinesses.
147. • agriculture having priority over businesses that
148. can sustain mechanical production under water use
149. restrictions.
150. • enabling the Texas Railroad Commission to regu-
151. late the amount of fresh water from aquifers utilized
152. in oil and gas well drilling and hydraulic fracturing.
153. • the Railroad Commission suspending the use of
154. aquifer water, if aquifer levels show critical decline,
155. until normal levels return.
156. • conjunctive use of surface water reservoirs and
157. groundwater resources if a utilization plan is estab-
158. lished that:
 159. - demonstrates that the aquifers can sustain
 160. pumping to meet local needs as well as additional
 161. needs of the project;
 162. - prohibits ground water from being used to fill
 163. a reservoir.
 164. - compiles with the rules and regulations of any
 165. local groundwater conservation district(s).
 166. - contains provisions to terminate or temporar-
 167. ily suspend operations if during the term of the
 168. project significant drawdown of the aquifers occurs.

169. • irrigation districts improving their system to be
170. efficient and prevent waste of water.
171. • municipal re-use and water recycling technolo-
172. gies that do not negatively impact downstream water
173. right holders or the environment.
174. **We oppose:**
175. • municipalities taking over an operating irriga-
176. tion.
177. • legislation that would give municipalities water
178. that is required to sustain agriculture.
179. • any efforts to amend reclamation laws that would
180. negatively affect the priority of water allocation for
181. agricultural use and would reduce the Secretary of
182. Interiors authority to direct water usage.
183. • unfunded mandates for conservation measures
184. for existing (historic) water use.
185. • restrictions on any existing water right holders
186. (historic use) to ensure instream flows.
187. • the release of raw municipal water into bays
188. and estuaries during critical drought periods for any
189. environmental or industrial reason.
190. • compulsory soil and water conservation pro-
191. grams and practices.
192. • any impact fees on lands that drain into a wa-
193. tershed.
194. • the use of fresh water to flood or frac oil-bearing
195. formations if other options are available.
196. • efforts to tax agriculture interests and rural com-
197. munities not directly benefiting from the development
198. of municipal water resources.

Water Quality

154

1. **We support:**
2. • stricter enforcement of laws that will protect sur-
3. face, underground irrigation and domestic water sup-
4. plies from pollution, contamination, and depletion by
5. nuclear waste dumps, solid waste dumps, toxic waste,
6. wastewater sources, strip mining and other mining
7. operations and oil field production and exploration.
8. • reasonable legislation and regulations designed
9. to clean up existing polluted surface water.
10. • a “use attainability analysis” process on all water
11. bodies to determine the appropriate use classification.
12. • legislation which would require state and mu-
13. nicipal government entities to abide by the same water
14. quality standards required of the general public in
15. regard to pollution of surface and underground water.
16. • rules which would require municipalities to draw
17. their water for domestic use no more than five miles
18. downstream from their waste disposal outlet.
19. • well-head protection of all wells to prevent
20. groundwater contamination.
21. • plugging of all abandoned non-producing water
22. wells and capping of all abandoned producing water
23. wells.

- 24. • plugging temporarily abandoned wells if they are
- 25. not returned to production within a five-year period.
- 26. • the Texas Railroad Commission strengthening
- 27. regulations that provide for proper plugging of aban-
- 28. doned oil and gas wells.
- 29. • maintaining the Texas Railroad Commission's
- 30. well plugging fund solely for the purpose of plugging
- 31. abandoned oil and gas wells.
- 32. • efforts to protect and detect chemical and bacte-
- 33. rial contamination of all water aquifers.
- 34. • the Texas Commission on Environmental Quality
- 35. should prove that contamination is harmful through
- 36. proven tolerance levels.
- 37. • the Texas State Soil and Water Conservation
- 38. Board administering the state's agricultural non-point
- 39. source pollution programs.
- 40. • the Texas State Soil and Water Conservation
- 41. Board being the permitting agency for non-contested
- 42. agricultural air and water permits.
- 43. • the evaluation and use of constructed wetlands
- 44. as a water purification method and TCEQ to consider
- 45. these systems as an alternative to "no discharge"
- 46. permits.
- 47. • the collection of water quality drainage fees by
- 48. municipalities to retrofitting existing developments
- 49. with water quality control structures that meet the
- 50. standards required in new developments. In areas be-
- 51. ing retrofitted, no listing of any aquatic species should
- 52. be listed for protected status for a minimum of three
- 53. (3) years following the completion of the project.
- 54. • property owners not being liable for the content,
- 55. quality, and quantity of water injected or stored un-
- 56. derground by a third party when it is injected below
- 57. or adjacent to the owner's property.
- 58. • adopting water well drilling, regulations prohibit-
- 59. ing commingling of water in the same well bore, unless
- 60. allowed by the local groundwater district.
- 61. **We oppose:**
- 62. • chemical or nuclear waste injection wells in the
- 63. State of Texas.
- 64. • regulations that unfairly target nutrient runoff
- 65. from agricultural operations but ignore non-agricul-
- 66. tural contributors.
- 67. • the use of fresh water for water flood aspects of
- 68. oil production.
- 69. • designation of any body of water as Outstanding
- 70. National Resource Water (ONRW).
- 71. • the Coastal Coordination Council usurping local
- 72. and state agency rule-making authority or directly or
- 73. indirectly infringe on personal property rights.

Waste Disposal

155

- 1. **We support:**
- 2. • state research to develop safe methods of dispos-
- 3. ing of any hazardous materials.

4. • a comprehensive revision of legislation dealing
5. with radioactive wastes and toxic chemical wastes
6. subject to state control. The legislation should include
7. understandable language and definitions of chemical/
8. toxic wastes, with comparisons of exposure to market
9. available products. Such revision should include:
10. - Provisions for permanent disposal of low level
11. radioactive and toxic chemical wastes.
12. - Strict regulation of transportation of hazard-
13. ous waste by truck on Texas highways.
14. - Strict regulation of transportation of hazard-
15. ous wastes by train on Texas railways.
16. - Specific parameters of acceptable sites for
17. facilities based on geology, climate and population.
18. - Provisions for maximum local control in the
19. establishment of sites for such facilities.
20. • each state assuming complete responsibility for
21. its own radioactive waste disposal.
22. • requiring a public hearing prior to the estab-
23. lishment of a hazardous material disposal site in the
24. county of the proposed site. All property owners within
25. 10 miles of the site should be notified of the hearing.
26. • public hearings being advertised in all county
27. or city publications, radio and electronic media in the
28. county for a minimum of 3 consecutive weeks imme-
29. diately prior to the hearing.
30. • legislation to limit the amount of radioactive
31. waste that could be stored on the generating plant
32. site. No additional sites should be approved by the
33. state until legislation is revised.
34. • legislation that would prevent radioactive and
35. toxic waste dumps from being placed on or beneath
36. productive agricultural land and in areas with large
37. underground water reservoirs.
38. • financial compensation being paid when a farmer
39. or ranch is adversely impacted by an entity operat-
40. ing a facility that processes, manufactures, stores or
41. disposes of hazardous, toxic, or radioactive waste, or
42. any other material that may pose an adverse impact
43. on the economic well-being of agriculture.
44. • county governments having the authority to limit
45. the disposal of toxic and industrial wastes within the
46. geographical boundaries of the county. The citizens
47. of the county should decide the limit of such disposal.
48. • making the generators of waste responsible for
49. its proper disposition.
50. • a method for solid waste management services
51. that would benefit all persons in the state. These ser-
52. vices should be cost effective, environmentally sound
53. and locally accessible.
54. • coordination between local governmental sub-
55. divisions to develop plans to minimize the amount of
56. solid waste to be disposed.
57. • regional solid waste management facilities when
58. the operation of a local waste management facility is

59. not economically feasible.
60. • recycling of waste products over other means of
61. solid waste management.
62. • phasing out the landfill disposal of toxic chemi-
63. cal wastes and providing incentives for industries to
64. implement resource recovery projects.
65. • regulations requiring substantial bonding for
66. toxic disposal sites.
67. • the Texas Commission on Environmental Qual-
68. ity moving expeditiously to hold hearings for “Part B”
69. operating permits.
70. • required monitoring for any hazardous waste
71. facility that handles material proven to be harmful to
72. human health, air, water, or agricultural land.
73. • incentives for industry to reduce the disposal
74. of toxic or hazardous wastes, including recycling,
75. biological, chemical, or physical treatment, or force
76. decomposition, so as to immobilize, detoxify, or destroy
77. a material’s hazardous state.
78. • manufacturing processes and rewarding alterna-
79. tive technologies that reduce hazardous waste produc-
80. tion at their source.
81. • an annual per ton fee on the incineration, injec-
82. tion, and landfill disposal of hazardous waste that is no
83. lower than similar fees charged by contiguous states.
84. These fees should be placed in an interest bearing
85. “superfund” for the sole use of monitoring and cleanup
86. of abandoned or disposal sites.
87. • legislation that exempts from liability individu-
88. als or farm and ranch corporations who become owners
89. of real estate found to be contaminated with toxic sub-
90. stances if pollution took place prior to their ownership.
91. • research and promotion by Texas A&M AgriLife
92. into the use of constructed wetlands in place of drain
93. fields for septic tanks and facultative lagoons for dis-
94. posal of wastewater.
95. • cooperation and compliance with the state law
96. on sewage disposal; however, we favor repeal of that
97. portion of the law requiring the licensing and taxing
98. of homeowners for septic tanks.
99. • legislation or regulations that allow property
100. owners with more than 25 acres to dispose of site
101. generated non-hazardous household waste on site and
102. be exempted from Type III municipal waste disposal
103. permit requirements.
104. • the use of biodegradable disposable diapers in-
105. stead of non-biodegradable diapers.
106. • the “Don’t Bag It” lawn maintenance program of
107. the Texas A&M Extension.
108. • rules and regulations concerning the application
109. of municipal sludge on agricultural land that are based
110. on sound science and environmental testing. Agricul-
111. tural land values and surface or underground water
112. must not be adversely impacted by these practices.
113. • establishing an on-going research program to

114. evaluate and verify the relative safety of applying
115. municipal sludge to agricultural lands for beneficial
116. use, and to include agronomic value in the beneficial
117. use determination.

- 118. • site-specific buffer zone requirements for lands
119. receiving municipal sludge that take into account rain-
120. fall potential, topography, hydrology, leaching potential
121. and other factors such as proximity to residences or
122. public areas. The TCEQ should ensure that Land Ap-
123. plication Sites do not have abandoned or uncapped
124. water wells on application sites.
- 125. • the development of a more efficient method of
126. supervising water flood, injection and salt water sites
127. by the Texas Railroad Commission.
- 128. • the Oil and Gas division of the Texas Railroad
129. Commission giving equal consideration to landown-
130. ers and oil companies in carrying out the laws and
131. regulations of Texas.
- 132. • vigorous prosecution of all firms, especially
133. vacuum truck service companies, which dispose of
134. salt water on land, in public road ditches, or in any
135. manner other than that prescribed by law. All fluid
136. wastes derived from oil and gas production, including
137. salt water, brine, and other injectable wastes, should
138. be disposed of in a disposal well.
- 139. • the Texas Railroad Commission increasing the
140. fees on salt water disposal wells in order to more
141. closely inspect and police these wells.
- 142. • Texas Railroad Commission increasing the one-
143. fourth mile radius check for domestic water wells or
144. oil and gas wells at proposed locations of injection and
145. disposal wells.
- 146. • the following regarding oil and gas waste dis-
147. posal wells:
 - 148. - appropriate limitations on the injection pres-
149. sure;
 - 150. - dams constructed around salt water storage
151. tanks;
 - 152. - watchmen 24 hours a day;
 - 153. - limitation on injection to depths below any
154. water formation which will artesian to the surface;
 - 155. - gauges in well to detect drops in pressure,
156. warning of possible seepage; and,
 - 157. - casing placed and cemented to the depth
158. of disposal (for greater protection, the injection
159. pipe should be cemented within the casing and
160. cemented entirely when abandoned).
 - 161. - casing of temporarily abandoned wells and
162. plugged wells that will be used as water injection
163. wells or disposal wells, should have mandatory me-
164. chanical integrity tests performed and witnessed
165. by the Railroad Commission before the well is put
166. into production, and tested annually thereafter
167. on active wells.
 - 168. - regardless of the regulatory hydrologic sepa-
169. ration requirements, disposal wells should not be

170. placed within five miles of a city limit.
171. - the Texas Railroad Commission requiring the
172. operator of an injection or disposal well to notify the
173. landowner should any casing test result in a failure.
174. - water disposal wells, commercial disposal
175. wells be tested at least twice a year and make it
176. mandatory for the proper representative from the
177. Railroad Commission to be present.
178. • notification of property owners within 5 miles
179. of a proposed disposal well (fluid wastes from oil and
180. gas drilling and production) by certified mail of permit
181. hearings. Notice of hearings should also be published
182. in the appropriate newspapers in the area of the
183. county of the proposed well sites, and the permit hear-
184. ings should be located in the county of the proposed
185. disposal well location.
186. • “disposal units” being established for disposal
187. wells.
188. • property owners with acreage in an oil and gas
189. production unit being compensated when depleted
190. strata are utilized as disposal wells. Compensation
191. should be based on unit disposal and the units should
192. be comparable to those established for production.
193. • reinstating the used tire disposal program in
194. Texas.
195. • the “Ag Chemical Waste Collection and Recycling
196. Days” and the inclusion of spent tractor tires, tracks,
197. and irrigation polypipe.
198. • an affordable disposal fee for used tractor tires
199. and tracks.
200. • a refundable deposit on 30 gallon chemical drums
201. and 5 gallon oil buckets to encourage recycling by
202. consumers and reuse by chemical and oil companies.
203. **We oppose:**
204. • the storing of out-of-state radioactive waste or
205. other out-of-state radioactive by-products in Texas.
206. • electric utility dump sites being financed with
207. public funds.
208. • condemnation of private lands for the disposal
209. of radioactive wastes.
210. • issuing permits to chemical waste companies in
211. flood plain areas.
212. • the location of commercial hazardous and toxic
213. waste disposal sites in areas where a threat exists to
214. the quality of nearby surface waters.
215. • the landowners being held responsible for the
216. cleanup expense or fines levied on trash that was not
217. generated by the landowner.
218. • the Texas Commission on Environmental Quality
219. being the benefactor of proceeds from sanitary landfills
220. while at the same time approving applications. This
221. is a conflict of interest.
222. • out-of-state waste materials coming into the
223. state.
224. • property owners being held accountable for

225. contamination of disposal pits where a hazardous
226. waste was deposited prior to a chemical being clas-
227. sified a hazardous waste. No fines should be levied
228. against property owners and the state should pay all
229. cleanup costs.
230. • grease and grit trap waste being land applied
231. under a “beneficial use determination,” or being mixed
232. or blended with other sludge unless it is capable of
233. meeting Class A or Class AB requirements for ben-
234. efiticial use as per TAC 312.
235. • being charged a disposal fee for tires or batteries
236. if a dealer is not in possession of tires and batteries
237. that are in need of disposal.

Agricultural By-Products 156

1. **We support:**
2. • the use of sound science by state agencies in
3. evaluating methods to best manage agricultural by-
4. products. Solutions must be workable and practical.
5. • allowing private landowners to utilize sludge and
6. animal waste as fertilizer.
7. • requiring all livestock and poultry operations
8. permitted by the Texas Commission on Environmental
9. Quality, be inspected periodically to assure compliance
10. with, and understanding of, laws and regulations.
11. • any newly planned facilities requiring such per-
12. mits should have site selections and engineering plans
13. drawn and approved before construction begins, and
14. all work completed and approved before the facilities
15. are placed into use.
16. • packing plants being required to dispose of ani-
17. mal wastes and by-products in a manner that is not
18. offensive in the neighboring area.
19. • the reasonable and consistent regulation of
20. animal feeding operations and the wastes generated
21. on those facilities in a manner that is protective of
22. the state’s water resources and economically feasible
23. for operators.
24. • new regulations for animal feeding operations
25. being phased-in to allow livestock and poultry opera-
26. tions to address their individual situations over time.
27. • state/federal cost-sharing, low interest loans,
28. grants, and tax incentives to help animal feeding
29. operations comply with new or changing regulations.
30. • local innovation and ideas to meet or exceed
31. published guidelines for animal waste management.
32. • the TCEQ setting reasonable standards for the
33. land application of livestock and poultry manure on
34. permitted facilities that are regulated by the agency.
35. **We oppose:**
36. • arbitrarily defining agricultural wastes and by-
37. products as hazardous waste.
38. • national standards for pollution control. Pol-
39. lution control standards should be developed at the
40. state and local level.

Farm-to-Market Roads

157

1. **We support:**
2. • a significant increase in the state road building
3. and maintenance program of farm-to-market roads,
4. rights-of-way, and rural highways. Any increase in
5. gasoline tax should result in a proportional increase
6. in farm-to-market system allocation.
7. • using available funds from the Economic Stabi-
8. lization Fund (Rainy Day Fund), composed of oil and
9. gas severance taxes, to be added to the highway fund
10. for maintenance of roads affected by energy produc-
11. tion activities
12. • all signs, safety rails and mail boxes placed in the
13. rights-of-way should allow room for passage of farm
14. machinery without creating hazardous conditions.
15. • farm-to-market roads in urban areas should be
16. redesignated as state highways and not receive money
17. allocated for farm-to-market roads. TxDOT should
18. repair bridges and road shoulders in a timelier man-
19. ner. Farm-to-market roads converted to state highway
20. status should retain their intended purpose, the move-
21. ment of farm products and equipment.
22. • roads listed on the state transportation infra-
23. structure system should be maintained by TxDOT.
24. • a decision by TxDOT to downgrade any paved
25. roads should not be made prior to a public hearing and
26. involving local community officials and weekly local
27. public notices at least three weeks prior to the hearing.
28. • the Texas Legislature to adopt laws that al-
29. low all farm-to-market and ranch roads to have free
30. crossovers on concepts like the Trans-Texas Corridor.
31. **We oppose:**
32. • TxDOT converting roads from asphalt pavement
33. to gravel or emulsified (high-end gravel mixture, oil
34. and rock combination or caliche) surface.
35. • depleting FM road funds by matching federal
36. funds to be used only on U. S. highways.
37. • shifting maintenance of farm-to-market roads
38. from the state to counties.

Highways

158

1. We believe that the primary responsibilities for
2. the construction, maintenance, locating and policing
3. of highways should remain with the state and the
4. following steps should be taken to improve the states
5. travel system:
6. 1. A blank space for blood type information should
7. be provided on drivers' licenses.
8. 2. Fire guards should be maintained where needed
9. on highway rights-of-way.
10. 3. We support adequate mowing to ensure the safety
11. of drivers and minimize fire hazards by adequate

12. control of vegetation and appropriate use of herbi-
13. cides to adequately control undesirable vegetation,
14. providing there are not herbicide sensitive crops in
15. adjacent fields.

16. 4. Local governments should be able to voluntarily
17. partner with the state in the purchase of rights-of-way.
18. Seismograph of state and county owned rights-of-way
19. should not be permitted.

20. 5. The TxDOT should be required to notify all abut-
21. ting landowners by registered mail of a hearing for
22. acquiring more rights-of-way for existing highway or
23. for the construction of new roads.

24. 6. For new highway construction, any property
25. designated as a Heritage Farm or Ranch by Texas
26. Department of Agriculture should be treated in the
27. same manner as other protected historical, archeologi-
28. cal or cemetery sites.

29. 7. When federal, state, or county highways, with
30. restricted or controlled access are constructed, we
31. support legislation requiring underpasses sufficient
32. for moving livestock between the divided property. If
33. this is not economically feasible, the landowner shall
34. be fairly compensated for damages. We also urge
35. the legislature to require TxDOT to plan adequate
36. turn-arounds for agricultural producers to cross these
37. restricted highways.

38. 8. New highway construction should protect land-
39. owners from drainage problems created by construc-
40. tion.

41. 9. Off-road agricultural equipment should not be
42. licensed.

43. **We support:**

44. • repealing or amending the TxDOT rule punish-
45. ing landowners for controlling vegetation on adjacent
46. state rights-of-way.

47. • legislation that will require the design of by-
48. passes to include easy access of motorists to the com-
49. munities being bypassed.

50. • TxDOT maintaining the right to set interstate
51. highway speed limits.

52. • all navigable streams and county or state roads
53. which pass through any national preserve, wilderness,
54. or other federal public lands remain open and under
55. the jurisdiction of the county or state respectively.

56. • TxDOT's efforts to redesignate and transfer
57. maintenance of city streets which were once a part
58. of the Texas transportation system but have been
59. bypassed to the point that they are primarily or
60. exclusively used for city traffic and are no longer a
61. reasonable part of our cross country highway system
62. or Farm-to-Market Road system.

63. • any county containing a tollway project should
64. have representation on the governing body of the
65. tollway authority.

66. • our state legislature passing a resolution call-

67. ing upon the U.S. Congress and the president to stop
68. all efforts toward a North American Union (NAU) or
69. North American Community by way of the Security
70. and Prosperity Partnership (SPP), to stop the Con-
71. struction of a North American Super Corridor (also
72. referred to as the NAFTA Super Highway).
73. • a referendum being held if a Super Corridor is
74. built and any part of the corridor is to be tolled before
75. this tax could be implemented. All efforts should be
76. made to award contracts to Texas and U.S. companies.
77. Security for all parts of the corridor should be planned
78. and hired before construction starts.
79. • authorization of the Attorney General as the
80. ombudsman to oversee all Texas toll road contracts
81. to protect the public interest.
82. • legislation that would provide for some confor-
83. mity in toll road contracts to protect the public.
84. • TxDOT's first priority should be maintenance
85. of existing roads and not on new projects such as
86. new rest stops, the median cable system, the security
87. lighting at FM and interstate intersections, and/or
88. the grant funding or new funding for municipal and
89. regional airports.
90. • directional signage on public roadways and new
91. directional signs for "AGRI-TOURS."
92. • the Freight Shuttle (a private company) using
93. existing TxDOT rights-of-way without the power of
94. eminent domain.
95. • all interstate highways provide frontage roads on
96. both sides of the highway for farm machinery.
97. • We feel it would be appropriate to improve exist-
98. ing state and federal transportation rights-of-way to
99. help move the Texas transportation system forward.
100. We prefer no new rights-of-way for transportation
101. corridors; however, if new rights-of-way are absolutely
102. necessary, we would prefer additional space for cor-
103. ridors be located adjacent to existing rights-of-way.
104. • the Texas Legislature to adopt laws that require
105. private companies to reimburse Texas taxpayers for all
106. costs associated with existing roadways (land acquisi-
107. tion, construction and maintenance)
108. **We oppose:**
109. • TxDOT having the authority to close county
110. roads.
111. • concepts like the Trans Texas Corridor. Con-
112. cepts that acquire additional farm and ranch lands
113. through the state powers of eminent domain for the
114. construction of such concepts. Additional division
115. of Texas farms, ranches, and rural communities by
116. such projects would put undue burdens on the rural
117. economies, such as: additional cost and time related
118. to moving equipment and animals from one side of a
119. farm or ranch to another because of a division in farm
120. or ranch by the corridor; the lack of adequate exits to
121. small Texas towns and their economies; and the ad-
122. ditional tax burden passed on to the local taxpayers

123. for property removed from the tax base. The addition
124. of new rights-of-way will negatively affect wildlife and
125. hunting in many areas of the state in which hunting
126. has become a major part of farm and ranch income.
- 127. • TxDOT using taxpayer dollars to advertise in
128. favor of toll road concepts.
 - 129. • non-compete clauses in contracts authorizing
130. construction of tolled highways in the State of Texas.
 - 131. • the state or TxDOT imposing minimum traffic
132. requirements before a company can build and/or oper-
133. ate a toll road in the State of Texas.
 - 134. • TxDOT spending enormous amounts of funds on
135. overpass and highway beautification projects involv-
136. ing landscaping (planting of trees, shrubs, and flower
137. beds with the installation of irrigation systems which
138. require ongoing landscape maintenance) when funds
139. are tight for road construction and maintenance, and
140. water resources are in limited supply for production
141. agriculture and municipalities.
 - 142. • vehicular mileage fees as a means of raising
143. funds for road improvement.
 - 144. • multiple speed limits for different classes of
145. vehicles on both state and federal highways.

Highway Safety

159

1. **We support:**
- 2. • all stop signs indicate whether it is a two, three
3. or four way stop at an intersection.
 - 4. • the prohibiting of cell phone use by bus drivers
5. when transporting children or customers while the
6. bus is in motion.
 - 7. • prohibiting the use of signs or other objects that
8. obstruct the view for motorists of roadways. We sup-
9. port continued funding for advanced road signs on
10. state roadways including highways, Farm-to-Market,
11. and Ranch Roads.
 - 12. • current law that requires luminous signs or
13. reflective tape on certain trailers.
 - 14. • rumble-bumps should be cut into shoulders of
15. all new highway construction, or if prohibited, but-
16. tons should be installed. Better lighting and more
17. visible reflectors to mark the entrance and exit ramps
18. to freeways.
 - 19. • removing the liability of landowners (or their
20. agents) for accidents occurring in “open range” rights-
21. of-way.
 - 22. • strict enforcement of all roadway littering laws.
23. enforcing fines for violators, and restricting the use
24. of beverage containers to aluminum cans, returnable
25. glass bottles, or biodegradable products, to discourage
26. littering of roadways and parks.
 - 27. • all drainage facilities should being constructed
28. in such a manner that they will not create a hazard.
29. The permit approval process for the installation of
30. culverts along state highways should be amended to

31. require TxDOT to provide specifications and elevations
32. for proper installation.
33. • enforcement of bicycle and jogger safety on high-
34. ways. We support reasonable bicycle safety laws for
35. the use of state highways and farm-to-market roads.
36. • amending the Texas Aggregate Quarry and Pit
37. Safety Act of 1991 to exempt agricultural property
38. landowners.
39. • legislation that would prohibit the sale of goods
40. or services on public rights-of-way without a permit
41. from the governmental entity responsible for the
42. public right-of-way.
43. • a state law allowing the use of clear strobe lights
44. for the protection of rural letter carriers.
45. • improving safety for United States Postal Service
46. rural mail carriers by requiring traffic on state main-
47. tained highways to reduce their speed, as now required
48. for stopped emergency and maintenance vehicles.
49. • TxDOT considering public safety and welfare
50. before closing a roadside park.
51. • a state wide agriculture awareness safety
52. campaign through multimedia to include billboards,
53. television, radio, etc.
54. **We oppose:**
55. • tying, penning, or otherwise restraining livestock
56. on any public road right-of-way, park or rest area,
57. should be prohibited, except for the purpose of loading
58. or unloading.

Rail Transportation

160

1. **We support:**
2. • railroads providing adequate funding for main-
3. tenance and construction of rural railroads in Texas.
4. • railroad service should not be discontinued in a
5. given area without giving 180-day notice to all affected
6. shippers in the state.
7. • working with railroad companies to ensure that
8. rail cars are available in critical areas during harvest
9. seasons.
10. • enhancement and improvement of short line
11. railroads.
12. • legislation prohibiting railroad companies from
13. closing crossings that allow access to private land
14. without public hearings.
26. • legislation to ensure a clear view of trains ap-
27. proaching crossings in rural areas. The clearing and
28. maintaining of trees, weeds and trash, for a minimum
29. of 300 feet on both sides of crossing should be main-
30. tained.
31. • The coordination between railroad companies,
32. state and county governments to ensure that cross-
33. ings on state and county roads have flashing lights
34. and/or cross arms when feasible; crossings are more
35. passable by long equipment to prevent high-centering
36. on the tracks.

37. • railroads or owners of abandoned rail rights-of-
38. way should be required to provide landowners access
39. to their property without charge.

40. “We oppose concepts like the High Speed Rail. We
41. oppose the acquiring of additional farm and ranch
42. lands through the state powers of eminent domain
43. for construction of such concepts. Additional division
44. of Texas farms, ranches, and rural communities by
45. such projects would put undue burdens on the rural
46. economies, such as: additional cost and time related to
47. moving equipment and animals from one side of a farm
48. or ranch to another because of a division in farm or
49. ranch by the high speed rail; the lack of adequate exits
50. to small Texas towns and their economies; and the ad-
51. ditional tax burden passed on to the local taxpayers
52. for property removed from the tax base. The addition
53. of new rights-of-way will negatively affect wildlife and
54. hunting in many areas of the state in which hunting
55. has become a major part of farm and ranch income,”

56. We support the following tenets if this project is
57. approved and given eminent domain authority:

- 58. • It must pay for land and damages.
- 59. • Majority of the HSR be elevated.
- 60. • HSR must be 100% financed before starting to
61. build and purchase property.
- 62. • HSR must purchase more than 50% of the total
63. land needed by private treaty before using eminent
64. domain to take land.
- 65. • Maintenance and operation budget must be
66. funded before investors receive any royalties.
- 67. • If HSR does not use purchased property, former
68. land owners must have the first right to reclaim land.
- 69. • Land owner retains water and mineral rights.
- 70. • High speed rail construction should not decrease
71. agricultural productivity or decrease property values
72. without compensation to encourage continued and
73. future active agriculture production. Yearly royalty
74. should be paid as long as the line is present. High
75. speed rail construction in new rights-of-way should
76. not limit access to private property.

Farm Machinery

161

1. **We support:**
2. • ability to legally operate an all-terrain vehicle
3. (ATV) on a public road when the ATV has proper
4. lighting, a pop-it flag or similar device and is being
5. used in conjunction with agricultural work.
6. • ability to legally operate farm machinery and
7. other motor vehicles used for farm and ranch op-
8. eration on public roads without any special license
9. requirements.
10. • driver’s education and defensive driving classes
11. that emphasize the safety of sharing roads with farm
12. equipment.
13. • local law enforcement helping farmers move farm

14. equipment safely.
15. • TxDOT advertising the SMV emblem and the
16. meaning of the SMV emblem to the public to increase
17. safety, including the Texas Driver's Handbook and
18. Defensive Driving Curriculum.
19. • The right of the owner of agricultural equipment
20. to be able to have it repaired by either the owner or by
21. an independent repair facility of the owner's choosing.
22. • An exemption to the Digital Millennium Copy-
23. right Act (DMCA) for the repair of agricultural
24. equipment by both the owner and/or the owner's in-
25. dependent repair facility, with periods of longer than
26. three years.
27. • Requiring manufacturers of agricultural equip-
28. ment to provide diagnostic equipment, specialty tools,
29. and service manuals at a fair and reasonable cost to
30. either the owner of the agricultural equipment or the
31. independent repair facility chosen by the owner to
32. complete necessary repairs or part replacement with-
33. out invalidating the manufacturer warranty.
34. • The right of the owner of agricultural equipment
35. to disable the transfer of agronomic and location data
36. from the equipment to anyone without the owner's
37. explicit permission, and ability of the owner to have
38. access to the same data.
39. • Farmers and ranchers having and keeping the
40. right to do general maintenance and daily servicing
41. if they so desire. Example: changing oil and filters,
42. periodic servicing and greasing.
43. • Equipment owner's access to repair and techni-
44. cal manuals.
45. • Equipment owner's ability to look up diagnostic
46. codes in manuals, online or from dealers access.
47. • Equipment owner's ability to have machine
48. connectivity. By onboard screen, smart device, dealer
49. access or other means.
50. • Equipment owner's to be able to perform machine
51. calibrations that are not considered embedded codes.
52. • Equipment manufactures to repair and service
53. equipment during the warranty or extended warranty
54. periods.
55. • Development of a Memorandum of Under-
56. standing (MOU) between Machinery manufactur-
57. ers/ "Manufacturing Association" and or Machinery
58. dealers/ "Dealer Association" and the Agricultural
59. Producers/"Agricultural Organization" giving farmers
60. and ranchers a guide or option to repair the equipment
61. they own.
62. • A Memorandum of Understanding that shall
63. make the diagnostic codes and other information
64. available to farmers and ranchers so that they can
65. make the determination to either repair their equip-
66. ment themselves or have a qualified/certified shop
67. make the repair.
68. **We oppose:**
69. • Equipment manufacturers requiring that gener-

70. al maintenance to be conducted by one of their dealers
71. to keep manufacturer's warranty intact.
72. • Equipment owners having to pay exorbitant,
73. recurring, expensive, extended subscription rates to
74. maintenance information for machinery after purchas-
75. ing equipment if such subscription is required.
76. • mandatory titling of farm trailers and agricul-
77. ture equipment.

Truck Transportation

162

1. **We support:**
2. • reasonable farm truck driver qualification regu-
3. lations should be adopted.
4. • legislation allowing raw agricultural commodi-
5. ties to move without permits with a 10% variance
6. over gross weight, without axle weight limitations, on
7. trucks licensed within Texas from the place of harvest
8. to the first point of processing.
9. • semi-truck licensing at one-half price for farm
10. use and registration should be allowed for seasonal
11. use.
12. • the state should grant permits and licenses to
13. custom harvesters to transport agricultural machinery
14. at reduced cost.
15. • farm trailers not exceeding 12,000 pounds gross
16. weight should be permitted to operate without a
17. license.
18. • increasing the load limit up to 36,000 pounds for
19. class C driver with pickup and trailers.
20. • rollbars and safety belts on farm tractors should
21. not be required.
22. • increasing weight limits for trucks hauling ag
23. and forestry products including individual axle weight
24. limitations to compensate for the increased cost of
25. transportation. Only state and federal DOT officers
26. should enforce trucking weight laws. Road and bridge
27. damage, caused by normal road use, should not be
28. assessed to legally loaded trucks.
29. • the continuation of 2060 permits for trucks.
30. • legislation allowing farm equipment, trailers or
31. trucks, and hay bales that are within Texas Depart-
32. ment of Transportation width and weight require-
33. ments to be moved without a permit within a 100-mile
34. radius during daylight hours. This exemption should
35. include implement dealers or their agents only when
36. equipment is being moved to or from a farm.
37. • the exemption of safety bumpers on module
38. trucks, grain trucks and all agricultural vehicles.
39. • a system which allows agricultural products to
40. be transported via interstate access roads from field
41. to processing point by the most direct route without
42. violating state and farm-to-market highway laws. A
43. CDL holder accused of a moving violation in a vehicle
44. not requiring a CDL should be subject to the same
45. penalties as a non-CDL motorist.

- 46. • allowing licensed drivers legal status to haul
- 47. their own farm products and equipment anywhere in
- 48. the state of Texas.
- 49. • farm operators being added to the list of business
- 50. types that can have drivers use the Farm-Related
- 51. Service Industry (FRSI) Waiver program.
- 52. • farm truck operators being exempt from non-
- 53. critical DOT regulations including log-keeping. We
- 54. urge the state to keep the counties informed of all
- 55. state licensing and weight regulations.
- 56. • trucks hauling ag products be allowed to continue
- 57. to travel weight-restricted roadways and bridges in the
- 58. event that alternative routes are not available. access
- 59. to all state and federal highways by loaded cotton
- 60. module trucks. all bridges and roads be upgraded to
- 61. handle 80,000-pound loads.
- 62. • mileage limits be eliminated on farm trucks.
- 63. • TxDOT remove the 150-mile limitation on trans-
- 64. porting agriculture commodities with farm license
- 65. plate(s).
- 66. • legislation that would allow farmers to provide
- 67. or exchange services with other farmers within a
- 68. 150-mile radius of the servicing farmers' agricultural
- 69. operation without losing their agriculture exempt
- 70. status under the transportation code.
- 71. • continuing to allow commercial semi-trucks to
- 72. haul farm tag trailers with farm products to processing
- 73. facilities. We suggest that commercial driver's licenses
- 74. not be required and state and federal regulations be
- 75. relaxed in order that farmers be allowed to transport
- 76. farm fuel trailers and other placardable materials on
- 77. public roads in a safe, practical and affordable manner.
- 78. • strict enforcement of a uniform system of truck-
- 79. ing regulations and policies between Texas, Mexico
- 80. and Canada to expedite the movement of commerce.
- 81. • farm equipment required to be registered for
- 82. highway use should have the option to be registered
- 83. for seasonal use.
- 84. • legislation waiving weight and size limits for
- 85. trucks during weather related emergencies.
- 86. • regulations and legislation allowing over-width
- 87. and over-height trucks to operate on toll roads under
- 88. the same regulations as interstate highways.
- 89. **We oppose:**
- 90. • governmental activities, not specifically initiated
- 91. by the Legislature, restricting commercial vehicle ac-
- 92. cess to agricultural products. Allowable gross vehicle
- 93. weights should be the same for county roads as for
- 94. state and federal highways.

Water Transportation

163

- 1. **We oppose:**
- 2. • the disposal of dredging materials from public
- 3. waterways on Class I, II and III lands without proper
- 4. compensation. The State of Texas should encourage

5. improvements to its ports including, but not limited
6. to, deepening and/or widening projects of ship chan-
7. nels in order to make Texas agricultural exports more
8. competitive.

GOVERNMENT

State Constitution 164

1. The maintenance of strong, independent, and re-
2. sponsible state and local government is essential to
3. the preservation of self-government and individual
4. freedoms. Our present state constitution is sound
5. and should be maintained. Any desired changes can
6. be made by the people through the amendment pro-
7. cess already in existence; therefore, we request that
8. wording on amendment ballots be written in laymen's
9. language.

10. If a new state constitution is proposed by the Legis-
11. lature, a separate vote should be taken on each article
12. and section for ratification.

13. We strongly oppose initiative and referendum.

14. Rules governing compensation of members of
15. the Texas Legislature should be a part of the state
16. constitution.

17. State and county officials should continue to be
18. elected according to the present elective system. Au-
19. thority for redistricting should remain vested in the
20. state constitution.

21. We support term limits of 12 years for state legis-
22. lators; however, if term limitations are passed, there
23. should be no restriction against running for the same
24. office after sitting out one term.

25. The Office of Governor should encompass a four-
26. year term. The Governor's authority should include
27. the following:

28. 1. Item by item veto power over the budget.
29. 2. Appointive power of agency heads and board
30. members with advice and consent of the Senate.

31. There should be no deficit spending in state gov-
32. ernment.

33. The Texas Constitution shall be amended to define
34. marriage as: the union between one man and one
35. woman as husband and wife. The word spouse refers
36. only to a person of the opposite sex who is a husband or
37. a wife. Civil unions and domestic partnerships or any
38. other substitute for marriage shall not be recognized
39. as legal in Texas.

Texas Legislature 165

1. We support adoption by the Texas Legislature of a
2. reapportionment plan which will ensure the maximum
3. representation of rural Texas.

4. The present requirement of biennial sessions of the
5. Texas Legislature should be continued, with these ses-
6. sions limited to 140 days. The Governor's power to call
7. special sessions should be retained but not expanded
8. beyond its present limits.

9. New state laws or proposed amendments should
10. refer to a single subject, and legislators should practice
11. restraints in introducing new laws. The Texas House
12. and Senate should continue to prohibit the attachment
13. of a rider or an amendment to proposed legislation
14. when the rider or amendment is not germane to the
15. subject of the proposed bill. A thorough study must
16. be made to confirm there is a problem or a danger to
17. the environment before an environmental bill passes
18. the state legislature.

19. We urge the Texas Legislature to record each and
20. every vote taken during the session so that every vote
21. cast will be a matter of public record. We recommend
22. enforcement of rules requiring legislators to be present
23. when bills are voted upon, except in case of emergency.

24. We recommend that a state legislator who is also
25. an attorney not be granted a trial continuation on any
26. case in which he or she represents a client, solely on
27. the basis of his or her being a member of the Texas
28. Legislature, unless the legislature is in session.

29. We support legislation that requires legislators'
30. health insurance, retirement benefits, tax breaks or
31. pay increases be voted on by the people.

32. We support the law prohibiting former legislators
33. and former staff members from accepting employment
34. with businesses seeking state contracts for a period of
35. two years after they leave government service.

36. All special interest legislation should be opposed
37. which is designed to give special groups competitive
38. advantages through creation of legal monopolies or
39. franchises, or legal price fixing. A Fair Trades Act or
40. any other similar law should not be enacted.

41. We favor legislation designating English as the of-
42. ficial language of Texas. We believe no individual has
43. the right to demand government services in a language
44. other than English.

45. The State Song should remain "Texas, Our Texas."

46. We oppose the creation of additional legal state
47. holidays without approval by a referendum of the
48. voters of the State of Texas.

49. We support death certificates being public record.

50. Funding for the operation of agencies and the pro-
51. grams administered by these agencies should be by
52. appropriations from the Texas Legislature to ensure
53. strict legislative oversight. Any fee-based revenue
54. enhancing measures granted to an agency or depart-
55. ment by the Legislature must have the same legisla-
56. tive oversight as that of appropriated funds. User fees
57. should remain with the collecting agency and not go
58. into the general fund. We urge the Texas Legislature

59. to not assess any more fees on agriculture products
60. other than fees for commodity referendums passed by
61. agriculture producers.

62. We oppose any excessive fees for State licensing of
63. small businesses.

64. We oppose legislation of unfunded mandates for
65. local government and public schools.

66. We support a law where consumers must give writ-
67. ten permission for their information to be sold.

68. We support legislation that would withhold all state
69. funds from any local governmental entity which is
70. serving as a “sanctuary” for undocumented persons.

71. We oppose illegal aliens qualifying for tuition
72. discounts.

73. We oppose the rampant escalation of the cost of
74. tuition and fees at state supported colleges and uni-
75. versities.

76. We urge the Texas Legislature to keep the original
77. names of the universities in the Texas State Univer-
78. sity system.

79. We urge the Texas Legislature to rescind any
80. previous calls for a U.S. Constitutional Convention
81. and defeat any new bills calling for a “Con – Con”
82. U.S. Constitutional Convention. Be it an Article V
83. convention, a convention of the States or whatever it
84. might be called.

85. We oppose any and all calls for a constitutional
86. convention, with the purpose to amend or change the
87. U.S. Constitution signed September 17, 1787.

88. We support FAA approved visible marking of all
89. towers and their support structures including guide
90. wires, concrete anchors, and any other means of sup-
91. port.

Executive Department 166

1. Paperwork reduction should be required in all
2. levels of government.

3. Farmers and ranchers should be adequately repre-
4. sented on all state boards or commissions which relate
5. to agriculture. Regulations or orders adopted by such
6. boards or commissions must be both practical and
7. workable. The Governor’s office should appoint and
8. maintain an entity, composed of agricultural produc-
9. ers, to coordinate activities among all state agencies
10. involved in agriculture within the State of Texas
11. to prevent duplicating and overlapping of services.
12. We support policy requiring governmental agencies
13. and public institutions, including public schools and
14. state prisons, to purchase Texas agricultural products
15. whenever possible.

16. We recommend that user fees be charged to indi-
17. viduals or businesses only for those services which
18. primarily benefit the individual or business. Services
19. which render primarily a public benefit, such as stan-
20. dardization, quality, health, safety and related values,

21. should be provided at public cost. We favor cost effective privatization of as many state services as possible.
22.
23. Although we defend the rights of all citizens to
24. complain to their regulatory agencies, we vigorously
25. oppose the complainant's abuse of privilege. Therefore,
26. legislative action should be taken to limit onsite
27. inspections of the same nature by regulatory agencies
28. to one complaint per annum. Thereafter, the complainant
29. will pay for inspection costs incurred by the defendant
30. and agencies for the same type complaint, unless the
31. complaint proves to be a permit violation. When permits
32. are required by a regulatory agency, the procedural rule
33. requiring a public hearing will be enforced only if the
34. protester appears at the hearing.
35. Parties who have been injured by administrative
36. directives or regulatory decisions of governmental
37. agencies should have the right to an appeal and a trial
38. by jury, and legislation should be enacted to that end.
39. We support legislation stating that anyone who wishes
40. to sue a public entity must bear his own legal expense.
41. The State of Texas should have incentives to retain
42. competent attorneys and a statute prohibiting former
43. employees of the Attorney General's office from working
44. on cases they worked on as employees of the Attorney
45. General.

Judiciary

167

1. The present judicial system should be retained and
2. judges of the Supreme Court, courts of civil and criminal
3. appeals, and district and county courts should be
4. elected. County and municipal judges and justices of
5. the peace should be elected by the people, but need not
6. meet the qualifications of an attorney. All fees received
7. by municipal judges and justices of the peace should be
8. turned over to the county or state for revenue rather
9. than being retained for personal income.
10. We favor requiring judges to limit themselves to
11. strictly interpreting laws.
12. The plaintiff should be required to pay legal fees
13. for the defendant when the court finds in favor of
14. the defendant in civil cases. In the case of frivolous
15. civil lawsuit, the plaintiff(s) and his lawyer(s) should
16. be required to pay all legal fees and court costs for
17. the defendant(s) when the court finds in favor of
18. the defendant(s). We favor disbaring lawyers who
19. continually bring frivolous lawsuits. We support the
20. legislature's definition and prohibition of frivolous
21. lawsuits.

Counties

168

1. We recommend that counties be given limited zoning
2. authority for housing and subdivisions. If counties
3. are given land use authority, agricultural areas should
4. be protected as production areas not unlike industrial
5. parks. This would allow the counties to limit residen-

6. tial construction in agricultural zones.
7. We are opposed to any requirements for building
8. permits for any type of building or other construction
9. of improvements on farms and ranches in pursuit of
10. commercial agriculture in rural areas. We are opposed
11. to county fire codes applying to a building or structure
12. used for an agricultural operation, as defined by Sec-
13. tion 251.002 of the Texas Agricultural Code, unless
14. the county has adopted a fire code before December
15. 1, 2015. We will support legislation to give counties
16. ordinance-making powers over rural subdivisions
17. whether or not they are sold by plats or metes and
18. bounds. The counties should have the power through
19. their commissioners courts to require developers and/
20. or sub-dividers to provide proper drainage, roads, wa-
21. ter service, and provision for sewer service.
22. We support legislation which would give the county
23. commissioners court ordinance-making authority to
24. control the sale and use of fireworks within rural
25. areas of the county.
26. We support a temporary process for counties to
27. take possession of roads the county has maintained
28. since before 1971. The process will expire two years
29. after the date the legislation becomes law. The process
30. should include proper notice to landowners, and the
31. opportunity to protest the county taking possession
32. of the road.
33. Landowners should not be liable for attempting
34. to repair a county road that has fallen into disrepair.
35. We oppose sending funds that remain in a county's
36. mandated indigent health care account to the state at
37. the end of the year.
38. We oppose enactment of a countywide leash law,
39. which would require all dogs to be penned or tethered.
40. We support notifying adjacent landowners of any
41. new development plat approved by County Commis-
42. sioners Court.

Cities

169

1. We support legislation to repeal the law which
2. gives cities the right of extraterritorial jurisdiction.
3. We support legislation to provide that no unincor-
4. porated area may be annexed unless the annexation
5. is approved by a two-thirds majority vote of electors
6. in the area to be annexed. Agricultural land that is
7. annexed into the city limits should be exempt from
8. city code requirements such as electrical standards
9. for farm buildings and permits or fees to burn brush.
10. City standards should not apply to farm and ranch
11. activities and structures.
12. Cities must provide all normal city services to
13. annexed areas within two years of annexation, or
14. de-annex all of the area for which cities are unable to
15. provide normal services. We favor legislation restrict-
16. ing cities from collecting city property taxes on the

17. extension of municipal boundaries until such time as
18. full city services are provided to the affected annexed
19. areas. In areas de-annexed because of city failure to
20. provide normal services, all taxes or other revenue col-
21. lected from the people must be returned to them. No
22. further effort may be made to again annex such areas
23. for a period of not less than four years from the date of
24. de-annexation. We oppose limited-purpose annexation.
25. All land that has been annexed under limited-purpose
26. annexation should be de-annexed. Cities should be pro-
27. hibited from annexing agricultural land not adjacent
28. to developed land within the city limits.

29. If cities own properties outside of their jurisdiction,
30. they should pay normal taxes.

31. We oppose extraterritorial jurisdiction being used
32. by a municipality to restrict private property rights
33. and/or agricultural activities as it relates to produc-
34. ing, processing, marketing, or delivery of agriculture
35. commodities.

36. No municipality should annex or extend their extra-
37. territorial jurisdiction onto agricultural land without
38. the written consent of the landowner and compensa-
39. tion for any property rights restriction.

40. We support that extraterritorial jurisdiction of cit-
41. ies exclude agriculturally designated land from city
42. regulations and taxes.

43. When municipalities propose extending their extra-
44. territorial jurisdictions, all landowners are to be noti-
45. fied in writing at least two weeks prior to any action.

Elections and Voting

170

1. We believe campaign reform can best be achieved
2. by strict enforcement of the current campaign laws,
3. and we oppose any change that will restrict or curtail
4. the right of an individual citizen or any group of citi-
5. zens to express themselves as guaranteed by the First
6. Amendment to the U.S. Constitution. We recommend
7. establishing a cap on funds expended toward elec-
8. tion to a political office, including “payment in kind”
9. contributions.

10. To preserve the electoral process, each voter should
11. be required to be able to read and write, understand
12. the English language, and furnish proof of U.S. citizen-
13. ship, photo ID, and should be present during the actual
14. registration process, with exceptions permitting spous-
15. es to register for each other and a provision exempting
16. members of the Armed Forces from this requirement.
17. All voters should be required to show a Government
18. issued, tamper resistant photo ID when voting. Col-
19. lege or university students should be required to
20. establish their voting residence and register to vote in
21. the same manner as all other citizens. Furthermore,
22. in community, state, or national elections, students
23. who receive part or all of their financial support from
24. their parents should be permitted to vote only in the
25. voting district of their parents.

26. We recommend that changes be made in the regular
27. absentee and absentee mail-in ballot and voting
28. procedure to eliminate fraud and excess cost. We favor
29. county clerks notifying the voter registration clerks
30. in their county of information received from death
31. certificates.

32. The county and/or state should bear the cost of all
33. primary elections, and candidates should be required
34. to pay a nominal filing fee. Timing of Primary elections
35. should be held no later than January 31st of the
36. election year. We support the repeal of Section 162.015
37. of the Texas Election Code that makes a person who
38. voted in a primary election ineligible for nomination
39. by another political party other than the party holding
40. the primary in which the person voted.

41. We support holding the presidential primary in
42. conjunction with the state primary.

43. Special elections should be eliminated, and all issues
44. to be voted on should be included in the general
45. election; however, if the practice of permitting special
46. elections is continued, petitioners calling for a special
47. election should bear the cost of such election.

48. We oppose automatic straight party ticket voting
49. on ballots in general elections and recommend ballots
50. be changed to encourage voters to consider each
51. candidate.

52. We favor repealing the present law that permits
53. certain candidates to seek more than one elective office
54. simultaneously.

55. Lawyers who have presented cases or have cases
56. pending in a judicial candidate's court should be prohibited
57. from making election contributions to that
58. judicial candidate.

59. We urge the Texas Legislature to exempt local and
60. county elected officials, in counties with less than
61. 10,000 population, from the requirement of declaring
62. political party affiliation, thus eliminating the effect
63. of straight line party voting and the problems of conducting
64. a local primary election.

65. We oppose internet voting in any local or statewide
66. election, except for activated reserve and active duty
67. military who are not stationed at their permanent
68. address area.

69. We favor printing a hard copy of votes cast via
70. electronic voting machines to help in recounting and
71. in reducing fraud.

72. We oppose any effort to allow non-citizens or prisoners
73. the right to vote in any elections.

74. We urge the Texas Secretary of State to consistently
75. and vigorously enforce the election laws of the state;
76. specifically, the requirement that party chairs post
77. notices of County and Precinct conventions in a timely
78. manner, and necessary materials are ready for these
79. conventions.

1. A high moral standard should be a prerequisite for
2. all elected and appointed officials, and no one should
3. be permitted to run for public office if they have a
4. criminal record. We recommend mandatory drug
5. testing of elected public officials. We recommend the
6. dismissal of any public employee who is proven to be
7. an active user of illegal drugs. There should also be
8. legislation requiring that any state, county or local
9. office holder, whether elected or appointed, be auto-
10. matically relieved of his duties while under indictment
11. by a grand jury. Elected or appointed public officials
12. who have been found guilty of fraud or misconduct
13. while in office should not be allowed to receive pen-
14. sions or retirement benefits pertaining to that office.
15. This should in no way affect or reflect on an official's
16. rights and privileges under the law as a private citizen.

17. We support a retirement system for elected state
18. office holders based on their average salary while
19. serving as an elected official, and not on the salary of
20. a full-time state employee.

21. We recommend that any person who is delinquent
22. in payment of local property taxes be barred from
23. holding any public office.

24. We recommend that the state constitution and
25. statutes be amended to provide for early retirement
26. of disabled state or county officials who can no longer
27. perform their sworn duties.

28. Persons holding public elective office should resign
29. when they seek any other elective office.

30. We recommend that every elected official serve his
31. term of office at the salary being paid at the time of his
32. election to that office, and that any salary increases
33. and fringe benefits for elected public officials be voted
34. on by the people. We recommend that all elected of-
35. ficials receive pay raises only after they have served
36. one term in office and are re-elected.

37. Elected and appointed officials of state government
38. should be audited periodically. The Attorney General
39. should audit expense accounts on all state officials,
40. and charge back all expenses to individuals that are
41. not on official business. We recommend that elected
42. officials not spend tax dollars for promotion for a pro-
43. posed resolution or amendment.

44. Any elected or appointed government official who
45. is an attorney, who receives funds from a state agency
46. or subdivision of the state, should not be able to act as
47. plaintiff's attorney in any case where the defendant is
48. a state agency or subdivision of the state.

49. State Legislators should not be allowed to raise
50. their pay, benefits, or pension unless legislation is
51. introduced and passed in an independent bill that
52. exclusively addresses this issue.

53. We support a selection process for the Texas
54. Transportation Commission that will ensure their
55. accountability.

56. We support transparency in state government and
57. an effective Public Information Act.

Government Spending 172

1. Legislators should be required to submit estimated
2. cost and source of revenue of any bill they introduce.
3. Any additional requests for appropriations should, if
4. at all possible, be accompanied by a suggested source
5. of revenue. The concept of “revenue sharing” should
6. not be implemented. No increases in budget should be
7. authorized by the Legislature unless rules and regu-
8. lations found in the Texas Constitution are complied
9. with by the Legislative Budget Board.

10. We support the judicious management of the Texas
11. Economic Stabilization Fund (Rainy Day Fund) to
12. protect Texas against future emergencies. Safe-
13. guards must be maintained to prevent authorized
14. expenditures during one budget cycle from requiring
15. a supplemental appropriation in the next budget cycle
16. to cover those expenses. The Fund should not be used
17. to establish programs with recurring expenses. The
18. Fund should only be used for purposes which provide
19. broad public benefit, such as transportation.

20. When programs or regulations are mandated by the
21. Texas Legislature, by a state agency or by executive
22. order, full funding should be provided by the state and
23. not local entities.

24. State agencies should be encouraged not to spend
25. their allotted money at the end of the year to avoid
26. funding year cuts. State agencies should be com-
27. mended for not spending their entire budget.

28. To restrict state indebtedness, we recommend
29. legislation limiting issuance of bonds to fund state
30. expenditures.

31. We support the Texas Enterprise Fund.

32. Money spent on advertising the lottery should be
33. reduced to the amount needed for the point of sale
34. material and the drawings.

35. We propose that local construction projects funded
36. by taxpayer money be contracted to U.S. owned com-
37. panies.

38. We oppose automatic pay raises for state employees.
39. All state employees should be required by law to pay
40. their share of social security tax.

41. We recommend implementation of the following
42. goals, intended to reduce and control welfare spending
43. within the State of Texas:

44. 1. Stopping the upward trend of state expenditures
45. for welfare.

46. 2. Prohibiting the use of state funds for soliciting
47. welfare recipients.

48. 3. Establishing a local citizens committee appointed
49. by commissioner’s court to determine eligibility and/
50. or need of welfare applicants.

51. 4. Charging all welfare costs to the Department of

52. Health and Human Services.
53. 5. Requiring all able-bodied recipients of welfare
54. assistance to work for local government units (city,
55. county and state) to the extent that their labor valued
56. at minimum prevailing wages for the local area earns
57. the value of the products or payments received.
58. 6. Requiring county clerks to keep a record of the
59. names of those recommending individuals for welfare
60. assistance.
61. 7. Maintaining the names of all those receiving
62. public welfare in the county clerks office as a matter
63. of public record.
64. 8. Prohibiting public welfare assistance, health care,
65. and free schooling to illegal residents.
66. 9. Providing public welfare to dependent children
67. only in ways which will discourage illegitimacy.
68. 10. Making persons ineligible for unemployment
69. compensation from any state if jobs are available at
70. the person's point of residence.
71. 11. Preventing recipients of old age assistance pay-
72. ments from having their benefits reduced because of
73. their earnings from other sources.
74. 12. Requiring unemployment checks to be picked
75. up and signed for by recipient at the office nearest his
76. legal address, with no out of state mailings.
77. 13. Maintaining the level of assistance to the el-
78. derly, the blind and the disabled.
79. 14. Prohibiting the use of tax monies for abortions.
80. 15. Prohibiting incentives for irresponsible family
81. planning. Requiring the father of a child born out of
82. wedlock to be identified for the purpose of financial
83. support of the child.
84. 16. Cutting off welfare and food stamps to families
85. with elementary school age children if the children do
86. not meet minimum state law attendance standards.
87. 17. Stopping all State aid to any recipient who fails
88. or refuses to take a mandatory drug test.
89. 18. Prohibiting the use of the Lone Star Card to
90. purchase soft drinks sweetened by natural or artificial
91. ingredients.

Banking and Credit 173

1. We oppose any legislation that would encourage
2. elimination of locally owned and controlled banking
3. institutions.
4. We oppose any legislation that would allow any
5. banking institution to require the borrower to pur-
6. chase insurance from that institution or any other
7. specified agency or individual.
8. We are opposed to any further regulation of the
9. credit union banking industry.
10. Banks should be prohibited from requesting joint
11. payee checks to establish a line of credit when actual
12. borrowing will begin at a later date.
13. We oppose the laws that allow banks to legally

14. claim property that belongs to third parties while in
15. the process of foreclosing on their customers.

16. We support legislation to reform the bankruptcy
17. laws. We recommend laws that will prohibit bank-
18. ruptcy judges from using escrow accounts held for
19. royalty owners by banks for payment of any debts
20. owed by the company. The original owner of any com-
21. modity, natural or mineral resource should have first
22. priority for payment in bankruptcy settlements or in
23. other litigation.

24. We support an agricultural producer to have first
25. lien on their commodity stored in a licensed and
26. bonded warehouse whether in open storage (farmer
27. owned) or contracted to be purchased when the agri-
28. culture producer has not yet been paid.

29. We favor protection for all homesteads. This pro-
30. tection should include prohibitions on cross-collater-
31. alization of homestead property and nonconsensual
32. liens on homestead property. We oppose any change
33. in the homestead protections provided in the state
34. Constitution. We oppose any change in the original
35. Home Equity Lending provisions that would weaken
36. the protections and safeguards in the law adopted by
37. the state. Any change in the Homestead Law should
38. be approved by the voters of the state.

39. We propose legislation that would allow continu-
40. ation of agricultural valuation on land, part of which
41. is used as collateral to refinance a home or secure a
42. home equity loan.

43. We recommend that the licensing and bonding
44. regulations be strengthened to protect farmers and
45. ranchers using accepted business practices in the sale
46. of agricultural products or in storage of such products
47. in private or public storage facilities.

48. We support improvements to the ag lien notifica-
49. tion process.

50. The UCC filing fee should be paid by lending insti-
51. tutions and not by the borrower.

52. We favor making the Young Farmer Loan Guar-
53. antee Program available to young producers for the
54. benefit of Texas agriculture. We support legislative
55. revisions to broaden the program's usefulness. We op-
56. pose funds being diverted to other areas or programs.

57. The drafting of rules and regulations implementing
58. the Farm and Ranch Finance Program should contain
59. safeguards to ensure that only bona fide farmers and
60. ranchers be eligible to participate.

61. We favor an aggressive program for the collection of
62. student loans financed by the issuance of state bonds.

63. We oppose colleges and universities from provid-
64. ing students names and addresses for credit card
65. solicitations.

Disaster Assistance Programs 174

1. We support legislation to reimburse agricultural

2. producers for loss of agricultural inputs caused by
3. natural disasters.

EDUCATION

Administration

175

1. We recommend that the State Board of Education
2. continue to be an elected board.
3. We oppose compulsory collective bargaining rights
4. for teachers. Convicted sex offenders or illegal drug
5. users should not be employed in any tax supported
6. institution of education.
7. We favor public education being compulsory
8. through 16 years of age. We support a system which
9. permits parents and students to determine if the
10. student will enter a career and technical education
11. program or take college readiness courses with rea-
12. sonable options to prepare for both contingencies, or
13. to switch options when necessary.
14. We are opposed to the move toward doing away
15. with the designation of the sexes in our schools, and
16. the differences should be respected.
17. We recommend that any student participating in
18. a riot or subversive action shall lose his right to any
19. government loan or grant-in-aid for the purpose of
20. education. Administrators should be required to report
21. any criminal activity by a student or employee to the
22. proper authorities in order to protect the student body
23. from such criminal acts. Schools and their adminis-
24. trators should have the authority to punish students
25. that commit an infraction on school grounds and on
26. school-related activities.
27. We support the right of any parents or guardians
28. or their representative groups to visit and monitor
29. school classes at any time without prior notice of such
30. visit after going through proper school administra-
31. tive channels. School administrations should actively
32. involve more parents in all aspects of the educational
33. system. This will open lines of communication between
34. the administration and parents, and result in better
35. education for the students.
36. We oppose legislation that gives any public school
37. employee the right to help obtain an abortion for a
38. minor child.
39. We urge Texas Education Agency (TEA) to provide
40. more information to the legislature regarding the ef-
41. fects of a school voucher system on school districts in
42. the State of Texas.
43. We recommend adoption of legislation which would
44. uphold the rights of parents to send their children to
45. the school of their choice, and which would maintain
46. the present status of private and parochial schools free
47. from control by state government. We support local
48. control of the Independent School District system in
49. Texas.

50. We oppose any participation by the state in the
51. proposed expansion of the “Race to the Top” grant
52. program or similar programs, including Common Core
53. and C-Scope, which would turn local control of school
54. districts over to the federal government via a list of
55. mandates and thereby jeopardizing accepted customs,
56. traditional values, and parental influence.

57. We support giving local school boards the author-
58. ity to develop curriculum that teaches vocational and
59. technical skills instead of current required basics to
60. students who are not college bound

61. We support efficient use of staff resources to pro-
62. mote maximum utilization of property taxes.

63. We oppose the “Zero Tolerance” policy. Each event
64. requiring action by the administration or school board
65. should be considered and judged on its own merits.

66. Texas should opt out of the “No Child Left Behind”
67. Act of 2001.

68. All school campuses, (elementary, middle, and high
69. school), in the State of Texas should be equipped with
70. a defibrillator to be available at all times for use by
71. trained personnel.

72. Rural multi-county school districts should be
73. exempt from election laws that prevent them from
74. holding yearly elections at one location within their
75. district.

Finance

176

1. The State of Texas should assume responsibility
2. for total financing of the Minimum Foundation School
3. Program; however, the local independent school dis-
4. tricts should be permitted, by local option, to provide
5. for local enrichment programs above and beyond the
6. fully funded State mandated programs. We oppose any
7. increase in the local fund assignment.

8. We oppose mandates by the state that are not
9. funded by the state.

10. We support the Legislature, rather than the courts,
11. determining the method of allocating state funds
12. among school districts. We oppose any school fund-
13. ing system requiring small school districts that are
14. barely able to offer enough basic courses to meet state
15. accreditation standards being taxed to support large
16. urban schools that offer advanced courses in science,
17. mathematics and languages.

18. The State of Texas should not appropriate local
19. school districts monies from local districts tax base
20. to finance other school districts.

21. As long as the present plan of school financing is
22. in effect, we favor a requirement that all receiving
23. districts set their tax rate as high as the highest rate of
24. a giving district. Redistribution of school taxes should
25. take into account the percentage of taxes collected.
26. Taxes from districts with high percentage collection
27. rate should not be redistributed to districts with a

28. lower percentage collection rate. If an ad valorem tax
29. system is used to fund local school districts, we support
30. the \$1.00 per \$100 cap on the tax rate for maintenance
31. and operation of schools.

32. We support the permanent school fund being uti-
33. lized only for the original purpose of funding public
34. schools.

35. We oppose borrowing from or making loans against
36. the Teachers' Retirement Fund or the Permanent
37. University Fund.

38. We support an alternative source of revenue to fund
39. public school operations that would be more equitable
40. and spread the tax load across the entire population
41. rather than on property owners alone. We support
42. agricultural use valuation and sales tax exemptions
43. for all agricultural inputs and services, including feed,
44. seed, fertilizer and farm machinery.

45. We oppose the consolidation of any public school
46. district in this state with one or more other school
47. districts unless approved by a majority vote in each
48. district. We oppose the decrease of funds to small
49. school districts in order to force them to consolidate
50. with larger districts. We support the right of local
51. citizens, by petition, to secure an annual external audit
52. of a state funded school district.

Program

177

1. We pledge continued efforts to strengthen public
2. and private schools to improve educational opportu-
3. nities for all students. We support the best possible
4. balance of efficiency and economy in our school sys-
5. tems with primary control in the hands of local school
6. districts. Primary emphasis should be on teaching
7. academic skills and knowledge in the core subjects
8. of math, science, social studies, and language arts.
9. Required curriculum should include American history
10. and geography, the U.S. Constitution, Texas Constitu-
11. tion, Bill of Rights, and economics, emphasizing the
12. free enterprise system. We support the teaching of
13. cursive writing in schools. We support a minimum
14. requirement of 30 minutes of physical education for
15. all students, grades K-6th, to develop a stronger mind
16. and body. We support a no-pass, no-play policy. We
17. support the passing of competency tests for all high
18. school seniors as a requirement for graduation. We
19. support local control of student participation in non-
20. school activities.

21. Before being approved for use in public schools, on-
22. line curriculum management systems that have been
23. adopted by the State Board of Education should be
24. subject to a public review process similar to our state-
25. adopted textbooks. Local school districts should not be
26. allowed to use state funds to purchase non-approved
27. instructional materials. Support of educational cur-
28. riculum programs should be the responsibility of the

29. local district when local revenue is used to fund the
30. programs. Strict discipline should be enforced and
31. strong moral and spiritual values should be stressed
32. in every subject and activity. In order to achieve this
33. goal, our teachers must have the authority to control
34. their students and be paid a fair salary. Teachers
35. should be allowed to paddle disruptive students before
36. an adult witness.

37. Local school boards should retain authority in
38. determining curriculum, textbook selection, financ-
39. ing, discipline, dress code and other matters which
40. can be dealt with most effectively at the local level.
41. We support the regular recitation in public schools of
42. the "Pledge of Allegiance" to the U.S. flag using the
43. English language.

44. We oppose the teaching of homosexuality as an
45. alternative lifestyle, the legalization of same sex mar-
46. riages, homosexual adoption or child custodial rights
47. and special entitlements or privileges based on sexual
48. preference.

49. Rather than promoting safe sex in our schools,
50. AIDS education should emphasize the teaching of
51. morality and sexual restraint as the best safeguard
52. against the deadly disease AIDS. We support and
53. encourage the enforcement of Texas laws prohibiting
54. sodomy. We support legislation that prevents another
55. committee being formed such as the Adolescent Preg-
56. nancy and Parenting Advisory Council (APPAC).

57. We recommend implementing anti-drug education
58. throughout the educational process in public and
59. private schools, beginning at the kindergarten level.

60. We favor students having the right to miss school
61. to participate in livestock shows and fairs.

62. We favor voluntary student transfer from one
63. school district to another. We oppose compulsory bi-
64. lingual education. We are opposed to teaching ethnic
65. grammar and speech in our public school system.

66. All pre-school child development programs shall
67. be controlled by the private sector, at the local level,
68. giving parents freedom of choice over the physical
69. and philosophical environment of their children. Such
70. government mandated programs are expensive to
71. taxpayers, destructive of individual rights and local
72. control, and add little or nothing to excellence in public
73. school education.

74. We favor evolution being taught as a theory and
75. not a fact in our public schools and that the creation
76. account from Genesis be given equal emphasis.

77. We recommend that the Bible and God be put back
78. in our schools as the rightful heritage of children as
79. a nation under God. We support the right of students
80. to mention God in school, give thanks to Him, tell of
81. His influence upon their life and to assemble on school
82. grounds to pray or read the Bible as long as it doesn't
83. interfere with scheduled classes.

84. We support a moment of silence or individual
85. prayer be allowed for all students.

86. We are opposed to any psychological tests and/or
87. questionnaires as approved by the Texas Education
88. Agency, which pry into private and personal family
89. lives under the guise of “progressive education.” We
90. will support legislation prohibiting this program.

91. Agriculture is vital to a sound economy, national se-
92. curity and food safety. We encourage all public schools
93. to stress the importance of American agriculture.
94. We recommend the Texas Legislature implement an
95. annual Agriculture Appreciation Day, in conjunction
96. with public schools.

97. We support continued state and local school district
98. funding for agriculture education and leadership pro-
99. grams vital to leadership needs in the food and fiber
100. industry. We support agriculture based curriculum
101. in all public schools.

102. We recommend that the Texas Education Agency
103. support career and technology classes designed to
104. prepare students for employment.

105. We support expansion and modifications to career
106. and technical education campuses in the State of
107. Texas. We support state and national funding as-
108. sistance for these programs to include adult learners
109. and free tuition for high school age students who are
110. legal citizens of the United States and permanent
111. residents of Texas.

112. We recommend that the Texas Education Agency
113. support career and technical education courses which
114. teach personal, employable, and workforce readiness
115. skills to all students to prepare them for college,
116. technical school, or the workforce after high school
117. graduation.

118. We recommend that the State Board of Education
119. and the Texas Education Agency develop and support
120. career and technical education curriculum that will
121. count for a math and/or science on a student’s career
122. plan of study for graduation with the implementation
123. of the 4x4.

124. We commend and endorse public school teachers
125. and officials in the use of prayer in the school room and
126. in public functions where they are in charge.

127. We recommend that local school boards and admin-
128. istrators recognize and oppose the use of tax dollars
129. for the teaching of humanism, an atheistic ideology,
130. including that which comes into the classroom through
131. the use of values clarification and grouping.

132. Non-English speaking children educated with
133. taxpayer money should be placed in the classroom
134. according to academic ability without jeopardizing
135. the quality of education of English speaking students.

136. We support state-funded scholarships being based
137. on individual merit and need.

138. Student’s grades, classroom performance, teacher

139. evaluations and other criteria should be considered
140. for promotion or graduation. We oppose any state
141. mandated testing.
142. The Texas school system should reintroduce pen-
143. manship and mental mathematical computation in
144. the beginning grades of public schools.
145. We support a uniform start and end date for schools
146. so students can participate in college level courses.

Teachers **178**

1. Any instructor or teacher who advocates violent
2. overthrow of the government of the United States,
3. should be fired and forfeit any remainder of their
4. contract.
5. We recommend to local public school boards and
6. school administrations that they maintain strict
7. standards in selecting qualified educators who sup-
8. port the American way of life and the United States
9. Constitution.
10. We support the concept of home schooling and the
11. right of parents or legal guardians to school their
12. children at home with a structured curriculum and
13. appropriate testing to determine progress.
14. We support reduction of paperwork required of
15. teachers.
16. We support probationary contracts for public school
17. teachers, administration and coaches.
18. We support alternative certification programs for
19. teachers.
20. We support state funded drug testing of all employ-
21. ees of tax-supported institutions and the test results
22. be placed in their employment record.
23. We recommend a firm policy be developed in Texas
24. educational systems to dismiss any teacher on any
25. teaching level who refuses to pledge allegiance to the
26. U.S. flag or those who belong to an Anti-American
27. group.
28. We support the standard that instructors at state-
29. supported educational institutions understand and
30. fluently speak the English language.

Textbooks **179**

1. We support continuation of the State Textbook
2. Advisory Committee.
3. We recommend that the Texas Farm Bureau con-
4. tinue textbook studies in order that proper protests
5. can be made to those texts which contain content
6. foreign to Farm Bureau philosophy and this informa-
7. tion be supplied to county Farm Bureau offices. The
8. State Board of Education should have the authority
9. to regulate the content of textbooks to assure they are
10. factual and based on current scientific information.
11. We oppose any textbook that promotes the princi-
12. ples of a one-world government, teaches that national

13. sovereignty is no longer important, the Bill of Rights
14. is outdated, and that all nations should be equal in
15. the new global community.
16. We support textbooks that teach basic moral values
17. upon which our country was founded. There should be
18. no mention of alternative lifestyles regarding sexual
19. behavior in school text books. There should be no
20. implication that such behavior is appropriate. We
21. recommend that American history textbooks include
22. accounts of our forefather's strong belief in God and
23. how it influenced their ability to govern and form a
24. nation.
25. We support accurate, unbiased, scientifically-based
26. textbooks and auxiliary materials. Information, in-
27. cluding environmental issues and animal care, should
28. be presented in a balanced, objective, unbiased man-
29. ner. Unproven theories should be designated as such.
30. No tax money should be used to institute or promote
31. programs that distort the facts about agriculture and
32. its good stewardship of the natural resources of this
33. state. We urge the State Board of Education and all
34. local school boards to reject any such material.

QUALITY OF LIFE

Health

180

1. We support legislation designed to accomplish the
2. following:
 3. 1. Requiring each prescription label on prescribed
 4. medicines to show the generic and trade name.
 5. 2. Requiring all companies writing hospitalization
 6. insurance policies to guarantee renewal except for
 7. nonpayment of premium or perpetration of fraud by
 8. the insured.
 9. 3. Authorizing additional facilities for training
 10. physicians and surgeons.
 11. 4. Continuing study of malpractice insurance for
 12. the medical professions.
 13. 5. We support legislation requiring blood tests for
 14. people getting married.
 15. 6. All employees who work in a nursing care facility
 16. shall be randomly tested for both drugs and alcohol.
 17. 7. We recommend that all nursing care facilities be
 18. inspected by certified inspectors.
 19. We oppose a national health care plan. We urge
 20. the Texas Legislature to pass legislation nullifying
 21. and rejecting the "Patient Protection and Affordable
 22. Care Act: (Public Law 111-148) and "Health Care and
 23. Education Reconciliation Act of 2010" (Public Law 111-
 24. 152). We support Texas' lawsuit against the recently
 25. passed health care legislation.
 26. Nursing home and assisted living rates should be
 27. uniform and not based on an individual's financial
 28. statement.
 29. The Texas Medical Board should maintain a list of

30. sanctioned physicians which can be made available
31. upon request.
32. We recommend that health care provided under the
33. indigent health care program be for bona fide United
34. States citizens only.
35. We recommend that the policy of "No Smoking" in
36. designated areas be enforced.
37. We support legislation that gives an unborn human
38. being the right to life and protects the unborn.
39. The Peer Review Organization (PRO) of the Texas
40. Medical Foundation should be accountable to the
41. Texas Medical Board so that a doctor who is sanc-
42. tioned would have the right to appeal to the Texas
43. Medical Board.
44. We favor payments to rural hospitals by Medicare
45. equal to payments at large hospitals for the same type
46. hospitalizations.
47. We encourage our state legislators to modify rules
48. and regulations, and guidelines that discriminate
49. against rural medical care. Emphasis should be on
50. availability of quality medical care in remote areas.
51. Any patient who has tested positive for the HIV/
52. AIDS virus, or has reason to believe that he or she may
53. have been exposed to the virus, should be required
54. by law to reveal this fact to health care workers prior
55. to the beginning of treatment. Health care workers
56. who test positive for the HIV/AIDS virus should be
57. required, by law, to reveal this fact to their patients.
58. A person guilty of rape should be required by law to
59. take an AIDS test and have the victim advised of the
60. results.
61. We recommend that doctors, hospitals, and other
62. medical facilities send their bills for services rendered
63. and other charges to patients within 30 days.
64. We oppose legislation to legalize physician-assisted
65. suicide for anyone. We support the right of an indi-
66. vidual to refuse the use of life support machines.
67. We support the Organ Donor Program.
68. We support training and certification of Emergency
69. Medical Dispatchers.

Rural Living **181**

1. We support a well-organized and practical rural
2. civil defense program.
3. We oppose telemarketing.
4. Texas should stay on Central Standard Time
5. throughout the year.
6. We oppose obscenity and pornography wherever
7. and in whatever form it may appear.
8. We support safety requirements for carnival and
9. amusement park rides. We support proper licensing
10. and insuring of persons furnishing carnival rides to
11. ensure the safety and protection of those using their
12. services.
13. We encourage all public outlets of gasoline to fur-

14. nish restroom facilities and to supply air and water for their customers.
- 15.
16. We support legislation that would prohibit the enforcement of flood-related building codes in non-flood plain areas.
- 17.
- 18.
19. Monies collected for the purpose of funding 9-1-1 emergency programs in rural areas should immediately be used for their originally intended purpose.
- 20.
- 21.
22. We support legislation that would make it unlawful for any firm or organization to release names, addresses or Social Security numbers of its members or subscribers without that persons permission. We support legislation which will preserve and restore the privacy rights of individuals. The Department of Agriculture and other state agencies should not release names of persons who are registered in their systems under the open records law.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.
31. We support volunteer fire departments in their efforts to maintain their volunteer status.
- 32.
33. We support a plan initiated by Fire Departments and area agricultural producers that would adequately control wildfires.
- 34.
- 35.
36. We support changing state and federal wildfire policy to require that state and federal fire managers and incident commanders coordinate with county and local fire departments and landowners when acting as first responders and contributing to firefighting efforts. We support limiting personal liability for volunteer fire departments and private citizens for any actions, on either public or private property, related to fighting wildfires.
- 37.
- 38.
- 39.
- 40.
- 41.
- 42.
- 43.
- 44.
45. We oppose local or state governments imposing a tax or fee on the electronic transmission of information, i.e., e-mail or telephone.
- 46.
- 47.
48. We recommend that the Texas Farm Bureau support the Texas Department of Agriculture Texas Family Land Heritage Program. (This award is to honor Texas families who have owned and worked the same land for 100 years or more.)
- 49.
- 50.
- 51.
- 52.
53. We support increasing access to high speed internet connections in rural areas through any source, including wireless, by using a combination of tax incentives, grants, and/or regulations to providers of the service.
- 54.
- 55.
- 56.
57. We encourage local competition for retail access to telecommunication services.
- 58.
59. We support legislation in Texas to stop Agenda 21.

LAW ENFORCEMENT

General Law Enforcement 182

1. We support the expansion of the Texas Rangers organization.
- 2.
3. Lawlessness and civil disobedience should not be tolerated, and it is deplorable that the Code of Criminal Procedure tends to overprotect the offender and
- 4.
- 5.

6. hinder law enforcement. A new code should therefore
7. be adopted which will strengthen law enforcement
8. rather than weaken it.
9. We support establishing additional courts to
10. expedite trials. We oppose the use of cameras in a
11. courtroom during court proceedings.
12. We recommend common sense in proportioning the
13. rights of criminals, defendants and the general public.
14. 1. We support doing away with the defense of so-
15. called "diminished capacity" resulting from intoxica-
16. tion or drug abuse;
17. 2. We oppose defendants being allowed to use
18. "temporary insanity" as a plea in cases where serious
19. crimes are committed;
20. The term "Terroristic Threat" should be redefined
21. in the criminal code to be more closely identified with
22. terrorists' attacks on our nation.
23. State and local laws should be fairly and equally
24. enforced without regard to race, sex, or age.
25. We support enforcement of the flag code.
26. Any search warrant regarding humane treatment
27. of animals must be issued by the local magistrate of
28. the district where the farm or kennel is located.
29. Background and finger print checks conducted by
30. the DPS, FBI, Home Land Security, TSA, and other
31. government entities should be shared among agencies
32. for licensing services to reduce duplication.
33. Immigration laws should be enforced in order to
34. eliminate sanctuary cities.
35. We support the use of clear visible signs of identi-
36. fication of Law Enforcement vehicles which are not
37. recognizable as Law Enforcement vehicles for stopping
38. citizens on the public roadways as a matter of safety
39. to the citizen being approached.

Prison System

183

1. Recent trends in criminal law have been toward
2. increased leniency for the criminal and less protection
3. for law abiding citizens. This trend must be reversed
4. in our judicial and penal system.
5. Living conditions for prison inmates should be no
6. better than our military prison facilities. Abandoned
7. military bases should be considered for housing
8. prisoners. Such facilities were adequate for shelter
9. of our armed forces, and they should be converted at
10. minimal expense to house convicted criminals. The
11. Texas Department of Criminal Justice needs to utilize
12. all available prison space, including private facilities.
13. In order to alleviate overcrowding, we suggest the
14. Texas Department of Criminal Justice consider insti-
15. tuting the shift system rotating between work, sleep
16. and relaxation, as our military personnel have done
17. for years in confined conditions. Control of the state
18. prison system should be by proper state authorities
19. rather than by federal judiciary. Those in executive

20. and management positions in the state prison system
21. should have criminal justice education and experience.
22. In order to maintain critical personnel in the prison
23. system, all employees who have direct supervision
24. over prisoners should be classified as hazardous duty
25. corrections personnel, for the purposes of state man-
26. dated percentage pay increases. We favor elimination
27. of the five percent (5%) cushion used to determine
28. overcrowding in the Texas Department of Criminal
29. Justice. Prisoners should have no rights in suggesting
30. how prison facilities are constructed.

31. We oppose weekend furloughs of prisoners from
32. the Texas Department of Criminal Justice and we are
33. opposed to the early release program in our prison
34. system. We recommend no physical contact for State
35. prisoners during visitation.

36. Dogs should be used to screen all prison visitors for
37. drugs. All prison employees should also be randomly
38. screened for drugs when reporting for duty.

39. Texas Department of Criminal Justice should be
40. self-sustaining, using prisoner labor to produce prod-
41. ucts for public sale. To economize the prison system
42. for state and county, the following practices should
43. be considered:

44. 1. All able-bodied inmates should be required to
45. work a minimum of 40 hours per week.

46. 2. Prisons should be put on a self-supporting policy.
47. Any inmates who do not want to work to support their
48. way should not be eligible for parole and would have
49. to serve their full time.

50. 3. Current jail standards should be lowered.

51. 4. Work-release programs should be supported.

52. We support the use of inmate labor by the Texas
53. Department of Criminal Justice and counties for public
54. service and maintenance work. We encourage expan-
55. sion of these programs.

56. We recommend that the state probation system be
57. reviewed and that all efforts are made to maintain an
58. efficient, fair system of justice.

Punishment

184

1. We support a minimum sentence of life without
2. parole for persons convicted of murder, rape and child
3. molestation. We support Jessica's Law.

4. We support a criminal justice system that will serve
5. as a deterrent to crime.

6. We support strengthening laws so that punishment
7. of juveniles is the same as adults for major crimes.
8. Capital punishment should be maintained in Texas.

9. We recommend strengthening the statutes con-
10. cerning trespass and vandalism and an increase of
11. penalties for these offenses.

12. We support legislation establishing a mandatory
13. fine and full restitution for property damaged by indi-
14. viduals found guilty of trespassing and/or vandalism.

15. We support legislation to remove liability on the
16. part of the landowner for injury and damages to tres-
17. passers and vandals.

18. We support legislation that holds authorities or
19. agencies responsible for collecting and paying full
20. damage restitution to private property owners when
21. damage to private property is a direct result of pursu-
22. ing criminals onto private property. We favor financial
23. restitution to victims by criminals. Anyone convicted
24. of a felony should automatically be liable for damages
25. to the injured party. Any vehicle damaging private
26. property (fences) will have a hold on it until damages
27. are paid to property owner or their agent.

28. We urge that state criminal record laws should be
29. changed to allow public access to adult and juvenile
30. criminal histories, and to include prison disciplinary
31. records and transfers.

32. To ensure the effectiveness of imprisonment as a
33. deterrent to crime, convicted felons should be required
34. to serve a major portion of their sentence before be-
35. ing considered for parole. All first offenders should
36. be required to serve a minimum of 50% of their sen-
37. tence and all repeat offenders should be required to
38. serve 100% of their sentence. We support a "Truth in
39. Sentencing Law" requiring that jurors be provided
40. information, prior to sentencing, related to actual time
41. to be served and parole options. We support harsh
42. punishment and no parole for any inmate caught in
43. possession of illegal contraband.

44. Bail should be denied to any individual previously
45. convicted of a felony or to any individual out on bail
46. who is again arrested for a felony offense.

47. We suggest when judicial authorities see fit to
48. probate a convicted criminal's sentence to community
49. service, they consider physical work. Performing such
50. services might be especially helpful to young, first-time
51. offenders. If fines are not paid, justice of the peace,
52. county and district judges should be allowed to assess
53. labor on public work projects.

54. We support stricter enforcement and stronger
55. punishment for child and senior citizen abuse. We
56. believe that, in child abuse cases, a victim's testimony
57. on video should be allowed for evidence. We support
58. stiffer penalties against domestic violence and encour-
59. age prosecutors to prosecute these crimes as felony
60. criminal assaults.

61. We support legislation ensuring all persons con-
62. victed of soliciting sex from minors (under 14) receive
63. a minimum of 20 years to life in prison. Out of state/
64. nation persons convicted should receive the same
65. punishment.

66. We oppose the rules that protect "right to privacy"
67. for convicted felons.

68. We support stiffer penalties for persons charged
69. with theft of anhydrous ammonia for the purpose of

- 70. manufacturing methamphetamines.
- 71. We support the Police Protection Act that recognizes
- 72. tougher penalties on those who target peace officers
- 73. equal to that of hate crimes.

Drugs and Alcohol

185

- 1. Despite a tremendous effort at all levels to combat
- 2. drug problems, the misuse of alcohol, narcotics, and
- 3. dangerous drugs has reached alarming proportions.
- 4. The problem is a serious one in all levels of our schools
- 5. and is a major threat to health and a stimulus to crime.
- 6. The State of Texas should actively search for credible
- 7. drug abuse programs and see that they are presented
- 8. to school age children, and the programs and material
- 9. made available to community leaders. Vigorous effort
- 10. must be expended to educate youth and parents in the
- 11. hazards of drug abuse and gang activities.

- 12. We support an all-out effort by county and city po-
- 13. lice departments and school administrators to strictly
- 14. enforce laws pertaining to the use, sale, and possession
- 15. of illegal drugs.

- 16. We support stringent penalties for individuals
- 17. convicted of drug crimes, including crimes committed
- 18. to obtain ingredients for manufacturing controlled
- 19. substances.

- 20. We recommend consistent enforcement of the new
- 21. law concerning stiffer and more productive penalties
- 22. for drunken drivers, drug violators, and habitual of-
- 23. fenders.

- 24. Marijuana should not be legalized. We favor con-
- 25. tinued use of appropriate defoliant to control illegal
- 26. growing of marijuana.

- 27. We support capital punishment for convicted drug
- 28. kingpins. Any person or persons convicted of selling
- 29. and/or distributing a controlled substance should re-
- 30. ceive a mandatory jail sentence. We recommend that
- 31. drug dealers reimburse the state for the cost of their
- 32. arrest and conviction before their parole is completed.
- 33. We recommend that purchase money used in the pur-
- 34. chase of illegal drugs be returned to the undercover
- 35. agency. The return should be made upon final convic-
- 36. tion. We favor increased funding for law enforcement
- 37. agencies in border areas that are the most involved in
- 38. drug interdiction. We recommend the correction and
- 39. clarification of both State and Federal drug policy to
- 40. allow confiscation of land used in illegal drug opera-
- 41. tions only if the property was purchased with proceeds
- 42. from illegal drug operations.

- 43. We support the firing of any state government
- 44. employee who is proven to be an active drug addict.

- 45. We support keeping the legal drinking age at 21
- 46. years of age. We support the continuation of a ban
- 47. on open containers of alcoholic beverages in motor
- 48. vehicles.

- 49. We support the termination of any state govern-

50. ment employee who is found guilty of drug or sub-
51. stance abuse.
52. We support legislation declaring K2 an illegal
53. substance and banning its sale.

Juveniles 186

1. Parents must assume responsibility for the ac-
2. tions and well-being of their children who are under
3. 18 years of age. We also urge that juvenile acts of
4. vandalism be settled by restitution to the victim,
5. with repayment being made by the juveniles, and
6. final financial responsibility charged to the parents.
7. Parents should not be financially responsible for debts
8. incurred or damage caused by juveniles who success-
9. fully petition a judge to have their status as a minor
10. removed. Stricter discipline should also be practiced
11. in all state schools of juvenile correction. The State
12. should be financially responsible for damage caused
13. by those who run away.

Motor Vehicles 187

1. The fines and fees from all traffic citations issued on
2. State or Federal highways should be retained by the
3. municipality collecting the fines and fees. Individual
4. law enforcement agencies should not, however, be
5. funded on the basis of fines assessed.
6. Registration of new vehicles should be for a full 12
7. months from month of purchase. We favor legislation
8. that would not require registration of vehicles on title
9. transfer. Re-registration of vehicles should be allowed
10. at any time without penalty. We favor a common reg-
11. istration date for all vehicles owned by one person if
12. they so request.
13. Emergency lights should be mounted as high as
14. possible on emergency and law enforcement vehicles.
15. We support the use of video cameras in all law enforce-
16. ment vehicles.
17. We support legislation that prohibits vehicles from
18. being removed from property that has been damaged
19. by that vehicle until the property owner or his agent
20. has been notified. Damaged property should include,
21. but not be limited to, fences, structures, buildings,
22. trees, landscape, etc. In the event of this type of ac-
23. cident, we support legislation requiring a public official
24. to stay at the scene until the landowner or his agent
25. arrives to secure the property. A penalty should be
26. assessed against anyone attempting to tamper with or
27. remove anything from the scene without permission
28. from the public official at the scene of the accident.
29. Formal driver's training should be required for all
30. first time driver license applicants.
31. We support fewer restrictions to obtain Hardship
32. Drivers Licenses issued to the children of Texas farm
33. families.
34. We support the suspension of driver's license of

35. persons who are convicted of criminal mischief and
36. stiffer penalties for any person driving with either
37. a suspended license or with an expired license. The
38. Texas Department of Public Safety should invoke a
39. processing period in order to verify through the Social
40. Security Administration the validity of social security
41. numbers submitted by new driver's license applicants.

42. All motor vehicles, except vehicles with agricultural
43. seasonal registration, must have current license plates
44. and current liability insurance, including vehicles from
45. other countries or states. If license plate or insurance
46. is expired, the vehicle should be impounded until
47. proper plate and insurance is furnished.

48. We support the state not requiring cab cards for
49. farm trucks.

50. Farm vehicle or farm trailer registration should
51. be issued only to those with a Texas Agriculture or
52. Timber Exemption Registration number.

53. We encourage all cities to program traffic lights to
54. keep traffic flowing at a safe speed, while at the same
55. time saving fuel.

56. We support a law making texting while driving
57. illegal.

58. We oppose issuing a driver's license to undocu-
59. mented illegal immigrants.

60. Rural driver's license offices should remain open
61. for both regular and commercial license testing and
62. renewal.

Property

188

1. We support strong penalties and fines for theft of
2. agricultural commodities and property such as timber,
3. livestock, feed, grain, fertilizer, farm equipment, etc.
4. We urge appointment of special Texas Rangers to
5. investigate agricultural thefts.

6. We support landowners and their agents being
7. exempt from liability resulting from unknown dam-
8. ages to personal property as a result of actions of
9. other people.

10. Vandalism of highway signs and mailboxes should
11. be a third degree felony rather than a misdemeanor.
12. Aggravated arson should be classified as a capital
13. crime.

14. We urge stronger state laws to make it easier to
15. convict those who dump domesticated animals or
16. trash on county roads and private property. Current
17. laws and regulations governing the burning of stubble,
18. rangeland, or agricultural refuse should be amended
19. to include an extra penalty for anyone burning this
20. refuse and not maintaining a watch and physical
21. presence at the site to prevent damage to property.

22. We urge law enforcement agencies making un-
23. necessary searches of private residences be account-
24. able and forced to pay for destruction of individuals
25. personal property.

26. We support the right of an individual to protect
27. his livestock, including destroying domestic animals
28. on his property which are attacking or have attacked
29. his livestock.

30. Laws should be enacted to protect victims of theft
31. from being deprived of the use of their property when
32. it is used as evidence in court proceedings. Presenta-
33. tion of evidence could be in the form of photographs,
34. slides, movies, or other suitable means. Receivers
35. such as pawn shops, salvage facilities, etc., which deal
36. in resale of used merchandise should be required to
37. compile and keep adequate identification records on
38. merchandise and persons offering it. This information
39. should be made available to law enforcement officers
40. for investigation, and noncompliance by the merchant
41. should be punishable as a Class A misdemeanor with
42. maximum allowable fines. We support developing the
43. necessary cooperation between Texas and Mexico law
44. enforcement agencies to facilitate the identification
45. and return of stolen equipment, machinery, livestock,
46. produce and any other personal property. A list of
47. serial numbers of stolen farm equipment should be
48. compiled and circulated to all equipment sales and
49. service centers.

50. We support the implementation and enforcement
51. of a lemon law for new farm equipment.

52. We support legislation prohibiting unsolicited offers
53. to purchase property by letter, with check attached.

54. Property seized should be returned to owner with
55. legal fees and damages unless a final conviction for
56. the alleged offense is obtained.

57. We encourage producers to educate themselves
58. about the best methods to protect against a person
59. who photographs or records private property, animals,
60. and/or crops with the intent to produce photographs,
61. audio or video recordings to make false statements or
62. misrepresentations about agricultural operations as
63. a whole to the general public.

Weapons

189

1. We support the right of the individual to keep and
2. bear arms. We support amending the Texas Penal
3. Code, to define "traveling," to allow law abiding citizens
4. to carry a firearm for defensive purposes while travel-
5. ing. We support the current legal carrying of handguns.
6. We support the creation of a single license certificate
7. comingling LTC and Texas Drivers License for those
8. legally licensed to carry a handgun. We recommend
9. that the fees be reduced and the renewal process be
10. shortened/streamlined to eliminate redundant infor-
11. mation already on file.

12. We support legislation at state and national levels
13. to impose increased penalties for persons convicted of
14. committing crimes with firearms. We oppose the sale
15. of firearms to persons who are mentally incompetent

16. or convicted felons.
17. We support the enactment of legislation that would
18. stipulate that any resident of the State of Texas could
19. use deadly force if they believe their life or another
20. life is in danger.
21. Crimes involving the use of firearms present seri-
22. ous threats to property and human life. We support
23. a mandatory jail sentence of not less than ten years
24. for conviction for armed robbery. If death results, a
25. convicted person should receive a mandatory sentence
26. of death or life without parole.
27. We recommend that theft of firearms be made a
28. felony offense regardless of the value of the stolen
29. firearms.
30. We are opposed to any legislation restricting the
31. purchase, possession or sale of firearms and ammuni-
32. tion by United States citizens. We are opposed to the
33. registration of firearms or the licensing and taxing of
34. the owners.

INSURANCE

Insurance Generally 190

1. We recommend that the Texas Department of
2. Insurance consider for Public Protection Class (PPC)
3. all fire departments which are supported by any local
4. government in Texas even though the fire depart-
5. ment may be based across the state line. Volunteer
6. Fire Departments' Insurance Services Offices (ISO) 5
7. mile distance limit should be extended to 10 miles, if
8. feasible. We support the "dry hydrant concept." State
9. and local governments should support programs to
10. enhance fire suppression based on this concept.
11. We recommend that the Texas Department of In-
12. surance require insurance companies to appraise crop
13. loss claims as quickly as possible.
14. A mortgagee or trustee should not be able to exer-
15. cise an option to use insurance proceeds on a standard
16. fire and extended coverage policy to reduce the indebt-
17. edness of the insured's loan if it is economically feasible
18. to rebuild or restore the damaged property, provided
19. the insured's loan payments are current.
20. We support a limitation on liability judgments to
21. the cost of actual damages and a maximum of \$250,000
22. in punitive damages on pain and suffering. Legal fees
23. should be limited to 15 percent of the settlement with
24. the attorneys paying a pro-rata share of all court costs.
25. Juries should not be made aware whether or not one
26. has insurance.
27. We support legislation setting limits of liability on
28. volunteer fire departments. These limits will reduce
29. insurance premiums for volunteer fire departments.
30. We support tort reform, including a limitation on
31. attorney fees and a cap on awards. We support legis-

32. lation requiring the losing party in a civil lawsuit to
33. pay all legal expenses and court costs.

34. We support legislation prohibiting a person con-
35. victed of criminal activity from suing his/her victim.

36. Liability for any defendant in a lawsuit should be
37. limited to that percentage his negligence contributed
38. to the accident and/or injury that exceeds the negli-
39. gence of the plaintiff.

40. We support legislation to ensure there will be a
41. viable insurance program available before and after
42. disasters. We encourage legislation to strengthen the
43. Texas Windstorm Insurance Association (TWIA) law
44. to assure future financial solvency.

Auto Insurance 191

1. Drivers under 25 who have satisfactorily completed
2. a driver's education course and have good driving
3. records should not be penalized by higher insurance
4. rates.

5. Uninsured motorists should not be able to collect
6. medical benefits, auto repairs or any other compen-
7. sation for an accident involving an insured person,
8. regardless of who is at fault. Uninsured motorists
9. should lose all rights to sue another regardless of who
10. is at fault in an auto accident. We support seizure of
11. the auto of an uninsured motorist who is involved in
12. an accident resulting in damages, regardless who is
13. at fault. The third offense shall result in seizures of
14. the auto and revocation of driver's license for 90 days.
15. The auto should be sold to reimburse the insured
16. motorist for damages. We support tracking of, and
17. stiff penalties for, insurers and buyers who sell or
18. purchase insurance on monthly installments solely
19. for the purpose of license renewal or other documents
20. that require proof of insurance, and then cancel or stop
21. premium payments.

22. All government owned or government controlled
23. vehicles or other machinery should be covered by
24. casualty and liability insurance if such vehicles and
25. equipment are operated by civilians.

26. The State should require that all vehicles with for-
27. eign license plates have the states minimum liability
28. insurance upon entry into the State of Texas.

29. We oppose the lowering of insurance rates for
30. Mexican nationals needing liability insurance on U.S.
31. highways.

32. We recommend that the State of Texas adopt no-
33. fault auto insurance.

34. We oppose increasing insurance rates on larger
35. type vehicles.

Health Insurance 192

1. We recommend changes in the insurance code to
2. prohibit companies selling accident and sickness poli-
3. cies from adding exclusions after policies have been

4. in effect for one year.

5. We recommend that the Texas Department of In-
6. surance require health insurance companies operating
7. in the State of Texas to pay insurance claims within 30
8. days of receipt. If not paid in 60 days, 20 percent inter-
9. est shall be added to the amount due to the customer.

10. We support legislation requiring all group hospital
11. insurance policies to pay total stated benefits to policy
12. owner regardless of other policies owned.

13. For the purpose of rating workers' compensation
14. insurance, we favor payroll classification separating
15. office, clerical and marketing personnel from other
16. employees with greater risk exposure.

17. A state agency should monitor and discourage
18. abuses of medical health claims.

19. We oppose requiring businesses to provide health
20. care insurance for employees.

21. We recommend that the Texas Health Insurance
22. Risk Pool be funded.

23. We support establishment of a group health insur-
24. ance program for all active and retired school employ-
25. ees comparable to the health insurance programs for
26. higher education and state employees.

27. Health insurance companies should be required to
28. use a pool common to all companies for the purpose
29. of calculating insurance premiums for various age
30. brackets.

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