

2018  
STATE  
POLICIES  
of the  
**Texas Farm Bureau**



## **Our Mission**

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

## STATE POLICIES

Adopted by official voting delegates at the 84th Annual Meeting of the Texas Farm Bureau, Dec. 2-4, 2017, Frisco, Texas.

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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
3. as individuals. We invoke His wisdom and direction
4. upon our every decision in order that we may be
5. worthy citizens of His Kingdom and of our nation.
6. May He grant us the grace to know and to do His will.
7. We believe that our faith in God and the democrat-
8. ic principles of free enterprise and human freedom,
9. upon which our nation was founded, are responsible
10. for its greatness. We encourage our government
11. officials to return to the concepts of this Preamble
12. concerning 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 centraliza-
20. tion of power and authority and the trend toward
21. further centralization of power and authority in the
22. federal government and the apathy of American
23. people to this trend are among the greatest dangers
24. threatening our Republic and the American way of
25. life. "Planned economy" concepts such as socialism
26. and communism, fascism and other forms of totali-
27. tarianism must be opposed wherever and in whatever
28. form they may 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
32. free, independent, non-governmental, voluntary or-
33. ganization of farm and ranch families united for the
34. purpose of analyzing their problems and formulating
35. action to achieve educational improvement, economic
36. opportunity and social advancement, thereby pro-
37. moting the national welfare. Farm Bureau is local,
38. national and international in its scope and influence.
39. It is non-partisan, non-sectarian and non-secret in
40. character.
41. It is wholly controlled by its members through
42. majority decision and is financed by voluntary mem-
43. 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 elimi-
18. nating waste, abuse and fraud in all tax-funded
19. programs.
20. We believe the government should view a vibrant
21. agricultural industry with the same level of impor-
22. tance as national security issues and make every
23. effort to ensure a profitable agricultural industry. A
24. nation without a safe, affordable, and abundant food
25. supply cannot prosper.

### **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
4. the free world. It would deny man's faith in God,
5. his heritage of freedom and his belief in justice and
6. mercy. Farm Bureau is dedicated to the defeat of
7. Communist 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 movement's at-
16. tempt to redistribute wealth, thereby threatening to
17. destroy the system of incentives that have built this
18. great nation. We support the basic principles behind
19. the founding of our country; namely, freedom and
20. dignity of the individual and his right to participate
21. in a free enterprise system. To strengthen our aware-
22. ness of 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
26. be taught in our schools and in the armed services
27. so that people can better recognize its character, un-
28. derstand 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 es-

35. tablish a “North American Union” that would dilute
36. our U.S. Constitutional rights and powers, reduce
37. the sovereignty of the United States, remove the
38. supremacy of the U.S. Supreme Court or open our
39. borders with Mexico or Canada.

**States’ Rights** **104**

1. We favor increased emphasis on the assumption of
2. responsibility by states and local units of government
3. for exercising their appropriate functions. Responsi-
4. bility for performance of government functions should
5. be assigned to that unit of government closest to the
6. people who can administer such functions effectively.
7. We urge the Texas legislature to join with the
8. legislatures of other states in passing legislative af-
9. firmations that assert their sovereign rights under
10. the Tenth Amendment of the United States Constitu-
11. tion and demand that the United States government
12. cease all unfunded mandates and interference that
13. exceeds the powers specifically delegated to federal
14. authorities by the supreme law of the land.
15. Therefore, we urge the Texas Farm Bureau and
16. the American Farm Bureau to exert all possible
17. power and influence to assert and maintain states’
18. and local rights. These rights are guaranteed by the
19. Bill of Rights in both the Constitution of the United
20. States and the Constitution of the State of Texas and
21. must not be diluted.
22. We support increased efforts by the state of Texas
23. to secure our borders with Mexico. Immigration laws
24. 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 agricul-
4. ture and home economics.
5. • continue to be a part of the Texas A&M Uni-
6. versity system.
7. • have a director who is separate from other
8. parts of the agricultural complex, thereby allowing
9. the agency to market itself and respond to the needs
10. of agriculture.
11. • continue to work primarily with all farmers and
12. 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 these services to farm and ranch families.
- 20.
21. • Wildlife Services to dedicate funds for control
22. of all species of predators affecting agriculture and
23. to consider the impact that each predator has on different sectors of agricultural production.
- 24.
25. **We oppose:**
26. • reducing the number of ag specialists in the Texas A&M University System.
- 27.
28. • funding reductions for the Texas A&M AgriLife Extension Service. If funding reductions are necessary, we support maintaining, to the extent possible, the current programs and services to farm and ranch families.
- 29.
- 30.
- 31.
- 32.
33. • any legislation that would combine the Texas A&M AgriLife Extension Service and the Texas A&M AgriLife Research of the Texas A&M University System.
- 34.
- 35.
- 36.
37. • new programs providing services to non-farm people at the expense of programs for farm and ranch families.
- 38.
- 39.
40. • the elimination of the position of county AgriLife Extension agents as a means of achieving cost reductions until all other options are considered.
- 41.
- 42.
43. • the combination of two or more counties into one AgriLife Extension unit without the approval of the counties involved.
- 44.
- 45.
46. • the funding of youth programs, such as 4-H, with user fees.
- 47.

### **Texas A&M AgriLife Research 105B**

1. We support funding for on- and off-campus research. Funds should not be reduced for agricultural research.
- 2.
- 3.

### **Texas Department of Agriculture 106**

1. The primary purpose of the Texas Department of Agriculture (TDA) should be to promote the advancement of agriculture and to educate the public on agriculture.
- 2.
- 3.
- 4.
5. TDA should:
  - 6. • be adequately staffed and funded.
  - 7. • promote and support development of agricultural development districts.
  - 8.
  - 9. • provide information and assistance in creating internet services for the sale of commodities.
  - 10.
  - 11. • mirror United States Department of Agriculture (USDA) regulations for the inspections and licensing of kennels and only certified Department of Agriculture employees should be authorized to conduct inspections.
  - 12.
  - 13.
  - 14.
  - 15.
  - 16. • work with Texas US congressional members to advance Texas Agriculture.
  - 17.
  - 18. **We support:**
  - 19. • legislation requiring the Weights and Measures



20. Division of the Texas Department of Agriculture to  
21. regulate all grain moisture testers used by commer-  
22. cial grain handlers and dealers and to levy appropri-  
23. ate penalties against offenders.  
24. • existing laws be properly enforced with respect  
25. to weights and measures and seed laws.  
26. • legislation giving the TDA regulatory authority  
27. over in-house inspectors of bonded grading facilities.  
28. • reimplementation of Texas Department of Ag-  
29. riculture road inspection stations.  
30. • the continued development of agribusiness and  
31. value-added processing of Texas products by the  
32. Texas Department of Agriculture.  
33. • the Texas Department of Agriculture being  
34. charged with implementing the Federal Food Safety  
35. Modernization Act within the state of Texas and that  
36. all costs be paid for with federal funds.  
37. We support repeal of the Agricultural Hazard  
38. Communications Act. Until repealed, modifications  
39. should be made to make the law more workable for  
40. farm employers. We urge the Texas Department of  
41. Agriculture to review worker protection standards  
42. and re-evaluate existing policies and ensure that  
43. new policies are feasible and workable with the least  
44. amount of paperwork required.  
45. TDA should exempt a grain buyer or handler from  
46. warehouse regulation if they do not provide public  
47. storage or store delivered grain that has not been  
48. purchased.  
49. We support to maintain the integrity of organic  
50. agriculture, keeping organic standards strictly  
51. organic—not allowing tolerances or percentages of  
52. non-organic crops, GMO plants or pesticide residue  
53. and still being able to retain the certified organic  
54. label. Organic growers should maintain appropriate  
55. buffer zones to protect their crops from pollen drift or  
56. other factors that affect the integrity of their crops.  
57. We Support all fees set by the Texas Department  
58. of Agriculture be approved by the Texas Legislature.

### **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 provi-  
6. sions of the Freedom of Information Act in matters  
7. related to animal health, animal identification and  
8. disease control to protect information related to  
9. individual producers, locations and animal health  
10. traceback from unnecessary harassment, invasion  
11. of privacy and to enhance the provision of homeland  
12. security in the 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 impor-
16. tation of certain traditional or alternative livestock.
17. These powers should not be transferred into the
18. hands of the legislature or any other state agency.
19. • the right to use antibiotics for livestock and
20. poultry 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 man-
27. agement practices as recommended by TAHC for
28. disease 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 and Water Conservation Board**

**108**

1. We encourage further development of the agency's
2. program and capabilities so that future responsibili-
3. ties may be placed under its authority.
4. **We support:**
5. • the Texas State Soil and Water Conservation
6. Board and Conservation Districts continuing to gov-
7. ern the state's conservation programs for renewable
8. natural resources.
9. • the Texas State Soil and Water Conservation
10. Districts continuing to be independent, locally
11. controlled 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 and water con-
17. servation districts being maintained.
18. • the state legislature appropriating 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 and
25. Water Conservation Board be directed for local use.
26. • local soil and water conservation districts' abil-
27. ity to provide technical assistance and incentives for
28. voluntary soil and water conservation planning and
29. implementation.
30. • the use of state funds for maintaining small
31. watershed flood control structures, built under the
32. USDA PL-566 program, that are listed as public
33. safety concerns.
34. We oppose any appointees to the Texas State Soil
35. and Water Conservation Board.

## AGRICULTURAL COMMODITIES

### Commodities-General 109

1. All commodities are interrelated, 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. • small scale local farmers being allowed to sell
20. low risk foods such as jams, jellies, raw honey, baked
21. goods and dry herbs without being required to have
22. a commercial kitchen.
23. • research, licensed cultivation, production,
24. processing, commercialization and utilization of
25. industrial hemp.
26. **We oppose:**
27. • all attempts by political subdivisions (cities
28. or counties) to limit the production of, or the use of,
29. genetically modified crops or animals.
30. • growing castor beans in Texas until adequate
31. regulations are enacted and educational programs
32. are available to address storage, handling and pro-
33. duction concerns and low ricin varieties are available,
34. so that the accidental adulteration of our food and
35. feed supply is prevented.
36. • agricultural programs that adversely affect any
37. agricultural commodity.
38. • non-compete clauses between equipment
39. dealerships which do not allow competitive pricing

40. between regions, thus creating a monopoly in the
41. equipment market.

## **Aquaculture** **110**

1. **We support:**
2. • all legislation that promotes freshwater aquacul-
3. ture in Texas and allows producers to be competitive.
4. • legal depredation efforts and roost dispersal of
5. avian species that affect aquaculture production and
6. loss of property to private and commercial fisheries.
7. • the ability to obtain depredation permits of avian
8. predators that negatively affect aquaculture produc-
9. tion in private or commercial fisheries.

## **Citrus** **111**

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.

## **Cotton** **112**

1. **We support:**
2. • the Cotton Promotion and Research Program.
3. • a full-time statewide cotton specialist.
4. • studies for feasibility of containment, suppres-
5. sion and/or eradication of pink bollworm.
6. • charging for the exact amount of time the bale
7. is stored in the warehouse.
8. • specific cut-off date for application of 2,4-D Ester
9. in counties where cotton is produced to coincide with
10. uniform recommended planting dates for cotton in
11. each county.
12. • the registration of Propazine (Milo Pro) for use
13. on cotton.
14. • commodity (cotton) contracting as an essential
15. component of the marketing system for all producers
16. (sellers). In order to provide an effective and fair sys-
17. tem for contracting (cotton), the following elements
18. should be included:
19. 1. Clear identification of the type of contract that
20. is being offered and the terms of the contract.
21. 2. Growers (sellers) not being subjected to supply
22. cotton to a buyer based on crop estimates.
23. 3. A fair and equitable conflict resolution process
24. that includes elements protecting sellers, such as
25. mediation or dispute resolution conducted in the
26. county where the crop was grown.
27. 4. A uniform, standard contract containing terms
28. agreeable to both buyers and sellers (i.e., Texas Real

29. Estate Contract) and governed by Texas law.  
30. **We oppose:**  
31. • changes in the trade rules of cotton trading as-  
32. sociations that pass marketing and storage charges  
33. from buyer to seller.  
34. • the present penalties on low micronaire cotton.  
35. Boll Weevil Eradication:  
36. **We support:**  
37. • a mandatory statewide Boll Weevil Eradication  
38. Program and favor state funding assistance.  
39. • a plow-up date being established for cotton to  
40. aid in the control of boll weevils in affected areas.  
41. • use of controlled burning of CRP acreage prior  
42. to spring planting in the affected areas to assist in  
43. the boll weevil eradication program.  
44. • stalk destruction dates for areas under pink  
45. bollworm or boll weevil regulation continuing to be  
46. set by the Commissioner of Agriculture following a  
47. public hearing for the area affected. The cotton stalk  
48. destruction deadline should be strictly enforced.  
49. • the Texas Department of Agriculture and the  
50. Texas Boll Weevil Eradication Foundation developing  
51. procedures to ensure that cotton harvesting equip-  
52. ment and raw cotton products being transported  
53. are certified boll weevil-free. No equipment should  
54. cross any zone boundary without being certified boll  
55. weevil-free.  
56. • allowing producers harvesting cotton near, on or  
57. after the stalk destruction deadline to have ten days  
58. after harvest to destroy stalks without incurring a  
59. penalty or fine.  
60. • TDA in its effort to control non-commercial cot-  
61. ton (not located in a crop field) by making the users  
62. of gin by-products aware they are responsible for the  
63. destruction of any regrowth resulting in hostable  
64. cotton from the use of such products.  
65. • chemical as well as mechanical means as an  
66. approved method by the TDA for cotton stalk de-  
67. struction.  
68. • the TBWEF using prudent spending practices  
69. and striving to reduce overhead.  
70. • TBWEF personnel staying on existing turnrows  
71. and designated roads.  
72. • removal of the 10-day application period for  
73. cotton stalk destruction, with a 24-hour notification  
74. for extension enforced. TBWEF and TDA should  
75. coordinate efforts to accomplish this task.  
76. • work with Mexico to control boll weevil popula-  
77. tions along the Texas-Mexico border.  
78. • development of an efficient funding mechanism  
79. for producer assessments to fund the TBWEF that  
80. will not exceed current producer cost.  
81. • a beltwide (multi-state) program to assist pro-  
82. ducers on the Mexican border with control of boll  
83. weevils, which will serve as a buffer for the entire

84. cotton industry.
85. • transferring funds between zones in the state
86. to provide extra funds to areas that experience an
87. unexpected outbreak and to assist producers along
88. the Rio Grande River in maintaining a buffer zone.
89. • Federal and state cost share monies for
90. TBWEF as long as there are active zones in the state.
91. We oppose a mandatory referendum for boll weevil
92. eradication and support a referendum upon request
93. by 10 percent of producers.

## **Dairy**

**113**

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
4. should be in possession of a qualified sanitarian at
5. all times until delivered to a state laboratory. The
6. department, at producer’s request, should retest a
7. producer’s milk as promptly as possible following an
8. unacceptable test.
9. Imitation dairy products should be labeled as such.
10. Any products labeled as milk should refer to prod-
11. ucts originating from lactating animals, not plant
12. based products.
13. The minimum requirements for consumer grade
14. milk should be increased to 12 percent solids. Compo-
15. nent standards should comply with state regulations
16. and be printed on the product labels.
17. **We support:**
18. • an inspection service that will emphasize milk
19. quality rather than physical requirements and ap-
20. pearance of facilities.
21. • an annual state inspection, unless a milk sample
22. fails to meet the state requirements for quality. A
23. failing sample should result in an immediate visit by
24. the state inspection service.
25. • the dairy promotion and advertisement pro-
26. gram.
27. • the concept of regional compacts to price Class
28. 1 milk and legislation to create a Texas state milk
29. marketing order.
30. **We oppose:**
31. • any legislation to allow changes to the sale of
32. raw milk anywhere other than on the farm.

## **Forestry**

**114**

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 on the economic
7. and environmental importance of timber and its
8. production.
9. • the principles of Sustainable Forestry Initiative

10. (SFI), Best Management Practices (BMP), prescribed
11. burning and the availability and use of effective
12. pesticides to manage and promote the health of all
13. forested areas and their neighboring properties.
14.     • increased funding for the Texas Forest Service
15. in order to fulfill its increased responsibilities for
16. fighting wildfires statewide.
17.     • the task of regenerating sufficient acreage to
18. timber production to satisfy the economics of do-
19. mestic and export markets and the environmental
20. needs of all concerned, ensuring an adequate supply
21. of nursery seedstock by fostering policies favorable to
22. private or public landowners through reduced taxes
23. and/or abatements, eliminating frivolous lawsuits
24. and reducing restrictive regulations and harvesting
25. mitigated forestlands.
26.     • the Texas Forest Service remaining under the
27. jurisdiction of TAMU System.
28.     • genetics research for improved hardwood plant
29. stock to meet the demand of hardwood markets and
30. increased forest diversity.
31.     When insects, fire, disease or noxious infestations
32. occur in state or national forests, parks or other pub-
33. licly owned property, appropriate agencies should be
34. required to immediately apply proper management
35. and protection practices to control these problems
36. and prevent their spread to private land.

## **Fruits and Vegetables** **115**

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 en-
6. gineering to develop new varieties of fruit trees
7. and vegetables for disease, nematode and insect
8. resistance.

## **Hay and Forage** **116**

1.     We recommend the Texas Department of Agri-
2. culture coordinate with the USDA in establishing
3. standards for hay testing.
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** **117**

1.     **We support:**
2.     • Texas A&M investigating the adequacy of the
3. honeybee inspection service to ensure proper inspec-
4. tion and supervision to better serve the beekeeper.
5.     • Texas honey standards being set at 100 per-
6. cent of the definition of honey—sweet, viscous fluid

7. elaborated by bees from nectar obtained from plant
8. nectaries, chiefly floral.
9.     • appropriate officials taking 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 continuing to moni-
15. tor the expansion of the Africanized Bee and the Var-
16. roa Mite, while obtaining the necessary funding to
17. limit this expansion.
18.     • priority being 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 developing an ap-
22. plied method of rearing European queen bees inside
23. an Africanized area.
24.     • the beekeeping industry and the American Farm
25. Bureau Research Foundation supporting Africanized
26. Bee 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

118

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
5. to Texas horse breeders.
6.     **We support:**
7.     • all horses sold by private treaty or through
8. auction markets being tested for Equine Infectious
9. Anemia (EIA).
10.     • continuing the classification of horses as live-
11. stock 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, train-
20. ing facilities, and for demonstration, sale, pick up
21. and delivery in trailers, with or without temporary
22. personal accommodations, designed with intended
23. purpose to haul livestock.
24. • changes in the current Texas pari-mutuel law
25. designed to increase revenue to race tracks, resulting
26. in larger purses, breeders' awards and other industry
27. incentive programs.
28. • legislation allowing the placement of VLTs
29. (Video 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. • the establishment of a Texas Bred program to
35. promote the horse industry in Texas. We support
36. equine promotion of education, and development of
37. funds for the Texas Bred program.
38. We oppose horses being classified as companion
39. animals.

## **Livestock**

**119**

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 re-
4. gional brand laws when established on a local option
5. basis. However, we recommend that each cattleman
6. adopt an individual permanent method of identify-
7. ing his cattle. County clerks should be required to
8. notify animal brand owners, by mail, concerning the
9. reregistration 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 to be for slaughter purposes
24. only, unless accompanied by a current, negative
25. trichomoniasis test.
26. • a voluntary animal identification program that
27. is dual purpose, which provides disease traceability
28. and individual identification needed to expand the
29. export market where our trading partners are de-
30. manding traceability. The program should have the
31. following guidelines:

32. 1. The program should be as simple and cost-  
33. effective as possible for producers.
34. 2. The federal government should provide metal ID  
35. tags at no cost and cost-sharing for radio frequency  
36. ID tags.
37. 3. Confidentiality of producer information must  
38. be respected and changes in the Freedom of Infor-  
39. mation Act must be made to further ensure that  
40. confidentiality.
41. 4. The Texas Animal Health Commission will  
42. maintain the state animal ID database.
43. 5. Livestock markets will continue recording owner  
44. addresses with USDA back tags.
45. 6. ID is mandatory at the stocker operator/order  
46. buyer level for cattle going out of state.
47. 7. Information shall be made available only to  
48. the proper animal health authorities in the event  
49. of an animal disease incident and must not be used  
50. for any other purpose or by any other governmental  
51. authority.
52. 8. Identification of animals will not be required be-  
53. fore movement from the original registered premise.
54. 9. Responds to the specific needs of each species  
55. rather than an identical program being required for  
56. all species.
57. 10. Uses the current brucellosis eradication ID  
58. system as one method of cattle identification.
59. 11. Producer must be protected from liability for  
60. acts of others after livestock have left their control.
61. 12. Support the flexibility of using currently es-  
62. tablished and evolving official identification methods.
- 63. • under Country of Origin Labeling, only animals  
64. that are born, raised and processed in the U.S. are  
65. eligible for a “Product of USA” or similar label.
  - 66. • expanded facilities and increased personnel  
67. working at the Texas Department of Agriculture ex-  
68. port pens along the Texas-Mexico border. We encour-  
69. age the Texas Department of Agriculture to cooperate  
70. with Mexican authorities at all levels to create ways  
71. to reduce the large volume of livestock awaiting  
72. approval for passage into Mexico at these facilities.
  - 73. • a concerted joint Texas-Mexico effort to control/  
74. eradicate bovine tuberculosis and brucellosis.
  - 75. • the work of the U.S.-Mexico Bi-National Tuber-  
76. culosis and Brucellosis Committee.
  - 77. • the Texas Cattle and Deer Tuberculosis Man-  
78. agement Plan using regionalization approach to  
79. controlling movement of cattle exposed to infected  
80. herds with TB.
  - 81. • continued research of bovine growth hormones  
82. with special emphasis on human health and the ef-  
83. fects on carcass quality.
  - 84. • measures to hold owners of dogs liable for dam-  
85. age to livestock and property.
  - 86. • legislation that would prohibit dogs that are

87. known to worry or kill goats, sheep, poultry, calves  
88. or other livestock from running at large.  
89. • the humane treatment of all domestic animals  
90. and wildlife. We recognize that livestock and wildlife  
91. are part of the human food chain, they are not equal  
92. to humans nor do they have human rights.  
93. • continuation of the Texas Veterinary Medical  
94. Diagnostic Lab and the Texas Animal Health Com-  
95. mission Lab as separate entities, each with its own  
96. distinct mission.  
97. • minimum guidelines of the National Research  
98. Council's recommendation for phosphorus levels in  
99. feed rations.  
100. • livestock assistance programs for natural di-  
101. sasters.  
102. • revenue assurance programs. The producer  
103. should have the option to participate in government-  
104. assisted insurance.  
105. • state funding of the Rural Veterinarian Incen-  
106. tive Program.  
107. • financial or other incentives to increase the  
108. number of large animal veterinarians.  
109. • the expansion of the current veterinary college  
110. and/or the establishment of additional Colleges of  
111. Veterinary Medicine in the state of Texas.  
112. • surveillance for screwworms on a state and  
113. national level, and continued eradication efforts on  
114. the international level.  
115. • uniform guidelines for control of the fever tick  
116. in Texas.  
117. • soliciting Mexico's assistance in increasing  
118. the width of the Mexican "border barrier zone."  
119. Inspections should continue for brands, marks and  
120. other identifying characteristics at posted markets  
121. in Texas.  
122. • the open range doctrine.  
123. • legislation requiring penalties for the owner of  
124. livestock which are habitually allowed to run at large  
125. with reckless disregard to the welfare and property  
126. of others.  
127. • Texas estray laws being amended to require  
128. that the proceeds of the sheriff's sale of impounded  
129. estrays be used for compensation of property dam-  
130. ages caused by the estrays. The damages should be  
131. determined by a panel of disinterested landowners.  
132. • a State law be passed that clarifies and states  
133. as a principle of law that due to the unpredictable  
134. nature of any livestock and livestock activities, those  
135. who participate in these activities have to accept the  
136. inherent danger and responsibility of their actions.  
137. • livestock and poultry manure being classified  
138. and promoted as reusable by-products or organic  
139. fertilizer.  
140. • auction and commission companies be required  
141. to furnish a copy of the weight ticket to the seller of

142. all livestock sold on a weight basis.  
 143. • the regulation of livestock imports to protect  
 144. domestic livestock from foreign animal diseases.  
 145. • the development of agricultural information and  
 146. education programs that will give the public a clear,  
 147. realistic and technically accurate perspective of animal  
 148. rights issues relative to producer responsibilities.  
 149. • the selection committee of the College of Veterinary  
 150. Medicine at Texas A&M University to place  
 151. greater emphasis on selecting new students who will  
 152. pursue food animal practices.  
 153. • the Texas Animal Health Commission and the  
 154. Texas A&M AgriLife Extension Service to continue to  
 155. work together to educate producers on the rules and  
 156. regulations of the Trichomoniasis Program.  
 157. • all live cattle entering the U.S. from Mexico to  
 158. be identified with a firebrand indicating import.  
 159. • all imported live cattle from other countries  
 160. destined for commercial feedlots to be spayed or  
 161. castrated and S branded.  
 162. • efforts to extend to bison producers the same  
 163. legal status and protection afforded to other livestock  
 164. producers.  
 165. • adequate funding for research and control of  
 166. the lone star tick.  
 167. **We oppose:**  
 168. • bison from Yellowstone Park being transported  
 169. to Texas.  
 170. • restrictions on the sale and/or administration of  
 171. antibiotics and other drugs for animal health by producers  
 172. or their agents, unless such use is adequately proven  
 173. detrimental to human health.  
 174. • any attempt to impose regulations on palpation  
 175. of livestock.  
 176. • any changes to the current animal cruelty laws  
 177. that adversely impact the normally accepted practices  
 178. of handling livestock.  
 179. • any methane or greenhouse gas tax levied on  
 180. livestock and/or wildlife because of normal biological  
 181. bodily functions.  
 182. • muscle meat grown in a laboratory labeled as  
 183. meat.

## **Nursery and Greenhouse 120**

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
3. nursery stock) at the time and place of sale.
4. We oppose local invasive plant list ordinances
5. that would lead to differing, conflicting and uncoordinated
6. efforts to control or ban potentially harmful
7. plant species.
- 8.

## **Peanuts** **121**

1. **We support:**
2. • a voluntary checkoff program administered by
3. the Texas Peanut Producers Board.
4. • Texas peanut growers' efforts 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** **122**

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** **123**

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

## **Ratites** **124**

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 eco-
8. nomical method for identifying ratites.

## **Rice** **125**

1. **We support:**
2. • rice producers and related entities of the rice
3. industry continuing support of the US Rice Produc-
4. ers Association.
5. • the USA Rice Federation when the policies are
6. beneficial to rice producers.
7. • work by the Texas Rice Research Foundation

8. and Texas A&M Research Center at Beaumont to
9. combat blackbirds and red rice in rice fields.
10.
  - the release of genetic engineered rice.

## **Sheep and Goats 126**

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

## **Soybeans 127**

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

## **Wheat and Feed Grains 128**

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

## **Wildlife 129**

1. **We support:**
2.
  - legal sports hunting.
3.
  - the right of landowners, within legal limits,
4. to control hunting and fishing on their land, both
5. unfenced and fenced property.
6.
  - research, law enforcement and educational
7. activities designed to improve hunting and fishing
8. for 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
11. than onto his own property, except in cases of emer-
12. gency.
13.
  - the arrest and removal of all people who disrupt

14. the rights of hunters who hold a valid Texas hunting  
15. license and/or permit.  
16. • Texas Parks and Wildlife Department leasing  
17. rather than acquisition of property to provide public  
18. hunting opportunities.  
19. • classifying exotic game as personal property  
20. and that it not be regulated.  
21. • classifying farmed elk in Texas as exotic live-  
22. stock.  
23. • Texas Legislature’s efforts to reverse the quail  
24. decline in Texas.  
25. • legislation that prohibits public hunting in  
26. Texas public streams and riverbeds.  
27. • legislation that would exempt all property  
28. owners from liability for damages or injuries caused  
29. by wildlife, including Africanized Bees, on private  
30. property.  
31. • clarifying hunter harassment laws so that  
32. normal agricultural activities cannot be construed  
33. as harassment by a hunter on adjoining property.  
34. • an exemption from the Endangered Species  
35. Act for those exotic species located in Texas that,  
36. although endangered in their native country, are  
37. thriving in Texas under private management and  
38. ownership.  
39. • classifying feral hogs as an invasive species and  
40. not as exotic animals.  
41. • additional state funding for animal damage and  
42. depredation control.  
43. • programs of cost-share approaches to control  
44. deer and/or feral hog damage to crops and/or property.  
45. all legal methods to control feral hogs.  
46. • Texas Animal Health Commission regulations  
47. regarding Chronic Wasting Disease for native and  
48. non-native susceptible cervid species.  
49. • a 3 percent maximum limitation on the number  
50. of deer that have to be sacrificed for the testing of  
54. this disease prior to intrastate relocation.  
55. • a 3 head maximum limitation to the number of  
56. non-native CWD susceptible species to be tested as  
57. per the rule put forth by the TAHC.  
58. • legislation to repeal the law that requires land-  
59. owners to purchase hunting and/or fishing licenses  
60. to hunt or fish on one’s own property.  
61. • all money received from fish and game license  
62. fees and park entrance fees to go to the Parks and  
63. Wildlife Department with proper legislative over-  
64. sight.  
65. • rights of private property owners to be recog-  
66. nized and respected by the Texas Parks and Wildlife  
67. Department by giving greater attention and follow-up  
68. on citizens’ input concerning game laws at county  
69. public hearings.  
70. • laws and regulations pertaining to hunting,  
71. fishing and trapping seasons, bag limits, license fees  
72. and damages to agricultural properties by hunters

73. and fishermen, trespassers and wildlife to be compat-  
74. ible with normal agricultural practices and private  
75. property rights.  
76. • local landowners notification prior to any trap-  
77. ping and translocating of game species.  
78. • law enforcement officers protecting the rights  
79. of hunters on public land.  
80. • fine for illegal hunting be increased, and repeat  
81. offenders be charged with a felony and automatic fine  
82. including full restitution when it applies to damaged  
83. or destroyed property.  
84. • the Texas Parks and Wildlife Department using  
85. land acquisition funds for operating, rather than buy-  
86. ing more park land, while at the same time closing  
87. existing parks.  
88. • the hunting season for all game species begin  
89. on a Saturday or other first holiday morning and end  
90. on a Sunday or other last holiday evening.  
91. • the governor appointing bona fide ranchers and  
92. landowners from the white-tailed deer areas of Texas  
93. to the Texas Parks and Wildlife Commission.  
94. • Texas Parks and Wildlife Commission designat-  
95. ing the spring turkey hunting season “shotgun or  
96. archery only” for safety reasons.  
97. • Texas Parks and Wildlife Department and the  
98. Texas Animal Health Commission addressing disease  
99. problems associated with interstate and intrastate  
100. shipment of native wildlife, particularly those related  
101. to the hunting economy in Texas.  
102. • Texas Parks & Wildlife Department regulations  
103. requiring visible and permanent deer tags on all pen  
104. raised deer.  
105. • cooperation between landowners to ensure deer  
106. blinds, feed, feed plots and feeders are more than  
107. 100 yards from boundary fences for safety purposes  
108. without encouraging any new laws.  
109. • the closing of the Managed Lands Deer Permit  
110. (MLD) season the first weekend in February.  
111. • actions to stop the spread of wart hogs in Texas.  
112. **We oppose:**  
113. • any designation of exotic livestock animals as  
114. an invasive species.  
115. • normal agricultural practices, such as top seed-  
116. ing, being considered “baiting.”  
117. • regulations that require a landowner to pay for a  
118. lease license to be able to lease their land for hunting.  
119. • regulations that require landowners to have a  
120. hunting license to kill feral hogs, coyotes and other  
121. non-game animals.  
122. • killing of “trophy” deer on Managed Lands Deer  
123. Permit (MLD) land with a firearm outside of the dates  
124. of the general firearm season set by TPWD.  
125. • any efforts that result in conversion of Texas’  
126. wildlife to private ownership.



## AGRICULTURAL PROMOTION

1. **Information** **130**
2. We recognize the vital importance of accurate
3. crop and livestock reports, market price reports and
4. county agricultural statistics in the marketing of
5. farm and ranch products.
6. **We support:**
7. • programs and appropriations that provide ac-
8. curate and up-to-date marketing information for
9. farmers and ranchers.
10. • an educational program being implemented to
11. educate the general public that we have the safest
12. food supply in the world, and that our economical
13. food supply is a partial result of government farm
14. programs.
15. • programs to educate the public on GMOs and
16. the positive effects on their lives.
17. • TDA including hay quotations with their 800
18. telephone service grain quotes.
19. • public television programs that are devoted to
20. agriculture on a regular basis.
21. • the creation of a statewide Ag Day for schools to
22. recognize the importance of agriculture. This should
23. be in conjunction with National Agriculture Day.
24. • the local water districts, land grant universities
25. and agricultural Extension agencies continuing their
26. roles as educators.

### **Marketing** **131**

1. We will work to develop foreign and domestic
2. markets for our agricultural products.
3. **We support:**
4. • the development of a producers protection act to
5. cover agricultural production contracts and legisla-
6. tion clarifying producers' ownership of commodities
7. delivered to a facility and kept in open storage.
8. • legislation to protect agricultural producer's
9. funds that are being held by a facility in the form of
10. a deferred payment.
11. • farmers' ability to choose arbitration, mediation
12. or a civil trial in any and all disputes between farmers
13. and agribusinesses. We therefore support legislation
14. that prohibits clauses in agricultural marketing or
15. production contracts that require farmers to submit
16. to arbitration and give up rights to mediation or a
17. civil trial.
18. • regulations that provide for prompt payment
19. and/or payment on demand by grain dealers.
20. • adequately bonding all posted markets, meat
21. packers, processors and farm commodity commission
22. sales offices to protect the consignor and buyer.
23. • checkoffs voted by producers for commodity
24. promotion.
25. • a state beef checkoff program in an amount

26. to be determined by producers. The Beef Promotion  
27. and Research Council of Texas would have the au-  
28. thority to retain all collections in the state or send  
29. a percentage to national programs, according to the  
30. following 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  
38. the 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  
54. by the appointment of an administrator to oversee  
55. the Federation of State Beef Councils.
  - 56. • a corresponding increase for imported boxed  
57. beef.
  - 58. • agricultural products be marketed on the basis  
59. of uniform standards and grades and that food prod-  
60. ucts be clearly identified by grade in retail outlets.
  - 61. • market agencies, processors and retailers re-  
62. flecting the value of quality products through price  
63. differentials.
  - 64. • all meat products containing fillers be labeled  
65. identifying the filler and the percentage use.
  - 66. • the Texas A&M AgriLife Extension Service in its  
67. educational program of improved livestock market-  
68. ing procedures, to include revised feeder and stocker  
69. grades of cattle.
  - 70. • the TDA requiring individuals who buy com-  
71. modities and check them for aflatoxin be required  
72. to take a second sample when it is requested by the  
73. farmers selling the commodities.
  - 74. • the use of Texas-grown fruits, vegetables and  
75. other products in the federal WIC program.
  - 76. • a producer cooperative beef packing facility in  
77. Texas.
  - 78. • tax-free bonds to enable agricultural producers  
79. to develop facilities for value-added products.
  - 80. • the TDA "Go Texan" campaign.
  - 81. • wine makers being allowed to market their  
82. products at their production sites.
  - 83. • agritourism as an important potential for agri-  
84. cultural growth.

85. • allowing electronic food stamp benefits to be  
86. accepted at farmers markets.
87. **We oppose:**
88. • any monopolistic practice that would have a  
89. detrimental effect on the free market.
90. • programs that are used by organizations whose  
91. goal is to eliminate or control commercial agricultural  
92. practices.
93. • any checkoff system when the funds are not  
94. controlled by the producers of that commodity.
95. • farmers market vendors being required to  
96. purchase a vendor's license from city or county gov-  
97. ernments.

## **Research**

**132**

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 differ-  
9. ent methods for cost effectiveness and practicality.
10. • funds be made available for all agricultural  
11. research.
12. • intensive research to improve soil and soil test-  
13. ing methods for Texas.
14. • Texas A&M or TDA developing and operating  
15. a 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 AgriL-  
25. ife Research facilities throughout the state that is  
26. directed towards beneficial commercial agriculture  
27. production in the region where the centers are lo-  
28. cated.
29. • an active advisory committee comprised of lo-  
30. cal agricultural producers which offers input to the  
31. research center in their area.
32. • research efforts at each Texas A&M AgriLife  
33. Research center be coordinated among AgriLife  
34. Research, USDA/ARS and private research as ap-  
35. propriate.
36. • AgriLife Extension personnel being utilized by  
37. AgriLife Research centers to disseminate results of  
38. research work to local agricultural producers.
39. • Texas A&M and USDA continuing research for  
40. general and specific crop pollination requirements

41. for such crops as hybrid cotton, sunflowers, soybeans,
42. cucurbits, rapeseed and canola.
43. • Texas A&M and USDA continuing applied re-
44. search on alternative crops.
45. • development of affordable desalination of brack-
46. ish, saline and seawater to increase the supply of
47. fresh water.
48. • research and development of heat- and drought-
49. tolerant seeds.
50. • all private and public universities and USDA
51. to reinstate or expand the oats and wheat breeding
52. and research programs.
53. **We oppose:**
54. • the practice of an entity obtaining exclusive
55. rights to results derived from taxpayer-funded re-
56. search.

## **AGRICULTURAL REGULATORY PROGRAMS**

### **Agricultural Chemicals**

**133**

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 rela-
6. tive to the use of farm chemicals to promote a viable
7. and 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 previ-
14. ously approved as safe chemical to pay for the new
15. test unless 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 con-
20. trol products used in other states.
21. • the Texas Department of Agriculture issuing
22. a temporary applicator's license immediately upon
23. completion of all requirements. No fee or tax should
24. be charged for a private applicator's license.
25. • regulations governing application of agricul-
26. tural chemicals to be workable, effective and should
27. always be accompanied by an economic impact
28. statement.
29. • state restrictions on farm chemicals not to ex-
30. ceed EPA labels.
31. • requiring commercial applicators to carry
32. reasonable, risk- based liability insurance coverage.
33. • reviewing the use of herbicides and chemicals
34. by area, rather than nationwide.

35. • requiring regulations and an applicator's license  
36. for the use of "restricted use" chemicals in urban  
37. areas, households and yards.  
38. • continued research for methods to control weed  
39. species that have developed herbicide resistance.  
40. • farm chemical manufacturers and dealers  
41. providing farmers with a place to dispose of empty  
42. chemical containers.  
43. • TDA recalling, collecting and disposing of all  
44. outdated farm pesticides, with no penalty for pos-  
45. session of these chemicals.  
46. • state funding for annual agricultural waste  
47. pesticide collection events through TDA or TCEQ  
48. throughout the state on a rotational basis at no cost  
49. to participants on a strict no-questions-asked basis.  
50. • farm chemical manufacturers packaging chemi-  
54. cals in returnable, reusable, refundable containers  
55. that are permanently marked as to product content.  
56. • the creation of a clearinghouse for chemical  
57. problems so producers can call in to pinpoint chemi-  
58. cals that are not working.  
59. • consistent state and federal recordkeeping  
60. requirements.  
61. • continued use of 2, 4-D where it can be safely  
62. applied and strict enforcement of chemical laws  
63. pertaining to the Butyl Ester form of 2, 4-D after a  
64. county's cut-off date.  
65. • Dicamba resistant genetics are imperative to  
66. the production of cotton in Texas and other growing  
67. regions in the US. We support the continued use of  
68. Dicamba technology according to label restrictions.  
69. • Lorsban chemical being approved for the control  
70. of Russian Wheat Aphid.  
71. • Reflex chemical being approved for West Texas.  
72. • the use of Atrazine for commercial and agricul-  
73. tural use only.  
74. • the registration of carbofuran granular and  
75. liquid formulation for the control of wireworms in  
76. grain sorghum and corn and for aphids in cotton.  
77. • subjecting imported agricultural commodities to  
78. the same agricultural chemical restrictions as applied  
79. to domestically produced commodities.  
80. • a state requirement that all anhydrous ammo-  
81. nia tow vehicles be equipped with a fully functional  
82. water storage container for first-aid purposes.  
83. • expanded biological pest control research.  
84. • biological pest control programs that are us-  
85. able, practical and feasible substitutes for chemical  
86. controls.  
87. • the use and funding of Integrated Pest Manage-  
88. ment programs in the Texas A&M AgriLife Extension  
89. Service.  
90. • legislation to prevent towns, communities or  
91. cities from regulating or limiting the use of agricul-  
92. tural pesticides.

- 93. • making available new and “proven safe” pesticides by:
- 94.     1. allowing more use of Fast Track full registration;
- 95.     2. giving the Texas Department of Agriculture more authority to authorize use of “proven safe” pesticides in emergency situations without waiting for EPA approval; and,
- 96.     3. making Section 18 authorization good for 18 or 30 months so that the farmer can use it if the same problem occurs the next year.
- 97.     • the revision of current pesticide application laws to be more producer-friendly.
- 98.     • TDA obtaining authority to use a combination of Arsenal and Roundup for the control of salt cedar.
- 99.     • requiring an applicator to be licensed or certified when applying any aquatic pesticides.
- 100.    • restitution for those who have false claims filed against them for misapplying agricultural chemicals.
- 101.    • any person or entity filing a false claim be held accountable for TDA’s cost of testing.
- 102.    **We oppose:**
- 103.    • the EPA or TDA being the main source of information for restricting or banning pesticides.
- 104.    • the right of TDA to have unrestricted access to private property of farmers and ranchers using the 1080 collar and/or M-44 devices. (Confidentiality of the users should be protected.)
- 105.    • the TDA regulations that are responsible for the rising cost of liability insurance for commercial applicators of agricultural products (chemicals).
- 106.    • farmers and ranchers being held liable for damages arising from the use of any chemical that has been applied according to label instructions.
- 107.    • charging a fee or tax for a private applicator’s license.
- 108.    • any regulation that would require a permit to apply a chemical for crop protection.
- 109.    • politically mandated buffer zones.

**Feed and Fertilizer Law 134**

- 1.     **We support:**
- 2.     • a feed and fertilizer control law, with adequate funds, personnel and enforcement authority to cover all regulations related to ingredients and weights and measures for commercial feeds and fertilizers in bulk, sack or liquid form.
- 3.     • the sale of high aflatoxin corn, cottonseed and other commodities that have been detoxified within the state as long as the buyer is informed.
- 4.     • the toxicity levels of aflatoxin needing to be reviewed and reevaluated.
- 5.     • increased oversight and accountability of the state chemist and the Texas Feed and Fertilizer Control Service.

15. • the Feed and Fertilizer Control Service Advisory
16. Committee consisting of farmers and ranchers who
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
23. regulations that require feed tags to clearly label
24. ingredients so that kinds of grains, sources of protein,
25. TDN and kinds of roughage will be placed in order of
26. percentage 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
33. penalty for violations should be severe enough to
34. ensure 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 being reasonable and reducing
50. risks associated with ammonium nitrate storage
51. while 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
56. using negotiated rulemaking.
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 135**

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 con-
7. trol program for insects and diseases of plants and
8. animals.
9. • quarantine regulations that control the quar-
10. antined plant as well as any host plant.
11. • a systematic method of reviewing quarantine
12. parameters and communicating any updates to pro-
13. ducers in a timely fashion.
14. • control and eradication of the citrus black fly,
15. Mediterranean fruit fly, horn fly, white fly and aphid,
16. Sugar Cane Aphid, Bermuda grass stem maggot and
17. Hessian fly.
18. • an effective grasshopper control program in
19. Texas.
20. • adequate funding for research of the biologi-
21. cal control or eradication of the southern pine bark
22. beetle.
23. • the efforts of the U.S. Forest Service to control
24. the southern pine beetle by the cut and leave and/
25. or salvage methods on wilderness areas and on all
26. other national forest land in Texas.
27. • increased state and federal research on the
28. control or eradication of the Africanized bee and
29. the Japanese beetle and dissemination of resulting
30. information to the general public.
31. • research on Phynatotricul Omnivorum (root
32. rot).
33. • prescribed burning of CRP land without pen-
34. alty to the landowner and/or tenant when due to
35. overwintering of insects in Conservation Reserve
36. Program lands.
37. • the Feed and Fertilizer Control Service mea-
38. sures to assure a more uniform and equitable system
39. of testing for aflatoxin.
40. • increased research on genetics and culture prac-
41. tices to reduce aflatoxin and support the approval of
42. Novacil for use on corn intended for livestock feed.
43. • funding for ergot control in grain sorghum.
44. • adequate funding for research, control and
45. eradication of armyworms in Texas.
46. Karnal Bunt:
47. USDA should:
48. • work cooperatively with the wheat industry to
49. designate Karnal bunt as a minor plant pest/disease.
50. • set tolerance levels, based on sound science,
51. that are appropriate to each segment of the wheat
52. industry.
53. • sponsor an international meeting of scientists to
54. evaluate the status and strategies for management
55. of the smut and bunt diseases of cereals worldwide,
56. with particular attention to Karnal bunt.
57. • take a leading role in reevaluation of interna-
64. tional policies on the use of quarantines to prevent



65. the movement of cereal smut and bunt fungi, and
66. maintain a research effort on smut and bunt diseases
67. of cereals, including Karnal bunt.
68. • deregulate Karnal bunt and handle it as a
69. quality issue.
70. • continue compensation discussions with the
58. minimum compensation level the same as 1996 and
59. should include harvesters and transporters estab-
60. lish consistent regulations for sanitizing equipment
61. to limit the movement of Karnal bunt or any other
62. disease.

## **Seed Law**

**136**

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
26. seed tolerance.
27. • require germplasm and variety names of seed
28. be stated on the bag and certification tag.
29. • require germplasm and variety names of seed
30. be 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.
35. • supports the privatization of Texas seed and
36. plant certification services through a non-profit crop
37. improvement association sanctioned by the Associa-
38. tion of Official Seed Certifying Agencies through a
39. memorandum of understanding with the United
40. States Department of Agriculture.

## **Weed Control**

**137**

1. **We support:**
2. • legislation requiring state and/or county
3. governments to use either mechanical or chemical
4. means, following TDA rules and regulations, to con-
5. trol brush and noxious weeds before they mature on
6. rights-of-way, or allowing adjacent landowners and
7. operators to control weeds and brush when necessary.
8. • legislation requiring state and/or county gov-
9. ernments 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
13. be followed by the farmer or rancher. If these guide-
14. lines are followed, there should not be any liability
15. incurred 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
26. include all affected counties in Texas.
27. • programs to control or eradicate invasive spe-
28. cies, including salt cedar.
29. **We oppose:**
30. • Texas Department of Transportation planting
31. any grass which may be detrimental to adjoining
32. land.
33. • the inclusion of invasive weed species such as
34. thistles in wild bird feed.

## **LABOR**

### **General Labor**

**138**

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 (TWC) cancel-
5. ing its cooperative agreement with the U.S. Labor
6. Department and operating as an independent state
7. agency.
8. • an increase in the minimum number of em-
9. ployees that fall under Texas Workforce Commission
10. jurisdiction.
11. • raising the payroll thresholds used for workers’
12. compensation and the Texas Workforce Commission
13. as the minimum wage increases.
14. • replacement of any employee of a state entity or
15. school district as soon as the employee strikes or uses
16. any of the other commonly known weapons of labor

17. unions, such as slowdown or call-in-sick techniques.
18. • legislation making unions responsible for their
19. actions in violating their contracts.
20. • true reform of workers' compensation insur-
21. ance laws in Texas, including the elimination of Trial
22. de Novo and unnecessary litigation which makes
23. workers' compensation insurance costs prohibitive
24. for employers.
25. • multiple business entities under one ownership
26. which file separate federal employers tax returns,
27. also file separate Texas Workforce Commission
28. quarterly reports.
29. • any agricultural operator working a non-
30. agricultural job be eligible for full unemployment
31. benefits.
32. • mandating the Texas Workforce Commission
33. to allow 30 days for an employer that is under their
34. investigation to set a date for them to audit their
35. records at the employer's place of business.
36. • allowing employers 12-14 days upon receipt of
37. certified mail from the Texas Workforce Commission
38. to appeal an unemployment claim filed against them.
39. • increasing the screening of unemployment ap-
40. plicants by the TWC to prevent collection of unem-
41. ployment benefits without just cause.
42. • clarification of just cause for termination in
43. which an employer could justifiably terminate an
44. employee and that employee be denied benefits.
45. • restricting any unemployed from filing for un-
46. employment claims for 5 years when that employee
47. files a false claim.
48. **We oppose:**
49. • the creation of a state labor department.
50. • any changes in the present state picketing laws.
51. • mandatory deduction of any tax or membership
52. dues from an individual's pay.
53. • use of union dues or corporation funds for the
54. support of political candidates.
55. • any state or national law and/or regulation
56. mandating hiring on any basis other than ability.
57. • the unionization of public employees.
58. • providing state aid, such as welfare and unem-
59. ployment compensation, to workers while on strike.
60. • the hiring or use of minors for the purpose of
61. dispensing or selling materials in heavily congested
62. traffic areas or hazardous areas.

## **Farm Labor**

**139**

1. We defend the right of farm workers to organize
2. and bargain collectively without the assistance of
3. federal or state government.
4. We support state laws and regulations concern-
5. ing farm labor that contain the following principles:
6. • secret ballot elections.
7. • prohibition against harvest-time strikes.
8. • unbiased arbitration of labor disputes, using

9. the concept that the arbitrator shall choose one of the
10. final proposals, or a compromise, of the two parties
11. involved to ensure speedy settlement of the dispute.
12.     • prohibition against secondary boycott.
13.     • legal recourse for injured third parties.
14.     • prohibition against the use of compulsory dues
15. for political purposes.
16.     • denial of tax-exempt status to any organization
17. using compulsory dues for political purposes.
18.     • prohibition against the Texas Workforce Com-
19. mission's solicitation of labor for out-of-state jobs.
20.     • workers' compensation on a voluntary basis by
21. employers.
22.     • a bonding requirement for commercial labor
23. recruiters and their sub-agents with a penalty for
24. violation of any labor recruiting law of \$1,000 or three
25. months in jail for each offense.
26.     • provisions for school-aged minor employment
27. when employment does not interfere with school
28. program.
29.     • a requirement that parents and employers
30. share the responsibility of fulfilling child labor law
31. requirements.
32.     • prohibition against licensing crew leaders.
33.     • prohibition against any group of laborers gath-
34. ering on a producer's property for any reason without
35. producer's consent.
36.     **We support:**
37.     • legislation to develop a definition of contract
38. labor to include all employees hired for specific, short-
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
45. suit.
46.     • the use of agricultural labor from foreign coun-
47. tries when local labor cannot be secured.
48.     • the exemption of seasonal agricultural employ-
49. ers from the state unemployment compensation law.
50.     • an unemployment compensation tax rate for
51. seasonal employees at the lowest Texas Workforce
52. Commission rate if unemployment compensation
53. tax is required.
54.     • the retention of the current agricultural exemp-
55. tions from unemployment compensation.
56.     • lowering of workers' compensation rates for
57. custom harvesters.
58.     • laws that would prevent the Texas Rural Legal
59. Aid from producing and distributing material de-
60. signed to promote lawsuits against farm employers.
61.     • exemption of agricultural wages from state
62. minimum wage laws.
63.     • a change from calendar to annual reporting

64. requirements for state unemployment taxes.  
65. • a change from quarterly threshold levels to annual  
66. annual threshold levels.  
67. • increasing these threshold levels to reflect wage  
68. inflation that has occurred since the enactment of  
69. agricultural coverage, and that it be indexed for  
70. inflation.  
71. • excluding farm and ranch workers from workers'  
72. compensation insurance. Until accomplished,  
73. we favor:  
74. 1. lower rates with a deductible clause for agriculture.  
75. 2. laws being clarified and simplified for agricultural  
76. workers.  
77. 3. exemption of employers with 5 or fewer employees.  
78. 4. agricultural employers having the option of either  
79. private insurance or workers' compensation 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.  
98. If they choose to be excluded, their payroll or employment  
99. should not count towards the minimum payroll or number of  
100. employees before the Texas workers' compensation act takes  
101. jurisdiction.  
102. 6. Workers' compensation policies should require  
103. premium payments on a quarterly basis as they accrue and  
104. 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 determine the  
108. citizenship or legal immigration status of employees, or  
109. which penalizes employers for hiring illegal aliens.  
110. • the classification of migrant workers as a separate  
111. class of labor.  
112. • a state minimum wage law; however, as long as a state  
113. law is in effect, its provisions should not be more burdensome  
114. than the provisions found in

120. federal wage laws.
121.     • allowing temporary or seasonal workers hired in
122. agricultural-related industries to file for unemploy-
123. ment benefits.

## **TAXES**

### **Tax Structure Generally                   140**

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
13. tax, 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,
23. Social Security and Medicare taxation.
24.     **We oppose:**
25.     • retroactive taxes

### **Property Taxes                                   141**

1.     **We support:**
2.     • a legislative review of Section 23.55 of the
3. Texas Tax Code, regarding rollback taxes, to define
4. the intent of the law and evaluate potential impacts
5. to agriculture. Depending on review, we support a
6. reduction in rollback taxes for ag valuation that will
7. avoid any negative impacts on agriculture.
8.     • Reasonably repealing, or reducing and consti-
9. tutionally capping, all property taxes and lowering
10. the current appraisal cap. All increases above the cap
11. should be approved by countywide election. Any new
12. tax should be accompanied by a reasonable pro-rata
13. reduction in property taxes.
14.     • repealing, or reducing and constitutionally
15. capping, all property taxes and lowering the current
16. appraisal cap. All increases above the cap should
17. be approved by countywide election. Any new tax
18. should be accompanied by a pro-rata reduction in
19. property taxes.

20. • legislation for property tax relief that allows  
21. for the implementation of a voter approved sales  
22. tax to help finance voter approved bond issues at  
23. the county level. The sales tax would exist for the  
24. life of the bonds or until voters recalled in a proper  
25. election. This sales tax will be in addition to any  
26. existing sales tax.

27. • property tax relief efforts in the State of Texas.  
28. • the state constitution retaining, as a permanent  
29. provision, assessing for tax purposes agricultural  
30. land according to its productive value. Legislation  
31. should mandate compliance with agricultural use  
32. value provisions by all agencies which levy and col-  
33. lect property taxes.

34. • legislation that would deny the power of emi-  
35. nent domain and taxing authority to development  
36. districts until a district referendum has passed.

37. • appraised values reflecting any decreased use  
38. and/or value as a result of power lines, pipelines, oil/  
39. gas field roads, oil/gas field locations, pipeline faci-  
40. lities, and wind turbines.

41. • taxation of property and assets of public and  
42. private utilities by appropriate taxing jurisdiction.

43. • legislation that reduces taxable value and/or tax  
44. rate (primarily school taxes) on idled agriculture fa-  
45. cilities to a level where the facility can be maintained  
46. with the intent of the facility restarting in the future.

47. • apiary be recognized as an agricultural en-  
48. terprise and receiving ag valuation on related real  
49. property.

50. • all structures and facilities used for producing  
51. agricultural income not being valued separately  
52. when income method is used to value farms and  
53. ranches.

54. • legislation exempting buildings used for the  
55. storage or protection of farm equipment, tools, feed,  
56. livestock, poultry, animal and poultry waste, and  
57. other agricultural supplies from property taxes.

58. • legislation to exempt dairy barn equipment  
59. from property taxation and that the dairy barns be  
60. taxed at the same rate as other agricultural build-  
61. ings.

62. • all implements of husbandry remaining exempt  
63. from property taxes.

64. • legislation to prevent taxing authorities from  
65. applying penalty taxation surcharges whenever  
66. rollback taxation applies to the sale or change of use  
67. of agricultural land.

68. • reducing the years of rollback tax penalty as-  
69. sessed on property that does not change ownership  
70. from 5 years to 3 years, or less.

71. • no waiting period for property to qualify for ag  
72. valuation when it is taken out of ag use and then  
73. returned to ag use.

74. • Open-Space (1-d-1 forms) for Agricultural Use  
75. Appraisal should only be required to be updated when

76. the property has change of ownership or a change of  
77. use from agricultural land.

78. • Article 8, Section 19 of the state constitution,  
79. relating to exemptions for farm products and family  
80. supplies, be retained. Orchards should qualify for  
81. this exemption.

82. • incorporated cities being prohibited from col-  
83. lecting city taxes from any area designated as farm  
84. and ranch, as long as such land is operated as a farm  
85. or ranch.

86. • continued ag value designation when agricul-  
87. tural use land is annexed into cities while production  
88. exists.

89. • the present law, as passed by the Legislature in  
90. 1983 (SB 969), pertaining to the authority of certain  
91. counties should be amended to exempt farm and  
92. ranch property.

93. • increasing and applying the homestead exemp-  
94. tion on all ad valorem taxes. All property taxes on  
95. homesteads should be frozen at the age of 65. Due  
96. to inflation, these exemptions should be indexed us-  
97. ing the local appraisal district calculated inflation  
98. index for rising property values. A homestead should  
99. be defined as being up to 200 acres, and classed as  
100. agricultural land at the owners option, for taxation  
101. purposes in this state.

102. • legislation to freeze all property taxes for indi-  
103. viduals 65 years of age or older on land valued for  
104. agricultural use.

105. • a uniform tax code for all two-year educational  
106. institutions and all other taxing entities that includes  
107. a standard \$25,000 homestead exemption and freez-  
108. ing of ad valorem taxes for individuals 65 years of  
109. age or older and requirements that constituents of a  
110. new taxing districts vote to remain a taxing district  
111. of the institution every 5 years.

112. • election of appraisal districts' boards of directors  
113. and oppose a state appraisal system controlled from  
114. Austin. Appraisal districts should be allowed to do  
115. only those jobs intended by the Texas Legislature.  
116. There should be no statewide or area wide methods  
117. of property valuation. Section 5.10 of the Property  
118. Tax Code entitled "Ratio Studies," should be repealed  
119. and we oppose any effort to require mandatory re-  
120. valuation in an appraisal district. The Property Tax  
121. Assistance Division should continue to serve only as  
122. an advisory board to county tax offices. We support  
123. legislation eliminating expensive requirements of  
124. the Property Tax Assistance Division that affect ap-  
125. praisal districts and favor the 3/4 jurisdiction rule  
126. assuring rural areas adequate representation. We  
127. support imposing a spending limit on appraisal to 1/2  
128. of 1 percent of the total tax collected from all taxing  
129. entities in the district the previous year. Legisla-  
130. tion should be passed to place the Central Appraisal  
131. Districts under budgetary control of the county com-



132. commissioner's court. The Central Appraisal District  
133. should provide a worksheet reflecting changes in  
134. valuation any time a taxpayer receives a notice of  
135. value increase.

- 136. • elimination of the current unelected position of  
137. County Chief Appraisal Officer and support the shift-  
138. ing of the duties of the Chief Appraiser to the County  
139. Tax Assessor/Collector which is an elected position.
- 140. • amending existing legislation to provide for  
141. the public election of at least one member of each  
142. Appraisal Review Board in each appraisal district.
- 143. • legislation that would require any taxing entity  
144. to be subject to a rollback if, by either raising the tax  
145. rate or raising property values, or a combination of  
146. the two, the amount increased exceeds 8 percent.  
147. We support lowering the current rollback rate of 8  
148. percent.
- 149. • Timber Price Trends publication used by county  
150. appraisal districts for property tax calculations con-  
151. tain figures representing at least fifty percent (50 per-  
152. cent) of all timber sales, including gatewood prices.
- 153. • modifying the methodology used in calculating  
154. the annual growth of timber to reflect a value that is  
155. a more reasonable projected rate of growth.
- 156. • the legislation that holds timber land appraisal  
157. to no more than the projected growth of timber. For  
158. property tax purposes, areas that have been con-  
159. verted to pine plantations and replanted timberland  
160. should be valued as unimproved open pasture land  
161. for the first 15 years.
- 162. • legislation that would prohibit local taxing  
163. agencies and appraisal districts from assessing the  
164. market value of property on the basis of specula-  
165. tive and theoretical values for subdivision or resort  
166. property, and taxing agencies and appraisal districts  
167. should be required to use a lower realistic value.  
168. Taxing entities and appraisal districts should pro-  
169. vide a list of improvements and/or attributes of the  
170. properties used for establishing comparative value.
- 171. • any charitable organization having income  
172. producing property to be taxed for that property. Any  
173. governmental entity or any other tax-free organiza-  
174. tion, except houses of worship, as defined by the U.S.  
175. Tax Code, acquiring land or property should not be  
176. allowed to remove it from its tax roll. The places of  
177. worship of churches should be tax-exempt, but all  
178. other church-owned revenue-producing properties  
179. should be taxed.
- 180. • state law which allows tax free housing be  
181. amended to provide for taxes to be paid to local tax-  
182. ing entities on those projects.
- 183. • volunteer fire departments being exempt from  
184. taxes.
- 185. • only real property owners should be eligible to  
186. vote in bond or property tax elections. These prop-  
187. erty owners should be permitted to vote in bond or

188. property tax elections in the voting district in which  
189. their property is located, even though this location  
190. is not the location of their residence.  
191. • legislation which precludes election, appoint-  
192. ment, or incumbency to any public office of any indi-  
193. vidual who is delinquent in property tax payments.  
194. • reappraising property every three years instead  
195. of annually.  
196. • exempting agricultural land from the higher  
197. productive value appraisal at which land registered  
198. with TPWD is taxed.  
199. • legislation which clearly defines “Ecological  
200. Laboratories” in the tax code in order to provide  
201. meaningful guidelines to judge the legitimacy of ap-  
202. plications for this status.  
203. • appraisal districts refunding mistakes in assess-  
204. ments that run for multiple years up to a maximum  
205. of five years, and the removal of judgment error im-  
206. munities from statutes.  
207. • an appraisal system which values minerals  
208. based on actual value and that is more responsive  
209. to movements in the market.  
210. • an amendment to 23.175 a, b, c, tax statute  
211. that delays the initial ad valorem property tax of  
212. the mineral gas pool values for 12 months and also  
213. provides a methodology to adjust incorrect valuations,  
214. overpayments and refunds.  
215. • appraisal districts with mineral valuations to  
216. inform royalty owners of the appraisal methodology  
217. utilized on gas wells prior to the owners meeting with  
218. the appraisal staff.  
219. • improvement valuations to farm or ranch acre-  
220. age such as wind turbines, mineral development or  
221. other commercial development to revert to ag valu-  
222. ation if the development is abandoned.  
223. • reduction of time required for attaining agri-  
224. culture or open space valuation on land acquired for  
225. agriculture use purposes.  
226. • tightening requirements to include regular veri-  
227. fication of a legitimate active management plan to  
228. qualify for and retain wildlife management valuation.  
229. • the Texas Parks and Wildlife working with the  
230. Comptroller’s Office to clearly define requirements for  
231. Wildlife Co-ops/Wildlife Management Associations.  
232. • appraisal districts’ policies that assess stocking  
233. rates required for an agriculture valuation being  
234. determined by the productivity of the property not  
235. acreage alone.  
236. • land purchased or managed solely for environ-  
237. mental conservation, water stewardship, or water  
238. production purposes being assessed on current  
239. market value.  
240. • monitoring and working closely with the State  
241. Comptroller’s Office to assure that more accurate  
242. data is used in determining hunting lease income and  
243. expense factors as well as cash lease values, rather

244. than the information presently gathered from sources  
245. such as Parks and Wildlife, FSA, NRCS and the Ex-  
246. tension. Such data can be obtained at the local level  
247. by the Chief Appraiser and the County Agricultural  
248. Advisory Committee.

- 249. • the comptroller's office accepting local actual ag-  
250. ricultural production data (income and expense from  
251. producing crops and livestock) from each appraisal  
252. district when valuating agricultural land, especially  
253. when the data can be substantiated.
- 254. • all production expenses being considered in  
255. valuation formulas using a ten year average.
- 256. • persons evaluating farm property having knowl-  
257. edge and experience in agricultural land valuation.
- 258. • appraisal boards appointing appraisal review  
259. boards with equal rural representation.
- 260. • appraisers meeting the following standards:
  261. 1. All Appraisers in an appraisal district shall be  
262. licensed by the State of Texas.
  263. 2. A person seeking certification shall take classes  
264. at any college offering the appropriate classes.
  265. 3. Passing the State exam shall certify the ap-  
266. praiser.
  267. 4. No internship shall be required.
- 268. • property that has not changed ownership or  
269. type of ag usage only requiring the owners signature  
270. for recertification for ag valuation with the Central  
271. Appraisal District.
- 272. • Farm Services Agency (FSA) certification report  
273. being accepted for ag use certification when property  
274. has changed ownership or type of ag use.
- 275. • appraisal districts valuing water wells and  
276. septic tanks as part of existing improvements and  
277. not as additional value on properties.
- 278. • appraisal district employees entering private  
279. property to make accurate appraisals but, we oppose  
280. the practice of appraisal district employees making  
281. appraisals without the landowner's actual knowl-  
282. edge. Employees of appraisal districts will obey the  
283. Texas trespass law. Any taxing authority that enters  
284. any property should have properly identified vehicles  
285. and name badges and notify owners of property prior  
286. to entering.
- 287. • school districts continuing to be reimbursed  
288. for state mandated exemptions on a dollar-for-dollar  
289. basis.
- 290. • cities buying property for municipal use or for  
291. lakes outside their own county being required to pay  
292. all taxes that would have gone to the county where  
293. the property is located.
- 294. • cities building reservoirs to provide a water  
295. supply being forced to pay county and school taxes  
296. on land inundated where such land, at the time ac-  
297. quired, was covered by bonded indebtedness to the  
298. extent necessary to retire their proportionate share  
299. of the bonded indebtedness.

300. • any property held solely for investment or  
301. speculation by any political subdivision of the state  
302. or state agency, being required to pay a fee equal to  
303. all applicable property taxes.  
304. • the appraisal district posting in the local paper  
305. the average increase in value if the county's property  
306. values have gone up, to show a real increase in taxes.  
307. • a property owner that prevails in court against  
308. a taxing entity in a property valuation dispute being  
309. entitled to recover all expenses incurred in associa-  
310. tion with the lawsuit, plus compensatory damages,  
311. if applicable.  
312. • the Texas Property Tax Assistance Division of  
313. the Comptroller developing more precise appraisal  
314. guidelines for the valuation of manufactured homes  
315. for property tax purposes.  
316. • legislation that would require taxing and tax  
317. collecting entities to send receipts by mail to those  
318. who pay by mail. Taxing entities which do not send  
319. receipts for taxes paid through the mail should be  
320. prohibited by law from foreclosing on property for  
321. non-payment of taxes.  
322. • Texas Property Tax Exemption for Surviving  
323. Spouses of Disabled Veterans.  
324. **We oppose:**  
325. • the inclusion of crop insurance payments when  
326. calculating ag value.  
327. • two tier tax for homes and other property.  
328. • any tax on personal property.  
329. • mandatory listing on county tax rolls of any  
330. personal property used in the production of agricul-  
331. tural commodities.  
332. • taxation of unmined or unproduced coal and  
333. other minerals.  
334. • subjective and/or unrealistically high values  
335. (such as views, possible building sites/development,  
336. etc.) being used to set the appraised value of property.  
337. • clearing of cedar, ashe juniper, and removing  
338. dead oak wilt, or the installation of a rainwater  
339. collection system being the basis for increasing the  
340. appraised values of land by appraisal districts.  
341. • the Property Tax Assistance Division setting  
342. out hunting lease income as a separate line item in  
343. determining agriculture income.  
344. • farms that border public roads or highways  
345. being taxed from the center of the roadway. In  
346. some cases, easements to widen rights-of-way were  
347. given by owners without compensation. The farm tax  
348. boundary should be at the road or highway right-of-  
349. way and mineral rights should go with the farm from  
350. the center of the road.  
351. • the state or appraisal districts being allowed  
352. to increase value on property with agriculture or  
353. open space land valuation, including property under  
354. wildlife management, by changing the calculation  
355. methods or caps. All property should be individu-

356. ally assessed to ensure equal valuation. Adjoining  
357. properties should be compared to like properties and  
358. should not be assumed to have the identical value of  
359. a neighboring property.  
360. • any state agency setting property tax values  
361. higher than a school district's local values if the  
362. district is in a uniform county valuation unit, as this  
363. results in lowering the state funding of the school  
364. district.  
365. • all river authorities having the powers of taxa-  
366. tion.  
367. • any tax being imposed on the seventeen (17)  
368. counties in the Trinity River Basin for the purpose  
369. of construction or maintenance of the Trinity Canal.  
370. • the taxing entities being allowed to foreclose on  
371. property because of nonpayment of minimum taxes,  
372. if the entity fails to send tax statements. For taxing  
373. districts and entities, if it is the entities fault for  
374. not notifying the landowner of record that taxes are  
375. due, then any penalties, collection fees, and interest  
376. should be waived.  
377. During a declared drought or other natural  
378. disaster, selling of livestock, or discontinuance of  
379. hay, grain, fiber or nut production, or receipt of crop  
380. insurance payments shall not result in the loss or  
381. change of ag valuation status for a period of five (5)  
382. years following the end of the declared drought, or  
383. other natural disaster.  
384. The intent of the open space legislation is being  
385. abused by granting open space valuation to unquali-  
386. fied tracts of land. In order to qualify for agriculture  
387. valuation, Wildlife Management acreage must meet  
388. 4 of 7 management objectives.  
389. We oppose mandatory disclosure of sales price of  
390. real estate transactions.  
391. legislature placing roll back decreases or caps  
392. on property tax increases, across all taxing entities  
393. including school districts.

## **Other Taxes**

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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
11. Agriculture or Timber Registration number.
12. • exempting from sales tax recreational income
13. on agricultural land.
14. • those claiming agricultural exemptions be is-  
15. sued a number from the Comptroller's office to be  
16. placed on purchase invoices. The Comptroller's office

17. should take action against businesses which refuse  
18. to honor sales tax exemptions for items purchased  
19. for agricultural use.  
20. • exempting the tax on the resale of a vehicle on  
21. which the state sales tax was paid when purchased  
22. new.  
23. • all exempting taxes on fuels and lubricants used  
24. for agricultural purposes.  
25. • up to one cent per gallon sales tax on fuels to be  
26. returned to the respective counties for county road  
27. improvement. The present motor fuel tax refund for  
28. non-highway uses should be maintained. We support  
29. a tax exemption for clear diesel purchased for off-road  
30. use. All fuel tax money should be spent on roads  
31. rather than being put in a general fund for other  
32. purposes. There should be no tax on vehicle miles  
33. traveled as a means of funding new road construction.  
34. • repeal of the state inheritance tax. If the estate  
35. tax is not repealed, we support the use of Ag Use/  
36. Open Space valuation in calculating the estate tax.  
37. In order to preserve private property rights and to  
38. facilitate transfer of estates to legal heirs without  
39. unreasonable expenses, we favor amending Texas  
40. probate laws to simplify the probate process and to  
41. reduce the excessive legal fees involved. We recom-  
42. mend the value of agricultural property be valued at  
43. the ag valuation used to calculate ad valorem taxes.  
44. • the Texas Legislature allocating the Severance  
45. Tax collected on every barrel of oil or condensate  
46. produced and sold in Texas as follows: 25 percent  
47. to the Permanent School Fund, 25 percent to be  
48. divided between TxDOT districts and the counties  
49. from where the Severance Tax was derived, and 50  
50. percent to the Economic Stabilization Fund (Rainy  
51. Day Fund). TxDOT and the counties will utilize their  
52. respective funds to repair the roads being destroyed  
53. by the drilling and production activity.  
54. • a refinery tax on petroleum or petroleum prod-  
55. ucts, provided that revenue is used only for financing  
56. public school education in Texas with a corresponding  
57. reduction in the allowed ceiling of property taxes.  
58. • the Attorney General's office rendering an opin-  
59. ion regarding the purchase of unexpired contracts of  
60. persons paid with tax funds and enabling employers  
61. to place these persons in other positions.  
62. • a truth in taxation statement from all taxing  
63. entities to end misleading statements from the press.  
64. • amending state law to allow an increase of the  
65. county sales tax cap to 1%. Increases must be ap-  
66. proved by a county referendum.  
67. • the use of sales tax receipts by community  
68. economic development corporations to develop and  
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  
87. vehicle fuel taxes for these purposes. Such funds  
88. should come instead from city vehicle taxes imposed  
89. within 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 benefit-  
94. ing from construction of water infrastructure being  
95. paid for through sales tax or fees on water and  
96. wastewater 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  
120. on carbonated sweetened beverages, food, or consum-  
121. ables containing agricultural products regardless  
122. of size.
- 123. • a medical tax on hospital bills to go to a state  
124. fund for allocation to hospitals to defray indigent  
125. care costs.
- 126. • the collection of exempt taxes and the subse-  
127. quent application of taxes for refund of bonding, in

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

## NATURAL RESOURCES

### Energy and Fuels

143

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  
 6. program 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 estab-  
 10. lishing 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
23. registration or monitoring of above ground fuel stor-
24. age for farm use.

## **Renewable Energy**

**144**

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 alter-
7. native fuels using agricultural products and by-
8. products.
9. • farm-based renewable energy from wind, solar,
10. geothermal, and biomass sources.
11. • photosynthesis research to help better un-
12. derstand how solar energy can be converted into
13. electrical energy.
14. • legislation and interpretation of present envi-
15. ronmental law that would classify biofuels (biodiesel,
16. ethanol, and biomass electrical generation) as “green
17. fuel.”
18. • better incentives for the production of renew-
19. able energy use.
20. • exempting fuel or energy derived from agricul-
21. ture products and by-products from taxation.
22. • legislation requiring ethanol blends to be used
23. where air quality violations exist.
24. • the creation of a renewable fuel producer as-
25. sessment fund (assessed on each gallon of ethanol
26. or biodiesel produced) to be matched with funds
27. from the State of Texas fuel, ethanol and biodiesel
28. production account.
29. • the establishment of self-help programs with
30. oversight and administration by the TDA or the Texas
31. A&M AgriLife Extension Service.
32. • legislation that would give landowners in the
33. State of Texas all geothermal energy rights.
34. • new transmission infrastructure for electricity
35. generated from renewable energy sources.
36. • lighting requirements for all temporary test
37. towers for wind generation of electrical power.
38. • allowing landowners to lease and reserve wind
39. interests.
40. • the Public Utility Commission having oversight

- 41. and bonding authority for the siting and decommissioning of wind turbines.
- 42.
- 43. • electric companies' efforts to assist with information and source contracts for construction and installation of sun or wind energy units that will provide excess energy to be transmitted back to the electric company.
- 44.
- 45.
- 46.
- 47.
- 48. • the standardization of net metering for businesses and homes that produce excess renewable energy across the state.
- 49.
- 50.
- 51. **We oppose:**
- 52. • requiring fuel alcohol to be denatured if it is contaminated during manufacture to the extent that it is unfit for human consumption.
- 53.
- 54.
- 55. • classifying carbon released from energy generation by biofuels as a pollutant.
- 56.

## Utilities

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

39. • the wholesale competition provisions of the  
40. Public 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 compa-  
45. nies 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 resolu-  
50. tion 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  
56. provide 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 justi-  
63. fied.

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

67. • the Communications Act of 1934.

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

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

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

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

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

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

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

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

92. • utility companies carrying a performance bond  
93. in order to restore a landowner’s property to its previ-  
94. ous state. The bond should be increased annually to

95. reflect the increased costs of restoration.  
96. • the Texas Legislature passing laws requiring  
97. utility companies to follow existing rights-of-way,  
98. where possible, with all utility lines. If not, then  
99. follow established fence lines.  
100. • legislative measures that would allow land-  
101. owners to have the opportunity to negotiate utility  
102. right-of-way easements based either on a monthly,  
103. annually, or one-time payment option.  
104. • requiring TV cable providers to provide the  
105. same safety requirements in rural areas that electric  
106. cooperatives and/or rural utilities are required to  
107. provide, including safety shields on guide wires on  
108. poles with anchors.  
109. • legislation requiring removal of abandoned  
110. cable TV and telephone cables in rural areas.  
111. • enforcement of the uniform minimum height  
112. code (22 feet) of all overhead wires over all roadways  
113. to allow movement of farm machinery.  
114. • installation of all new telephone lines under-  
115. ground where feasible.  
116. • labeling of any electrical devices containing any  
117. toxic substance and being near any home site in such  
118. a manner that the individuals near the devices are  
119. aware of their contents or the landowner should be  
120. notified of their contents.  
121. • requiring utility companies to follow all state  
122. and pesticide laws when using chemicals on rights-  
123. of-way.  
124. • legislation giving authority to the Agriculture  
125. and Consumer Protection Division of the Texas De-  
126. partment of Agriculture to check the accuracy of the  
127. natural gas master meters (agricultural use) within  
128. the State of Texas as well as the BTU rating of the  
129. natural gas so that all consumers within the state  
130. can be assured of quantity and quality of the natural  
131. gas for which they are paying.  
132. • an interim study committee of legislators and  
133. agricultural producers using natural gas for irriga-  
134. tion to study the inconsistencies of natural gas prices,  
135. billing procedures, and methods to notify natural gas  
136. users of price prior to use.  
137. • a tax on natural gas that leaves the State of  
138. Texas.  
139. • legislation giving agricultural producers who  
140. use natural gas in their production the right to ap-  
141. peal a rate increase.  
142. • regulation of electrical energy to control the cost.  
143. • requiring utility companies to maintain their  
144. rights-of-way.  
145. • requiring utility and construction companies  
146. to stay within their easements during their work.  
147. • giving agriculture producers the right to appeal  
148. classifications of electrical meters as residential or  
149. commercial.

150.     **We oppose:**  
151.     • exporting natural gas and oil out of the State of  
152. Texas for less than it is selling for in Texas.  
153.     • any deregulation plan that infringes upon the  
154. responsibility of electric cooperatives to provide me-  
155. tering, billing and other services to their members.  
156. Any deregulation plan must be consistent with state  
157. and federal policies that encourage and support rural  
158. economic development.  
159.     • public utilities declaring their gifts to charities  
160. as an expense when testifying before the PUC for  
161. rate increases.  
162.     • rural users having to pay higher utility fees  
163. than comparable urban users.  
164.     • “add-ons” and other assessments to utility bills.

## **Environmental Issues**

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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  
16. same nature by regulatory agencies to one complaint  
17. per annum. Thereafter, the complainant should pay  
18. for inspection costs incurred by the defendant and  
19. agencies for the same type complaint, unless the  
20. complaint proves to be a permit violation.  
21.     • false accusation penalties for persons making  
22. a false complaint about chemical drift.  
23.     • legislation that restricts environmental agency  
24. powers preventing unnecessary discrimination to-  
25. ward 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  
29. information between the buyer, seller and lender.  
30.     • Texas anti-littering laws.  
31.     • a deposit on aluminum can and glass bottles  
32. to reduce litter.  
33.     • the use of recycled and recyclable products  
34. whenever financially feasible.  
35.     • the use of agricultural products in the produc-  
36. tion 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 Pre-  
48. scribed 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  
55. weather forecasting and storm detection as a vital  
56. aid to farming and ranching activities.  
57. • the setting of a maximum acceptable level of  
58. salt water in the land as a result of oil and gas pro-  
59. duction. This maximum level should not take into  
60. consideration naturally occurring salt water levels.  
61. • TCEQ replacing the Texas Railroad Commission  
62. as having authority to investigate, remediate, and  
63. take enforcement action against a person or entity  
64. that exceeds the maximum acceptable level of salt  
65. water 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 moni-  
69. tored by Texas Parks and Wildlife or any environmen-  
70. tal/conservation group be maintained in a manner  
71. which improves water conservation and diminishes  
72. fire risks by reducing or removing excess under-  
73. growth and thinning forest to an acceptable number  
74. of trees per acre. Methods to accomplish these goals  
75. may include prescribed burns, livestock grazing,  
76. mechanical and chemical control.  
77. • adequate protection for land owners who own  
78. the surface rights without mineral rights.  
79. • an in-depth agriculture impact study concerning  
80. nuclear weapons assembly plants expansion.  
81. • agriculture being exempt from laws or regula-  
82. tions that restricts the burning of fencing material.  
83. **We oppose:**  
84. • greenhouse gas emissions from energy usage or  
85. from livestock being considered pollutants.  
86. • TCEQ issuing permits for new coal-fired power  
87. plants unless they consider incorporating Integrated  
88. Gasification Combined Cycle (IGCC) or advanced  
89. combustion technologies along with latest pollu-  
90. tion control technologies that meet or exceed EPA  
91. requirements.  
92. • a coal-fired power plant disposing pollutants in  
93. areas that could harm ground or surface water even  
94. if the plant is permitted with latest technology and

95. meets clean air standards.  
96. • passage of legislation that would give any indi-  
97. vidual or group the right to sue farmers, ranchers or  
98. others in cases of claimed environmental pollution  
99. where the person or persons bringing the suit are  
100. not directly affected.  
101. • an individual or entity moving into a farming or  
102. agriculture production area having the right to sue  
103. an agricultural producer because of dust, noise, odor,  
104. or drift, so long as the property has been in produc-  
105. tion prior to the new resident, individual or entity  
106. moving in to the area.  
107. • legislation, regulating or taxing “dust” in any  
108. open-air agricultural operation.  
109. • TCEQ’s Citizen Watch Program.  
110. • any environmental assessments of rural rights-  
111. of-way performed by or for public or private utility  
112. companies, and the release of these assessments for  
113. public review without the landowner’s prior written  
114. consent.  
115. • legislation limiting the handling, use and stor-  
116. age of oils, oil filters, air filters, gas, diesel or any other  
117. items needed to operate an agricultural enterprise.  
118. • weather modification activities and research  
119. being conducted with full public understanding and  
120. recognition of possible effects to property in the area.  
121. We recommend that before any weather modification  
122. activities take place over any region, landowners of  
123. that region be given the right to vote on this issue.  
124. Uranium Mining:  
125. **We support:**  
126. • TCEQ being the entity responsible for regulat-  
127. ing uranium exploration, mining, and restoration.  
128. • due process permit proceedings and approval  
129. by local commissioners court and groundwater  
130. conservation districts before any permit is granted.  
131. • groundwater baseline testing being required  
132. before any significant exploration is allowed.  
133. • confirmation of the suitability of an aquifer to  
134. allow safe mining without the potential of harming  
135. the groundwater prior to the issuance of any explora-  
136. tion permits for in-situ uranium mining.  
137. • continued monitoring of the aquifer until there  
138. is no longer a danger of radioactivity.  
139. • early warning detection wells placed no more  
140. than 100 feet from the mine in addition to the already  
141. mandated monitoring wells set at 200 feet.  
142. • third party monitoring of the wells  
143. • monitoring reports being sent to the local  
144. groundwater conservation districts.  
145. • indemnity funds being made available for use  
146. by surrounding landowners outside the permit area  
147. when such landowners are affected.  
148. **We oppose:**  
149. • in-situ uranium mining in a drinking water or  
150. stock water aquifer.

1. **We support:**
2. • farmers, ranchers, and appropriate state em-
3. ployees being able to use all effective methods of
4. predator control, including the use of steel traps,
5. aerial hunting, chemical toxicants, and M-44s, to
6. protect livestock, wildlife, poultry and crops.
7. • a concerted statewide effort to retain present
8. laws allowing the taking of furbearing and other
9. non-game animals whose pelts may be of value, and
10. the 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 perish-
18. able 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
26. safe havens for predators or any other agricultural
27. pest from which they can stage raids on nearby farms
28. and ranches.
29. • legislation making it a crime and a civil tort
30. to release hogs or other destructive animals into
31. the wild.
32. • the use of chemical baits for the purpose of
33. controlling feral hogs.
34. • state funding for any research or program in-
35. cluding the use of a bounty to control and/or eliminate
36. feral hogs.
37. • the State of Texas developing a comprehensive,
38. multi-agency plan to fight the growing number of
39. feral hogs in Texas.
40. • research on the adverse economic impact of
41. blackbirds, grackles, and other avian pests that leads
42. to their control and/or elimination in both agricul-
43. tural and non-agricultural areas.
44. • the Texas Department of Agriculture working
45. with chemical companies to obtain a chemical labeled
46. to control the "prairie crayfish."
47. • any recovery program for endangered species
48. including but not limited to The Edwards Aquifer
49. Recovery Implementation Program which includes
50. landowner and/or producer incentives and avoids
51. any restrictions and punishment that would have
52. a financial impact on the private property owner,
53. including any fees or taxes.
54. • a landowner and/or producer operating private
55. property that is declared habitat for endangered spe-



56. cies should receive adequate annual reimbursement  
 57. for restrictions placed on the land.
58. • an economic impact study being made and its  
 59. results considered before declaring any endangered  
 60. species.
61. • the Texas State Comptroller Office being the  
 62. lead state agency with responsibility for endangered  
 63. species issues.
64. • requiring multiple agencies to be involved in  
 65. any scientific studies, planning, or permitting involv-  
 66. ing candidate or listed endangered species.
67. • the right of landowners and/or producers or ten-  
 68. ants to protect themselves, their families, livestock  
 69. and properties from all predators, or invasive species,  
 70. including those listed in the Endangered Species Act.
71. • removal of all poisonous reptiles from any list  
 72. of threatened or endangered species.
73. • removal of the Black Vulture “*Coragyps atra-*  
 74. *tus*,” from the protected status of the Texas Parks  
 75. and Wildlife Department.
76. • the right of producers to protect their livestock  
 77. from vultures without reprisal from state or federal  
 78. regulatory agencies.
79. • legislation to save the Texas oyster industry  
 80. and to protect public health.
81. • legislation allowing pet owners to buy the vac-  
 82. cine and vaccinate their own pets for rabies.
83. • best management practices of evaluating the  
 84. populations of endangered species or candidate spe-  
 85. cies.
86. **We oppose:**
87. • confiscation of air vehicles of coyote hunters for  
 88. minor violations.
89. • the introduction of any species into any area that  
 90. could cause detriment to agriculture.
91. • legislation or regulation establishing the clas-  
 92. sification of feral hogs as “game.”
93. • legislation that would prohibit or restrict the use  
 94. of dogs as a means of trailing, hunting and/or elimi-  
 95. nation of feral hogs, provided the permission of the  
 96. landowner or landowner s agent has been obtained.
97. • Texas Parks and Wildlife Department being al-  
 98. lowed to request listing of any species as endangered  
 99. species.

## Animal Welfare

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1. **We support:**
2. • the humane treatment of all animals.
3. • first responders or owner of an animal must  
 4. be on scene to determine if an animal is in distress.
5. All reasonable attempts should be made to contact  
 6. owner and give warning to remedy problem prior to  
 7. any charges.
8. We oppose any change to the current animal  
 9. cruelty laws or licensing that adversely impacts the  
 10. normally accepted practices or handling of animals.

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
1. rights, including conservation easements.
2. • a landowner having the option of selling devel-
3. opment rights or an easement versus the loss of title
4. through eminent domain for mitigation purposes.
5. • fair compensation for an agricultural producer if
6. that agricultural producer loses income, productivity
7. and/or the right to own or use property, or property
8. value due to these activities or regulation.
9. • the right of property owners to erect and main-
10. tain billboards.
11. • the current law protecting the right-to-farm and
12. any reasonable changes which strengthen it.
13. • statutory and constitutional protection of
14. farming and ranching practices used in production
15. agriculture in Texas.
16. • the immediate cessation of state government
17. agencies purchasing real estate from non-profit or-
18. ganizations at a profit to those organizations.
19. • the removal of tax exempt status for non-profit
20. organizations and require payment of taxes at the
21. appropriate rate when real estate purchased by these
22. groups with tax-exempt dollars is transferred or sold
23. to a government body rather than being donated.
24. • no net loss in private land ownership.
25. • legislation that would grant ownership to the
26. current owner or adjacent owner of abandoned state
27. and county rights-of-way, or abandoned railroad
28. rights-of-way.
29. • the requirement that any governmental agency,
30. or other entity, which establishes a hike and bike
31. trail, ensures protection of adjoining landowners
32. through construction and maintenance of adequate
33. fences and protection from liability issues related to
34. the use of such facilities.
35. • allowing all landowners in Texas to have the
36. option of maintaining a fireguard within boundaries
37. of highway rights-of-way and railroad rights-of-way
38. next to their property.
39. • limitations on rights-of-way permits and ease-
40. ments requiring that the right be exercised within
41. 5 years.
42. • requiring public utility companies to use exist-
43. ing rights-of-way where possible.

44. • strict enforcement to prevent trespassing on  
45. private property.  
46. • relief from liability for property owners and  
47. lessees for injuries to trespassers on their property,  
48. whether their property is posted or not.  
49. • classifying the unauthorized landing of hot air  
50. balloons on private property as illegal.  
51. • the FAA applying regulations (FAA CFR 91.119)  
52. that apply to other civil aircraft to recreational  
53. motorized manned ultralight, paraglider, parachute  
54. operators and abolish FAA part 103 that was created  
55. for these operators.  
56. • holding all aircraft operators, including military,  
57. liable for all damage to livestock and property caused  
58. by over flight of the aircraft.  
59. • establishing a minimum flight altitude to en-  
60. sure safety of livestock.  
61. • landowners being able to forcefully remove non-  
62. military drones in flight over an owner's land without  
63. notice to the operator if the drone is endangering  
64. livestock or property.  
65. • legislation that makes trespassing below the  
66. surface of land as well as on the surface of land illegal.  
67. • legislation that would exempt all property own-  
68. ers from liability for damages or injuries from wild-  
69. life, including Africanized Bees, on private property.  
70. • legislation to reduce, limit or eliminate the li-  
71. ability on agricultural and/or agritourism operations  
72. due to the inherent risks of those operations.  
73. • agritourism which includes, but is not limited  
74. to: corn mazes, educational farm tours, choose-and-  
75. cut Christmas trees, farm animal exhibits or petting  
76. corrals, hay rides, bed and breakfasts, on-farm event  
77. hosting, on-farm retail markets, pick-your-own fruits  
78. and vegetables, winery tours and wine tasting.  
79. • a landowner's right of ownership to artifacts  
80. associated with archeological and historic sites, when  
81. they occur on private land.  
82. • the right of property owners to use their prop-  
83. erty for whatever purpose within the law.  
84. • the right of property owners to sell, lease, or  
85. donate all or any part of their property.  
86. • requiring any buffer around the perimeter of  
87. military bases, designed to keep land in production  
88. agriculture, be clearly focused on that purpose alone.  
89. • any agreements between the military, or its  
90. agents, and landowners to be by lease or contract  
91. rather than easement, and in terms of years, not  
92. perpetuity.  
93. • amending Texas probate laws to simplify  
94. the probate and to reduce the excessive legal fees  
95. involved to preserve private property rights and  
96. facilitate transfer of estates to legal heirs without  
97. unreasonable expense.  
98. • legislation that will provide a remedy for prop-  
99. erty owners who have been victimized by erroneous or

100. improper appraisals in inheritance tax and land con-  
101. demnation cases that will include a course of action  
102. within civil law against such appraisers, including  
103. the awarding of compensatory and punitive damages.  
104. • state tenancy laws that provide lessees rights of  
105. fair treatment but that maintain the property rights  
106. of landowners.  
107. • legislation which would prevent foreign owner-  
108. ship of agricultural land, production units, process-  
109. ing plants and/or warehouses which would result in  
110. unequal and unfair foreign trade advantages.  
111. • a requirement for foreign landowners to pay the  
112. same taxes required of citizens.  
113. • landowners being able to own property to the  
114. center of a creek if they hold an appropriate deed.  
115. • limiting the Texas Parks and Wildlife Depart-  
116. ment s authority for acquisition of agricultural land  
117. to voluntary purchases without the use of condemna-  
118. tion, and with authorization from the Legislature.  
119. • a property owner’s right to utilize resources to  
120. preserve environmentally sensitive ecosystems from  
121. development.  
122. • encouraging the use of Texas Parks and Wildlife  
123. and/or U.S. Fish and Wildlife expertise, but it should  
124. not be required.  
125. • current law that provides landowners with  
126. safeguards under the development of regional habitat  
127. conservation plans.  
128. • any reasonable changes to strengthen the cur-  
129. rent law to benefit private property rights.  
130. • requiring highway departments, utility com-  
131. panies, local, state and federal governments that  
132. damage property to notify property owners within 24  
133. hours, post a guard on all fence damage until repairs  
134. can be accomplished, and to settle claims within 30  
135. days of occurrence.  
136. • legislation giving the Texas Legislature au-  
137. thority to clear up land vacancy issues relieving the  
138. property owner from the burden of proof of ownership.  
139. • requiring vacancy applicants to assume all  
140. expenses related to proving a vacancy, including ex-  
141. penses of all parties in an unsuccessful application.  
142. • legislation that a vacancy be awarded to the  
143. party(s) without charge and no compensation to the  
144. “discoverer/finder” in cases where there is “Vacant  
145. Land” (unsurveyed, unsold public school land) and  
146. the land is held by a “good-faith” party.  
147. • divesting occupied land and unoccupied land  
148. without title as required by the Texas General Land  
149. Office.  
150. • landowners, who as good-faith claimants have  
151. purchased title and paid taxes on land, having prior-  
152. ity standing in ownership disputes between parties,  
153. including state or federal governments.  
154. • the establishment of reasonable property line  
155. setbacks for industrial wind farms by the Public

156. Utilities Commission, utilizing input from accredited organizations and approval by property owners' coalition.
157. 158.
159. • requiring the entity requesting a Dig Test to notify the landowner/operator at least 48 hours prior to digging/excavation.
160. 161.
162. • greater protection and access to information for the landowner/operator under the Dig Law.
163. **We oppose:**
164. • the recreational use of motor driven land conveyance vehicles on or in any public stream or public stream bed in the State of Texas.
165. 166. • any waters of the State of Texas being designated for any purpose that would adversely affect a landowner, including the American Heritage Rivers Initiative.
167. 168. • any state or federal money being spent on the American Heritage Rivers Initiative.
169. 170. • State and Federal Government efforts to expand the San Bernard Bottom Lands Project on farm and ranch land located in Brazoria, Matagorda, Wharton, and Fort Bend counties.
171. 172. • any activity or regulation by governmental or non-governmental entities that will interfere with the rights and control of private property.
173. 174. • any legislation that assesses adjacent landowners for cost of any road construction.
175. 176. • the use of inactive rail beds as hike and bike trails.
177. 178. • public access to private land, including historic or archeological sites, except when specific permission is granted by the landowner.
179. 180. • the use of advanced technologies to collect surface and subsurface data without landowner consent, including all aircraft and drones.
181. 182. • burdensome and unnecessary state and/or federal agency regulation of privately owned unmanned aerial vehicles (UAVs) while being used as an aid for agricultural purposes with landowner, and/or tenant authorization.
183. 184. • the use of drones over private property without permission from the land owner, or tenant, except in the case of a public emergency or court order.
185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198.

**Eminent Domain**

**150**

1. **We support:**
2. • landowners being compensated for the value of the natural resources, if the property is being condemned to acquire those natural resources.
3. 4. • a constitutional amendment prohibiting the use of eminent domain to take private property for economic development purposes, unless it contains unacceptable provisions.
5. 6. • additional protection for the private property rights of landowners when eminent domain is used
7. 8. 9. 10.

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 at-
15. torney fees, appraisal fees, and related costs when-
16. ever the offer is challenged and the amount awarded
17. exceeds 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
38. as a result of property being divided, or adjacent
39. property 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. • property owners receiving property right pro-
50. tections in easement terms throughout the process
51. – whether the property is acquired from the property
52. owner voluntarily, or if the property is taken through
53. condemnation, and even if the property owner pre-
54. vails at a commissioners hearing or court. The con-
55. demning entities being liable and bound to restore
56. the land to its original condition, if abandoned.
57. • the landowner having the option of a lump
58. sum payment and/or annual lease throughout the
59. production period.
60. • appraisals on condemned land being made pub-
61. lic information, so the people involved can be assured
62. of obtaining fair and equitable prices for their land.
63. • property being acquired through condemnation
64. for a stated purpose but not used for that purpose
65. within a two (2) year period, or property which ceases
66. to be used for the specified purpose, being returned

67. to private ownership.  
68. • giving the last owner or heirs the first option  
69. to buy back condemned property at the original sale  
70. price.  
71. • legislation requiring complete satisfaction of  
72. all financial responsibilities before any construction  
73. commences on property or easements taken under  
74. eminent domain.  
75. • amendment of the existing Texas-enabling  
76. process to require review and approval by the county  
77. commissioner's court for all federal or state govern-  
78. ment land purchases or exchanges.  
79. • the reduction of state-owned land.  
80. • requiring by law, that any entity acquiring  
81. land by condemnation to replace in kind based on  
82. actual replacement cost, subject to approval by the  
83. property owner.  
84. • limiting condemnation to only the surface estate  
85. when the public purpose can be accomplished by only  
86. acquiring the surface, with the minerals and water  
87. rights remaining in the possession of the owner.  
88. • legislation that would deny the power of emi-  
89. nent domain and taxing authority to a development  
90. district until a county-wide referendum has passed  
91. in all the affected counties.  
92. • Texas Railroad Commission (RRC) establishing  
93. and strictly following a meaningful review process  
94. of approving Common Carrier Permit applications  
95. (currently known as T-4 Form).  
96. • Texas Railroad Commission (RRC) verifying  
97. information submitted by applicants to ensure those  
98. entities accurately meet the legal standards for com-  
99. mon carrier status.  
100. • a landowner whose property may be or will  
101. be affected by a pipeline or utility project receiving  
102. notice by certified mail from any company with the  
103. power of eminent domain when their land is identi-  
104. fied as a proposed route.  
105. • a landowner whose property may be or will be  
106. affected by a pipeline project having an opportunity  
107. to challenge the common carrier status of any com-  
108. pany with the power of eminent domain in a local  
109. trial court of jurisdiction and local intermediate  
110. appellate court.  
111. • legislation that would require all entities with  
112. the power to obtain property by the right of eminent  
113. domain to have all required state and local permits  
114. before the acquisition of property can begin.  
115. • Legislation to add a fee on all products trans-  
116. ported through intrastate pipelines established  
117. using eminent domain and all revenues generated  
118. be directed to state highway repairs and education.  
119. **We oppose:**  
120. • any agency of government using its power of  
121. eminent domain without establishing positive proof  
122. that there is an urgent and overriding public need for

- 123. the land that is more important than future production of food and fiber, and that there is no alternative
- 124. to taking the land.
- 125.
- 126. • using the power of eminent domain for recreational, environmental or private business, or any
- 127. non-governmental purposes.
- 128.
- 129. • statewide legislation which would grant the
- 130. power of eminent domain to any additional groups
- 131. or agencies.
- 132. • any unit of government holding an election affecting the acquisition of rural property by condemnation prior to it having permitted voting by rural
- 133. and absentee property owner of voting age, if their
- 134. rural property may be acquired.
- 135.
- 136. • easements being used for any purpose other than the purpose for which it was originally agreed.
- 137.
- 138. • the use of eminent domain to acquire land for mitigation.
- 139.
- 140. • the use of eminent domain to acquire agricultural land for lakes from which the water is allocated for municipal and industrial use only.
- 141.
- 142.
- 143.

## **Minerals**

**151**

- 1. **We support:**
- 2. • measures which protect an owner's right to the
- 3. fullest development, production and benefits of minerals consistent with sound conservation practices.
- 4.
- 5. • the Texas Railroad Commission regulating
- 6. state natural mineral resources, other than sand
- 7. and gravel.
- 8. • TCEQ having authority over all environmental
- 9. issues regarding extraction of minerals.
- 10. • legislation requiring state agencies to adopt new
- 11. practices to assure that land and mineral owners are
- 12. fully informed regarding hearings and orders on oil
- 13. and gas field rules, directives regarding pollution, and
- 14. other actions which directly affect mineral or surface
- 15. rights. These hearings should be held in the area
- 16. where the minerals in question are located, and that
- 17. appeals be heard in the nearest court of jurisdiction.
- 18. • requiring the Texas General Land Office to follow Texas Railroad Commission rules and regulations
- 19. and Texas Commission on Environmental Quality
- 20. recommendations concerning the oil and gas explorations and production on state lands.
- 21.
- 22. • the Texas Railroad Commission being responsible for periodic inspection of casings on all producing wells, oil and gas pipelines, and waste disposal and injection wells.
- 23.
- 24. • pipeline carriers being required to adhere to
- 25. strict policies for checking and repairing leaks in
- 26. lines and valves as well as in replacing old lines and
- 27. installing new lines.
- 28.
- 29. • the development of mineral and energy resources on federal lands by private enterprises.
- 30.
- 31.
- 32.



33. • legislation to provide the Texas Railroad Com-  
34. mission Well I.D. Number as the one identifying  
35. number for reference in all jurisdictional agencies  
36. inclusive of the ad valorem taxing entities.  
37. • legislation reducing the minimum withhold  
38. payment from \$25.00 to \$10.00 in a calendar year.  
39. • the Texas Railroad Commission Informal Com-  
40. plaint Process as the FIRST ATTEMPT in resolving  
41. any claim before hiring legal assistance for litigation.  
42. We support legislation that allows the mineral owner,  
43. when forced into litigation, to recover all reasonable  
44. lawyer fees and court costs whenever a well operator  
45. and payer are found in violation of Railroad Commis-  
46. sion rules and the Texas Natural Resources Code.  
47. • legislation that would provide the prevailing  
48. litigant treble the award from Small Claims or J.P.  
49. Court and treble reasonable lawyer fees and court  
50. costs in a case where a mineral owner has prevailed  
51. by favorable decision in Small Claims Court or J.P.  
52. Court, then, having such favorable decision appealed  
53. to a higher court.  
54. • legislation that helps protect mineral owners  
55. from fraudulent operators, by removing the statute  
56. of limitations in the case of fraudulent activities.  
57. • price information being plainly exhibited on any  
58. payment detail and must accompany the payment.  
59. • legislation requiring oil and gas production  
60. royalty checks be paid on time in accordance with  
61. the terms of respective leases.  
62. • legislation providing a minimum damage pay-  
63. ment to surface owners where a well may be drilled or  
64. a pipeline installed, inclusive of any required surface  
65. production equipment for the well and pipeline. Such  
66. minimum damage payment should be paid within five  
67. (5) working days of commencement of any excavation.  
68. • minimum damage payments being made on a  
69. per acre basis for the area excavated for a drilling rig  
70. and on a by-the-foot basis for pipeline installation(s).  
71. Where such minimum payment cannot be agreed  
72. upon, then binding arbitration is preferred over  
73. litigation; the parties sharing equally in the costs  
74. of arbitration.  
75. • legislation ensuring that mineral rights sepa-  
76. rated from the surface rights return to the current  
77. surface owner after 10 years unless the mineral  
78. owner is known.  
79. • all mineral and royalty rights withheld when  
80. land is sold reverting to the surface owner if not  
81. claimed within a specified amount of time after be-  
82. ing recorded.  
83. • all new land sales having a specified time limit  
84. on withholding of minerals. After due process of law  
85. has been executed to find mineral and royalty owners  
86. who have executive rights with their minerals and  
87. royalty, at this time the executive rights through  
88. court hearing should be returned to the current

89. landowner and the unknown heirs share of proceeds  
90. be put in escrow for them to claim.  
91. • efforts to clear mineral ownership for certain  
92. university fund land held in good faith under color  
93. of title for at least 50 years.  
94. • regulations from the Texas Department of  
95. Insurance which make exclusions in title policies  
96. regarding mineral rights more conspicuous in order  
97. to better inform the land purchaser of this exception  
98. to coverage.  
99. • legislation allowing title insurance coverage  
100. be made available as an option for mineral rights on  
101. land title insurance policies.  
102. • a requirement that producers with one or more  
103. active oil leases have a minimum of \$1,000,000 in  
104. liability insurance prior to drilling and maintain  
105. coverage until production ceases.  
106. • requiring proof of insurance to secure a drilling  
107. permit and to sell oil with no grandfathering of leases.  
108. • requiring the lessee to obtain a damage release  
109. from the surface owner that includes provisions to  
110. reimburse the surface owner for:  
111. 1. Damage to livestock.  
112. 2. Damage to the surface.  
113. 3. Damage sustained because of reduced produc-  
114. tion of the land.  
115. 4. Damage incurred because of devaluation of the  
116. property.  
117. 5. Damage resulting from the use of any natural  
118. resources other than those for which the lease is  
119. executed.  
120. 6. Damage resulting from the inability of the sur-  
121. face owner to carry on farming or ranching operations  
122. as previously conducted.  
123. • the following restrictions for seismographic  
124. operations:  
125. 1. No seismographic permits should be granted  
126. without consulting all landowners in the survey area.  
127. 2. All seismographic holes should be recorded.  
128. 3. All seismographic holes should be either ce-  
129. mented, filled with mud or gel before surface capping.  
130. 4. All exploration work from aircraft should be  
131. stopped.  
132. 5. The seismographic operations should be as-  
133. signed to the jurisdiction of the Texas Commission  
134. on Environmental Quality.  
135. 6. Seismic companies should be responsible for  
136. damages to the land owner and surface tenant by  
137. any company with which they subcontract.  
138. • legislation protecting royalty owners in the  
139. event of the financial failure of the crude oil gather-  
140. ing or purchasing company.  
141. • legislation preventing any oil operator or oil  
142. company in violation of Railroad Commission regula-  
143. tions from securing any drilling permits by changing

144. the name of the company or by other questionable  
 145. practices.
- 146. • legislation granting counties the statutory  
 147. authority to execute a valid oil and gas lease on a  
 148. county road right of way where it owns a fee simple  
 149. interest including the mineral estate.
  - 150. • enforcement of the strip mining law and regula-  
 151. tions to provide full protection for surface property  
 152. rights and to minimize damages resulting from ex-  
 153. traction of subsurface minerals.
  - 154. • regulations requiring sulfur bearing sand  
 155. should be placed back in the pit near the depth from  
 156. which it was extracted and surface damage created by  
 157. strip mining or other mineral and/or sand extraction  
 158. practices be repaired to restore the land surface to a  
 159. condition acceptable to the surface owner.
  - 160. • the establishment of safety standards for all  
 161. oil field equipment to safeguard against natural  
 162. disasters.
163. **We oppose:**
- 164. • efforts of federal authorities to regulate our  
 165. state resources.
  - 166. • any compulsory unitization or pooling of gas  
 167. or oil acreage.
  - 168. • legislation that would change existing agree-  
 169. ments between the surface owner and the lessee.
  - 170. • oil and gas exploration, surface pipe lines and  
 171. seismographic testing from county roads and rights-  
 172. of-way without consent of adjacent property owners.

## Groundwater

152

1. We believe that under common law, landowners
2. own the groundwater in place beneath their land.
3. And, this common law ownership provides the land-
4. owner with a vested property right to a fair chance to
5. capture a fair share of groundwater under their land
6. for beneficial use. But, this common law ownership
7. does not give the landowner the right a to specific
8. quantity of water 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
12. and preserve groundwater, prevent subsidence, and
13. protect the property rights of all landowners.
14. **We support:**
15. • landowners having an ownership interest in
16. all groundwater beneath the surface of their land,
17. including 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  
31. areas of the state without a groundwater conserva-  
32. tion district.  
33. • the creation of locally controlled groundwater  
34. conservation districts to manage groundwater where  
35. management is needed to ensure the viability of  
36. agriculture and rural communities.  
37. • allowing districts to adopt rules to manage an  
38. aquifer based on local conditions, to prevent waste,  
39. to preserve and protect the aquifer, to preserve exist-  
40. ing and historic uses, to prevent subsidence, and to  
41. achieve 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 constitution-  
54. ally protected private property right to use or market  
55. groundwater and respects a landowner's right to a  
56. fair share.  
57. - We support the right of the landowner, user, or  
58. groundwater rights owner to petition a groundwater  
59. conservation district to initiate a change in the rules.  
60. - define brackish water.  
61. - apply the same rules and procedures to all  
62. groundwater, including brackish groundwater, regu-  
63. lated by a groundwater conservation district.  
64. • the authority of districts to prohibit the export  
65. of groundwater when the amount to be exported ex-  
66. ceeds the amount of groundwater needed for future  
67. use in the local area.  
68. • prohibiting the exportation of groundwater from  
69. a local groundwater conservation district until the  
70. district has obtained or developed reliable scientific  
71. information about the stored supply and recharge  
72. characteristics of the district aquifers, and has ad-  
73. opted a management plan and rules.  
74. • districts being granted specific authority to pro-  
75. hibit pumping of groundwater into "vanity ponds" for  
76. appearance purposes, and districts being required to  
77. prohibit such pumping in a critical groundwater area.  
78. • groundwater conservation districts evaluat-  
79. ing and considering the impact on the rights of all  
80. groundwater users and landowners in a manner con-

81. sistent with the right to a fair share when adopting  
82. rules or issuing permits.  
83. • groundwater wells for domestic and livestock  
84. purposes with a maximum capacity of 25,000 gallons  
85. per day located on real property of ten acres or more  
86. being exempt from regulation by a district.  
87. • all state lands located within a groundwater  
88. conservation district being subject to all rules and  
89. regulations of the groundwater district.  
90. • any person capturing groundwater from any  
91. aquifer against which a tax has been levied, being  
92. required to pay taxes on groundwater transported  
93. from the district.  
94. • the authority of locally controlled groundwater  
95. conservation districts to assess a fee on groundwater  
96. captured by a governmental entity who owns the  
97. property on which the groundwater is captured, but  
98. is exempt from being assessed property taxes by the  
99. district.  
100. • the state assisting districts with the legal and  
101. data resources necessary to manage groundwater.  
102. • the authority of districts to require a permit to  
103. export groundwater outside the boundaries of the  
104. district.  
105. • the inclusion of a fee under export permits  
106. when needed to mitigate harm caused by the export  
107. of groundwater or finance the operation of a district.  
108. • groundwater conservation districts being al-  
109. lowed to set their own fees for water leaving the  
110. district.  
111. • a streamlined petition process for the creation  
112. of 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  
120. declared if he or she moves from that precinct before  
121. the term is up. The board should only be appointed  
122. when it is clear agricultural interests will not other-  
123. wise be 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 adopt-  
133. ing rules limiting the production of groundwater:  
134. - the groundwater available in all aquifers under  
135. the district's jurisdiction;

- 136. - the amount of groundwater available to be produced under the majority of the district; and
- 137. - the input of the owners or lessees of the groundwater that will be impacted by the rules
- 138. • a meaningful appeals process that allows a
- 139. property owner to challenge a rule, permit, or the
- 140. establishment of a Desired Future Condition of the
- 141. aquifer that will result in unreasonable restrictions
- 142. on a property owner's right to produce groundwater
- 143. or harm investment-backed expectations.
- 144. • Texas Farm Bureau educating members on
- 145. the benefits of creating a groundwater conservation
- 146. district in certain areas of the state as an option to
- 147. the rule of capture.
- 148. • the following regarding the Edwards Aquifer
- 149. Authority Act:
- 150. - changes to better reflect the needs of agriculture
- 151. and landowners.
- 152. - protection of the two acre foot minimum for irrigation and the two dollar acre fee cap for agriculture in the Edwards Aquifer authority.
- 153. - amending the EAA Act to give irrigation permit
- 154. holders the right to lease or transfer their full permit
- 155. to another person for any use.
- 156. - any feasible methods to aid in the recharging of
- 157. water aquifers.
- 158. • State and Federal agencies bearing full financial
- 159. responsibility to remediate any action(s) that
- 160. contaminate groundwater supplies. They offending
- 161. agency should also bear the cost of providing neutral
- 162. representation and technical expertise for affected
- 163. parties.
- 164. • exempting hand dug wells less than 50 feet deep
- 165. from registration.
- 166. • water districts using observation wells, nozzle
- 167. packages, hour readings, center pivots, electric and/
- 168. or gas consumption, or meters to determine historical
- 169. water usage. All methods should be formulated
- 170. allowing for an efficiency decline of at least 10%.
- 171. • all "water users" abiding by the rules of the
- 172. groundwater conservation district, including state
- 173. agencies, governmental entities, municipalities, and
- 174. the oil and gas industry.
- 175. • all groundwater pumped for use in drilling or
- 176. hydraulic fracturing of gas or oil wells:
- 177. - be metered at the pump and reported to the
- 178. Groundwater Conservation District;
- 179. - have a working check valve at the well head to
- 180. prevent any water flowing back into the aquifer; and
- 181. - be properly contained.
- 182. • the privacy of all information obtained by water
- 183. districts on specific individuals or farm entities and
- 184. support that said information be kept confidential
- 185. and not available for public information release.
- 186. • all data information being de-identified and ag-
- 187.
- 188.
- 189.
- 190.

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
- 197. wells that may have a detrimental impact on the
- 198. groundwater resources in the district.
- 199. • Aquifer Storage and Recovery (ASR) projects
- 200. that will provide needed water supplies, while pro-
- 201. tecting the property rights of landowners.
- 202. • TCEQ permitting ASR projects, but ground-
- 203. water conservation districts having the authority to
- 204. monitor ASR projects to ensure there are no detri-
- 205. mental impacts to the existing groundwater supplies
- 206. or private 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
- 211. management of groundwater including brackish
- 212. groundwater.
- 213. • the exportation of groundwater out of an arid
- 214. region.
- 215. • mandatory consolidation of groundwater con-
- 216. servation districts.
- 217. • districts should not be required to issue permits
- 218. for uses outside the boundaries of a district that are
- 219. of longer term than are issued for in-district uses.
- 220. • the statute requiring a separate process for
- 221. permitting and regulating brackish groundwater.
- 222. • assessing landowners a fee or tax for capturing
- 223. groundwater on their own property, except when nec-
- 224. essary to fund the operations of a locally controlled
- 225. groundwater conservation district or for exporting
- 226. groundwater outside the boundaries of the district.
- 227. • the classification of any aquifer as an un-
- 228. derground river that would be regulated by the
- 229. state.
- 230. • permitting pumping of groundwater into any
- 231. water course for the purposes of transporting ground-
- 232. water downstream.
- 233. • the use of groundwater to maintain a certain
- 234. level for amenity lakes.
- 235. • water meters being required on irrigation equip-
- 236. ment by TCEQ, taxing entities, or other agencies.
- 237. • any entity being granted sovereign immunity
- 238. from the rules and fees of a groundwater conserva-
- 239. tion district.
- 240. • any changes to the Edwards Aquifer Authority
- 241. Act that will harm agriculture or landowners.
- 242. • districts allowing permit holders to retain full
- 243. right to historical use of the water changes to some
- 244. other use.
- 245. • regulations that attempt to prioritize the ben-

246. official uses of groundwater between groundwater  
247. users, whether fresh or brackish.

## **Surface Water**

**153**

### **We support:**

1. • diffuse surface water and wetlands being the
2. lawful property of the surface owners of the land.
3. • actions to limit non-essential domestic uses
4. during times of drought.
5. • the right of landowners to utilize the rainfall
6. that occurs or flows on their land for impoundment,
7. irrigation, or other use regardless of prior claims
8. downstream.
9. • agricultural producers and landowners rights to
10. impound a reasonable amount of surface water, up to
11. 200 acre feet, without permit for domestic, livestock
12. and wildlife management use based upon the climate
13. in the geographic location of the impoundment, the
14. degree of intensity of the operation, and the tract size
15. where the impoundment will be located.
16. • the construction of retention ponds to store
17. runoff water to help control flooding and to allow for
18. greater recharge of the underlying aquifers. These
19. facilities should be built through cooperative agree-
20. ments between willing landowners and governmental
21. entities.
22. • a study on the sale of allocated water rights.
23. • state and regional water planning that takes
24. into consideration future needs for water for agri-
25. cultural uses, and protects established rights of prior
26. beneficial users of water as well as the riparian rights
27. of landowners.
28. • water for agricultural purposes should be clas-
29. sified as an essential use of water.
30. • actions that assure agricultural producers that
31. their right to water use is guaranteed and that no in-
32. dustrial user be allowed to infringe upon these rights.
33. • agricultural use being given priority over water
34. for recreation, pleasure, environmental and other
35. less beneficial uses, and having the same priority as
36. industrial use.
37. • regulations requiring river authorities and
38. other publicly owned water management entities
39. to manage water in such a way as to maximize the
40. beneficial use of water.
41. • rules which would require the use and sale of
42. interruptible water by a river authority or public
43. entity be considered an allocation of state water and
44. made in accordance with Texas Water Code section
45. 11.024, 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
50. water 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 re-  
55. allocate 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 wa-  
67. ters” so that the classification has the least impact  
68. on private 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 reser-  
75. voirs located closer to the point of utilization or off-  
76. channel reservoirs that scalp excess flow during flood  
77. events and storing that water either on the surface  
78. or in an aquifer.  
79. • construction of reservoirs along streams for  
80. urban use if the cost of the reservoir is paid for by  
81. the 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  
93. dams or reservoirs in excess of 3,000 cubic feet per  
94. second on the bed, banks, and streams below the  
95. dams or reservoirs. These studies should be done  
96. and reported to the riparian stream owners at least  
97. every five years.  
98. • capturing excess river flow in off-channel reser-  
99. voirs to be stored and used provided that:  
100. - the off channel reservoirs are filled only when  
101. the river basin is deemed by its governing authority  
102. to have excess flow,  
103. - to the extent possible any land used in construc-  
104. tion of the off channel reservoirs and other facilities  
105. needed be purchased from willing sellers with the  
106. seller having the right to request a cash payment or

107. other property in exchange for the land purchased.  
108. • voluntary water rights marketing systems that  
109. provide maximum protection and compensation to  
110. landowners. The Texas Water Bank should remain  
111. a voluntary program.  
112. • changes to simplify TCEQ's irrigation permit  
113. procedures and standardize expiration and renewal  
114. dates.  
115. • TCEQ initiating the development of a system of  
116. irrigation allotment for the middle section of the Rio  
117. Grande River which will provide a minimum percent  
118. of the yearly amount of water available to irrigate.  
119. • legislation which would prohibit water rights  
120. that have been canceled or forfeited, from being re-  
121. permitted for use outside of the county where the  
122. water right was originally appropriated.  
123. • compensation or reimbursement for landowners  
124. for flood damages caused by an over storage of water  
125. in reservoirs controlled by state river authorities, the  
126. Corps of Engineers, or others.  
127. • the expedited construction of the Allens Creek  
128. reservoir project.  
129. • legislation that provides funds for the repair and  
130. maintenance of current and future levees and flood  
131. control structures by federal or state entities. Levees  
132. should be constructed, maintained, and repaired to  
133. ensure the maximum amount of agricultural land  
134. is available to producers. However, we oppose re-  
135. quirements for surveys of aquatic resources and the  
136. development of relocation plans.  
137. **We oppose:**  
138. • any legislation or action which would take away  
139. the riparian rights of landowners to use water from  
140. streams adjacent to or on their property, for essential  
141. domestic or livestock uses regardless of the use of  
142. such rights in the past.  
143. • activities such as irrigation of lawns and water  
144. for aesthetics being considered essential domestic  
145. uses of water.  
146. • modification or canceling of current beneficial  
147. users water rights to maintain "instream flow" on  
148. segments of Texas rivers and streams.  
149. • subjecting current diverters to further test and  
150. requirements not currently required by law.  
151. • state or federal control of runoff water into non-  
152. navigable streams, roadside ditches, or depressions  
153. that temporarily hold water.  
154. • any legislation that would hinder agricultural  
155. producers in obtaining water for their crops and live-  
156. stock or that would make the water more expensive.  
157. • condemnation of surface water rights, except  
158. for domestic, essential municipal, or livestock use  
159. necessary to sustain life.  
160. • reclassification of state water from recreational  
161. or instream use to industrial use.

162. • instream flows being served strictly for bays and  
163. estuaries, recreation, pleasure or other uses, other  
164. than water for livestock, not presently designated as  
165. beneficial uses under current water law.  
166. • any effort by the state to expand the interpreted  
167. definition of the term “navigable water.”  
168. • TCEQ assessing individuals an administrative  
169. penalty, without due process, for dams constructed on  
170. rivers, creeks, or streams the agency later determines  
171. to be navigable.  
172. • the construction and funding of large reservoirs,  
173. dams, channelization and channel realignment  
174. projects that create a large loss of tax base, destroy  
175. enormous agricultural acreage for the advantage of  
176. cities, recreation, or other uses of state water detri-  
177. mental to agriculture, unless the water project would  
178. have less of an impact on agriculture and rural Texas  
179. than other potential water projects in addressing  
180. those water needs.  
181. • the forced release of any water from river au-  
182. thorities or reservoirs without remuneration.  
183. • the planning and further consideration of the  
184. CUERO I and SANDIES reservoirs in DeWitt and  
185. Gonzales counties and the Goliad Dam on the San  
186. Antonio River in Goliad County and the Marvin  
187. Nichols Reservoir in Northeast Texas due to the loss  
188. of tax base for the taxing entities in each county and  
189. because the intended end-users have not considered  
190. all alternative means of additional water sources.  
191. • river authorities or other publicly owned water  
192. management entities intentionally or unintentionally  
193. changing historic water use to solely benefit recre-  
194. ational users at the expense of other higher priority  
195. water users; however, in the event this happens the  
196. recreational users should be required to compensate  
197. the water management entity so other alternative  
198. water supplies can be developed or conservation  
199. measures can be implemented to satisfy the unmet  
200. demands of the higher priority water users that have  
201. been impacted.  
202. • maintaining reservoir levels for recreational  
203. purposes instead of flood control or consumptive use.  
204. • any inter-basin transfer that would leave the  
205. basin of origin with unmet future water needs.  
206. • inter-basin transfers unless:  
207. - a surcharge is required on the transfer to provide  
208. monies to assist agricultural producers with satisfy-  
209. ing their demand for water;  
210. - the receiving basin has implemented a water  
211. conservation plan;  
212. - the receiving basin has exhausted all other  
213. reasonable means of providing their water needs;  
214. - the receiving basin agree to assist with conserva-  
215. tion efforts in the basin of origin;  
216. - an impact study is conducted and shows that

217. the transfer will benefit both the receiving basin and  
 218. the basin of origin and will not negatively impact  
 219. agricultural production, local or regional economies  
 220. or the environment of the basin of origin;  
 221. - the water being transferred is given a junior  
 222. priority date for any inter-basin transfer that would  
 223. harm existing water right holders or third party  
 224. surface water users in the basin of origin.  
 225. • the Rio Grande Water Master failing to des-  
 226. ignate flood flows in the Rio Grande below Falcon  
 227. Reservoir as “No Charge” water when no stored water  
 228. is being released from Falcon Reservoir.  
 229. Water Masters:  
 230. **We support:**  
 231. • Water Master programs that:  
 232. - are initiated by water right holders to address  
 233. specific water availability concerns, such as short-  
 234. ages or drought.  
 235. - are limited in scope to encompass the smallest  
 236. geographical area practicable to ensure effective  
 237. management in accordance with the Texas Water  
 238. Code.  
 239. - establishes an oversight body that is represen-  
 240. tative of the water rights held in the program area.  
 241. • the appointment of temporary water masters  
 242. in areas of the state where normal conditions and  
 243. water use do not merit the need for a water master.  
 244. • the termination of a water master program upon  
 245. submittal of a petition signed by a majority of the  
 246. water permit holders in the program area.  
 247. **We oppose:**  
 248. • permanent, basin-wide water master programs  
 249. without the explicit consent of a majority of water  
 250. right holders in a given river basin.  
 251. • any added, basin-wide fees on water right per-  
 252. mits to support a water master program that only  
 253. benefits a small portion of a given river basin.  
 254. • any action(s) by a water master that would ef-  
 255. fectively exempt junior water rights from the doctrine  
 256. of prior appropriation.

## **Water Management**

**154**

- We support:**
1. • regional water planning that is balanced be-  
 2. tween surface water and groundwater and provide  
 3. the greatest benefit to all the citizens of the State of  
 4. Texas. Prohibiting inter-basin transfers while allow-  
 5. ing the exporting of groundwater will not provide that  
 6. balance, and will harm those dependent on ground-  
 7. water while benefiting those who use surface water.  
 8. • the appointment of at least one owner of an  
 9. agricultural production enterprise as a commissioner  
 10. to the Texas Commission on Environmental Quality  
 11. (TCEQ).  
 12. • the Texas Legislature specifying the Texas Com-

13. mission on Environmental Quality as the lead agency  
14. for water, water quality and wetlands; however, the  
15. TCEQ should recommend rather than formulate  
16. 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  
24. an appropriation of general revenue or Rainy Day  
25. Funds into a dedicated revolving fund for water  
26. infrastructure. This source of revenue should be  
27. broad-based and low-cost with minimal effect on  
28. agricultural producers.
- 29. • the election of all directors of river authorities.
- 30. • legislation to divide river basins into geographi-  
31. cal voting districts, with the directors being elected  
32. by the people they serve.
- 33. • all state river authorities being placed under  
34. the state’s Sunset Review process for accountability  
35. and oversight.
- 36. • all municipalities and water supply districts, in  
37. need of water, look into the feasibility of desalination.
- 38. • state and federal assistance for the development  
39. of desalination projects.
- 40. • water for agricultural purposes being classified  
41. as an essential use of water.
- 42. • expeditious development of brackish and sea  
43. water desalination projects to meet the growing  
44. demands of municipalities.
- 45. • state and federal resources being allocated with  
46. a high priority to assure a timely availability of this  
47. new water supply.
- 48. • state funding of mandatory water programs  
49. since regulation and enforcement of state water law  
50. accomplishes a public purpose and is in the public  
51. interest.
- 52. • rainwater collection for domestic use and to  
53. encourage state and county governments to promote  
54. incentives for the use of rainwater.
- 55. • legislative funding of low interest loans and  
56. tax incentives to promote water conservation and  
57. efficiency in both urban and rural environments,  
58. thus preventing waste.
- 59. • reinstating the provisions in the U.S. Tax Code  
60. that would allow the Agricultural Water Conserva-  
61. tion Equipment Loan Program administered through  
62. the Texas Water Development Board to be utilized.
- 63. • legislation that encourages and supports vol-  
64. untary water and land stewardship by providing  
65. assistance and incentives to landowners for activities  
66. which benefit both urban and rural Texas.
- 67. • using the most practical water conservation  
68. measures available for all above ground sprinkler

69. systems that utilize groundwater as their source.
70. • the concept of importing water into Texas for
71. domestic, municipal, agricultural, commercial and
72. industrial purposes. Imported water should be paid
73. for by the users.
74. • the construction of pipelines or reservoirs being
75. financed by the beneficiaries of the project.
76. • more aggressive programs to improve water
77. conservation and water quality, by increasing both
78. research and investment in removal and control of
79. non-beneficial/non-productive, invasive plant and
80. animal species that consume or impede water flow
81. in our streams, ponds, lakes and estuaries.
82. • continued funding of the Water Supply En-
83. hancement program.
84. • the continued programs of brush removal and
85. riparian management that aids in flood control.
86. • intense research on beneficial plant species,
87. animal species and agricultural practices that will
88. conserve water and more efficient methods of apply-
89. ing water, as well as developing crops with low water
90. requirements and creating more efficient methods of
91. dry land farming.
92. • brush control programs that are positive for
93. range, wildlife and livestock management and ben-
94. efits endangered species and water conservation.
95. • Texas and United States government efforts to
96. solve the problem of Mexico not delivering water to
97. Rio Grande reservoirs as specified in the 1944 water
98. treaty between the U.S. and Mexico.
99. • efforts to ensure that water deliveries to the Rio
100. Grande River and allocations are strictly honored
101. by U.S. and Mexico as stipulated by the 1944 treaty.
102. • federal and state programs designed to allevi-
103. ate hardships to Texas agribusinesses as a result of
104. Mexico's treaty non-compliance, including crop insur-
105. ance APHs (Actual Production History).
106. • financing of improvements to water delivery
107. systems along the Rio Grande River.
108. • the construction of channel dams to prevent loss
109. of water into the Gulf of Mexico.
110. • changes to the Texas Department of Licensing
111. and Regulations rule to enable persons who work
112. on submersible pumps, pump jacks and windmills
113. to operate under a single license instead of three
114. separate licenses.
115. • TCEQ providing statistical information about
116. water rates to the water utilities that they regulate
117. and assist in establishing and defending water tariffs.
118. • requiring that all new or amended water right
119. permits, reuse authorizations, or certificates of ad-
120. judication be subject to conservation requirements.
121. • requiring municipalities and water utilities
122. that have taxing authority or collect fees for water
123. imposing water conservation measures.
124. • legislation which would require restriction for

125. environmental flows to be considered in re-permitting  
126. an existing water right for a new use.  
127. • public water utilities restructuring their water  
128. rates to promote water conservation.  
129. • voluntary soil and water conservation programs.  
130. • the use of best management landscape prin-  
131. ciples to promote water conservation.  
132. • legislation requiring “smart controllers” with  
133. rain sensors or moisture sensors on all landscape  
134. irrigation systems.  
135. • Texas Water Development Board in its respon-  
136. sibility to develop and implement a process for state  
137. and regional water planning.  
138. • a requirement that all developers assure an  
139. adequate water supply for all properties to be sold  
140. within their development.  
141. • the Board of Directors of local conservation,  
142. water, and water control and improvement districts  
143. having a voice in retaining qualified personnel at  
144. the local level.  
145. • reclamation and reuse of water used in hydrau-  
146. lic fracturing in gas and oil drilling and completions.  
147. • regulations of water restrictions implemented  
148. by municipalities being regulated and enforced to as-  
149. sure the economic stability of production agriculture  
150. and agribusinesses.  
151. • agriculture having priority over businesses that  
152. can sustain mechanical production under water use  
153. restrictions.  
154. • enabling the Texas Railroad Commission to  
155. regulate the amount of fresh water from aquifers  
156. utilized in oil and gas well drilling and hydraulic  
157. fracturing.  
158. • the Railroad Commission suspending the use of  
159. aquifer water, if aquifer levels show critical decline,  
160. until normal levels return.  
161. • conjunctive use of surface water reservoirs  
162. and groundwater resources if a utilization plan is  
163. established that:  
164. - demonstrates that the aquifers can sustain  
165. pumping to meet local needs as well as additional  
166. needs of the project;  
167. - prohibits ground water from being used to fill  
168. a reservoir.  
169. - compiles with the rules and regulations of any  
170. local groundwater conservation district(s).  
171. - contains provisions to terminate or temporarily  
172. suspend operations if during the term of the project  
173. significant drawdown of the aquifers occurs.  
174. • irrigation districts improving their system to  
175. be efficient and prevent waste of water.  
176. • municipal re-use and water recycling technolo-  
177. gies that do not negatively impact downstream water  
178. right holders or the environment.  
179. **We oppose:**

- 180. • municipalities taking over an operating irrigation.
- 181. • legislation that would give municipalities water
- 182. that is required to sustain agriculture.
- 183. • any efforts to amend reclamation laws that
- 184. would negatively affect the priority of water allocation
- 185. for agricultural use and would reduce the Secretary
- 186. of Interiors authority to direct water usage.
- 187. • unfunded mandates for conservation measures
- 188. for existing (historic) water use.
- 189. • restrictions on any existing water right holders
- 190. (historic use) to ensure instream flows.
- 191. • the release of raw municipal water into bays
- 192. and estuaries during critical drought periods for any
- 193. environmental or industrial reason.
- 194. • compulsory soil and water conservation programs
- 195. and practices.
- 196. • any impact fees on lands that drain into a
- 197. watershed.
- 198. • the use of fresh water to flood or frac oil-bearing
- 199. formations if other options are available.
- 200. • efforts to tax agriculture interests and rural
- 201. communities not directly benefiting from the development
- 202. of municipal water resources.
- 203.

## **Water Quality**

**155**

### **We support:**

1. • stricter enforcement of laws that will protect
2. surface, underground irrigation and domestic water
3. supplies from pollution, contamination, and depletion
4. by nuclear waste dumps, solid waste dumps,
5. toxic waste, wastewater sources, strip mining and
6. other mining operations and oil field production and
7. exploration.
8. • reasonable legislation and regulations designed
9. to clean up existing polluted surface water.
10. • a “use attainability analysis” process on all
11. water bodies to determine the appropriate use classification.
- 12.
13. • legislation which would require state and municipal
14. government entities to abide by the same water quality
15. standards required of the general public in regard to
16. pollution of surface and underground water.
17. • rules which would require municipalities to
18. draw their water for domestic use no more than five
19. miles downstream from their waste disposal outlet.
20. • well-head protection of all wells to prevent
21. groundwater contamination.
22. • plugging of all abandoned non-producing water
23. wells and capping of all abandoned producing water
24. wells.
25. • plugging temporarily abandoned wells if they
26. are not returned to production within a five-year
27. period.
28. • the Texas Railroad Commission strengthen-



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

## **Waste Disposal**

**156**

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 hazardous
13. waste by truck on Texas highways.
14. - Strict regulation of transportation of hazardous
15. wastes by train on Texas railways.
16. - Specific parameters of acceptable sites for facili-
17. ties 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
24. the county of the proposed site. All property owners
25. within 10 miles of the site should be notified of the
26. hearing.
27. • public hearings being advertised in all county
28. or city publications, radio and electronic media in
29. the county for a minimum of 3 consecutive weeks
30. immediately prior to the hearing.
31. • legislation to limit the amount of radioactive
32. waste that could be stored on the generating plant
33. site. No additional sites should be approved by the
34. state until legislation is revised.
35. • legislation that would prevent radioactive and
36. toxic waste dumps from being placed on or beneath
37. productive agricultural land and in areas with large
38. underground water reservoirs.
39. • financial compensation being paid when a
40. farmer or ranch is adversely impacted by an entity
41. operating a facility that processes, manufactures,
42. stores or disposes of hazardous, toxic, or radioactive
43. waste, or any other material that may pose an adverse
44. impact on the economic well-being of agriculture.
45. • county governments having the authority to
46. limit the disposal of toxic and industrial wastes
47. within the geographical boundaries of the county.
48. The citizens of the county should decide the limit of
49. such disposal.
50. • making the generators of waste responsible for
51. its proper disposition.
52. • a method for solid waste management services
53. that would benefit all persons in the state. These
54. services should be cost effective, environmentally
55. sound and locally accessible.
56. • coordination between local governmental sub-
57. divisions to develop plans to minimize the amount
58. of solid waste to be disposed.
59. • regional solid waste management facilities
60. when the operation of a local waste management
61. facility is not economically feasible.

62. • recycling of waste products over other means of  
63. solid waste management.

64. • phasing out the landfill disposal of toxic chemi-  
65. cal wastes and providing incentives for industries to  
66. implement resource recovery projects.

67. • regulations requiring substantial bonding for  
68. toxic disposal sites.

69. • the Texas Commission on Environmental Qual-  
70. ity moving expeditiously to hold hearings for “Part  
71. B” operating permits.

72. • required monitoring for any hazardous waste  
73. facility that handles material proven to be harmful  
74. to human health, air, water, or agricultural land.

75. • incentives for industry to reduce the disposal  
76. of toxic or hazardous wastes, including recycling,  
77. biological, chemical, or physical treatment, or force  
78. decomposition, so as to immobilize, detoxify, or de-  
79. stroy a material’s hazardous state.

80. • manufacturing processes and rewarding al-  
81. ternative technologies that reduce hazardous waste  
82. production at their source.

83. • an annual per ton fee on the incineration, injec-  
84. tion, and landfill disposal of hazardous waste that  
85. is no lower than similar fees charged by contiguous  
86. states. These fees should be placed in an interest  
87. bearing “superfund” for the sole use of monitoring  
88. and cleanup of abandoned or disposal sites.

89. • legislation that exempts from liability indi-  
90. viduals or farm and ranch corporations who become  
91. owners of real estate found to be contaminated with  
92. toxic substances if pollution took place prior to their  
93. ownership.

94. • research and promotion by Texas A&M AgriLife  
95. into the use of constructed wetlands in place of drain  
96. fields for septic tanks and facultative lagoons for  
97. disposal of wastewater.

98. • cooperation and compliance with the state law  
99. on sewage disposal; however, we favor repeal of that  
100. portion of the law requiring the licensing and taxing  
101. of homeowners for septic tanks.

102. • legislation or regulations that allow property  
103. owners with more than 25 acres to dispose of site  
104. generated non-hazardous household waste on site  
105. and be exempted from Type III municipal waste  
106. disposal permit requirements.

107. • the use of biodegradable disposable diapers  
108. instead of non-biodegradable diapers.

109. • the “Don’t Bag It” lawn maintenance program  
110. of the Texas A&M Extension.

111. • rules and regulations concerning the applica-  
112. tion of municipal sludge on agricultural land that  
113. are based on sound science and environmental  
114. testing. Agricultural land values and surface or  
115. underground water must not be adversely impacted  
116. by these practices.

117. • establishing an on-going research program to

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

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

- 229. landfills while at the same time approving applica-
- 230. tions. This is a conflict of interest.
- 231. • out-of-state waste materials coming into the
- 232. state.
- 233. • property owners being held accountable for
- 234. contamination of disposal pits where a hazardous
- 235. waste was deposited prior to a chemical being clas-
- 236. sified a hazardous waste. No fines should be levied
- 237. against property owners and the state should pay
- 238. all cleanup costs.
- 239. • grease and grit trap waste being land applied
- 240. under a “beneficial use determination,” or being
- 241. mixed or blended with other sludge unless it is ca-
- 242. pable of meeting Class A or Class AB requirements
- 243. for beneficial use as per TAC 312.
- 244. • being charged a disposal fee for tires or batteries
- 245. if a dealer is not in possession of tires and batteries
- 246. that are in need of disposal.

## **Agricultural By-Products 157**

- 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
- 6. and animal waste as fertilizer.
- 7. • requiring all livestock and poultry operations
- 8. permitted by the Texas Commission on Environ-
- 9. mental Quality, be inspected periodically to assure
- 10. compliance with, and understanding of, laws and
- 11. regulations.
- 12. • any newly planned facilities requiring such
- 13. permits should have site selections and engineer-
- 14. ing plans drawn and approved before construction
- 15. begins, and all work completed and approved before
- 16. the facilities are placed into use.
- 17. • packing plants being required to dispose of
- 18. animal wastes and by-products in a manner that is
- 19. not offensive in the neighboring area.
- 20. • the reasonable and consistent regulation of
- 21. animal feeding operations and the wastes generated
- 22. on those facilities in a manner that is protective of
- 23. the state’s water resources and economically feasible
- 24. for operators.
- 25. • new regulations for animal feeding operations
- 26. being phased-in to allow livestock and poultry opera-
- 27. tions to address their individual situations over time.
- 28. • state/federal cost-sharing, low interest loans,
- 29. grants, and tax incentives to help animal feeding
- 30. operations comply with new or changing regulations.
- 31. • local innovation and ideas to meet or exceed
- 32. published guidelines for animal waste management.
- 33. • the TCEQ setting reasonable standards for the
- 34. land application of livestock and poultry manure on
- 35. permitted facilities that are regulated by the agency.

36. **We oppose:**
37. • arbitrarily defining agricultural wastes and
38. by-products as hazardous waste.
39. • national standards for pollution control. Pol-
40. lution control standards should be developed at the
41. state and local level.

## TRANSPORTATION

### **Farm-to-Market Roads 158**

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 Sta-
8. bilization Fund (Rainy Day Fund), composed of oil
9. and gas severance taxes, to be added to the highway
10. fund for maintenance of roads affected by energy
11. production activities
12. • all signs, safety rails and mail boxes placed in
13. the rights-of-way should allow room for passage of
14. farm machinery without creating hazardous condi-
15. tions.
16. • farm-to-market roads in urban areas should
17. be redesignated as state highways and not receive
18. money allocated for farm-to-market roads. TxDOT
19. should repair bridges and road shoulders in a timelier
20. manner. Farm-to-market roads converted to state
21. highway status should retain their intended purpose,
22. the movement of farm products and equipment.
23. • roads listed on the state transportation infra-
24. structure system should be maintained by TxDOT.
25. • a decision by TxDOT to downgrade any paved
26. roads should not be made prior to a public hearing
27. and involving local community officials and weekly
28. local public notices at least three weeks prior to the
29. hearing.
30. • the Texas Legislature to adopt laws that allow
31. all farm-to-market and ranch roads to have free
32. crossovers on concepts like the Trans-Texas Corridor.
33. **We oppose:**
34. • TxDOT converting roads from asphalt pave-
35. ment to gravel or emulsified (high-end gravel mix-
36. ture, oil and rock combination or caliche) surface.
37. • depleting FM road funds by matching federal
38. funds to be used only on U. S. highways.
39. • shifting maintenance of farm-to-market roads
40. from the state to counties.

### **Highways 159**

1. We believe that the primary responsibilities for
2. the construction, maintenance, locating and polic-

3. ing of highways should remain with the state and
4. the following steps should be taken to improve the
5. states 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 mowing the entire right of way to
11.    ensure the safety of drivers and minimize fire hazards
12.    and wildlife hazards by control of vegetation and
13.    appropriate use of herbicides to control undesirable
14.    vegetation, providing there are not herbicide sensitive
15.    crops in adjacent fields.
16.    4. Local governments should be able to voluntarily
17.    partner with the state in the purchase of rights-of-
18.    way. Seismograph of state and county owned rights-
19.    of-way should not be permitted.
20.    5. The TxDOT should be required to notify all
21.    abutting landowners by registered mail of a hearing
22.    for acquiring more rights-of-way for existing highway
23.    or 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, archeo-
28.    logical 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
39.    landowners from drainage problems created by
40.    construction.
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
49.    communities 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. compa-
- 77. nies. Security for all parts of the corridor should be
- 78. planned 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 of
- 85. existing roads and not on new projects such as new
- 86. 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
- 96. on 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 abso-
- 102. lutely necessary, we would prefer additional space for
- 103. corridors 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
- 106. all costs associated with existing roadways (land
- 107. acquisition, 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
119. a farm or ranch to another because of a division in
120. farm or ranch by the corridor; the lack of adequate
121. exits to small Texas towns and their economies; and
122. the additional tax burden passed on to the local tax-
123. payers for property removed from the tax base. The
124. addition of new rights-of-way will negatively affect
125. wildlife and hunting in many areas of the state in
126. which hunting has become a major part of farm and
127. ranch income.
128.     • TxDOT using taxpayer dollars to advertise in
129. favor of toll road concepts.
130.     • non-compete clauses in contracts authorizing
131. construction of tolled highways in the State of Texas.
132.     • the state or TxDOT imposing minimum traffic
133. requirements before a company can build and/or
134. operate a toll road in the State of Texas.
135.     • TxDOT spending enormous amounts of funds on
136. overpass and highway beautification projects involv-
137. ing landscaping (planting of trees, shrubs, and flower
138. beds with the installation of irrigation systems which
139. require ongoing landscape maintenance) when funds
140. are tight for road construction and maintenance, and
141. water resources are in limited supply for production
142. agriculture and municipalities.
143.     • vehicular mileage fees as a means of raising
144. funds for road improvement.
145.     • multiple speed limits for different classes of
146. vehicles on both state and federal highways.

## **Highway Safety**

**160**

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”

21. rights-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 eleva-
32. tions 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 Ser-
46. vice rural mail carriers by requiring traffic on state
47. maintained highways to reduce their speed, as now
48. required for stopped emergency and maintenance
49. vehicles.
50.     • TxDOT considering public safety and welfare
51. before closing a roadside park.
52.     • a state wide agriculture awareness safety
53. campaign through multimedia to include billboards,
54. television, radio, etc.
55.     • Highway Departments erect “Share the Road”
56. warning signs for bicycles, motorcycles, horse drawn
57. vehicles, and slow moving agricultural equipment.
58.     **We oppose:**
59.     • tying, penning, or otherwise restraining live-
60. stock on any public road right-of-way, park or rest
61. area, should be prohibited, except for the purpose of
62. loading or unloading.

## **Rail Transportation**

**161**

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
5. a given area without giving 180-day notice to all af-
6. fected shippers in the state.
7.     • working with railroad companies to ensure
8. that rail cars are available in critical areas during
9. harvest 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.  
15. • legislation to ensure a clear view of trains ap-  
16. proaching crossings in rural areas. The clearing and  
17. maintaining of trees, weeds and trash, for a mini-  
18. mum of 300 feet on both sides of crossing should be  
19. maintained.  
20. • The coordination between railroad companies,  
21. state and county governments to ensure that cross-  
22. ings on state and county roads have flashing lights  
23. and/or cross arms when feasible; crossings are more  
24. passable by long equipment to prevent high-centering  
25. on the tracks.  
26. • railroads or owners of abandoned rail rights-of-  
27. way should be required to provide landowners access  
28. to their property without charge.  
29. “We oppose concepts like the High Speed Rail. We  
30. oppose the acquiring of additional farm and ranch  
31. lands through the state powers of eminent domain  
32. for construction of such concepts. Additional division  
33. of Texas farms, ranches, and rural communities by  
34. such projects would put undue burdens on the rural  
35. economies, such as: additional cost and time related  
36. to moving equipment and animals from one side of a  
37. farm or ranch to another because of a division in farm  
38. or ranch by the high speed rail; the lack of adequate  
39. exits to small Texas towns and their economies; and  
40. the additional tax burden passed on to the local tax-  
41. payers for property removed from the tax base. The  
42. addition of new rights-of-way will negatively affect  
43. wildlife and hunting in many areas of the state in  
44. which hunting has become a major part of farm and  
45. ranch income.”  
46. We support the following tenets if this project is  
47. approved and given eminent domain authority:  
48. • It must pay for land and damages.  
49. • Majority of the HSR be elevated.  
50. • HSR must be 100% financed before starting to  
51. build and purchase property.  
52. • HSR must purchase more than 50% of the total  
53. land needed by private treaty before using eminent  
54. domain to take land.  
55. • Maintenance and operation budget must be  
56. funded before investors receive any royalties.  
57. • If HSR does not use purchased property, former  
58. land owners must have the first right to reclaim land.  
59. • Land owner retains water and mineral rights.  
60. • High speed rail construction should not decrease  
61. agricultural productivity or decrease property values  
62. without compensation to encourage continued and  
63. future active agriculture production. Yearly royalty  
64. should be paid as long as the line is present. High  
65. speed rail construction in new rights-of-way should  
66. not limit access to private property.

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
14. farm 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
23. Copyright Act (DMCA) for the repair of agricultural
24. equipment by both the owner and/or the owner's
25. independent repair facility, with periods of longer
26. than 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
31. the independent repair facility chosen by the owner
32. to complete necessary repairs or part replacement
33. without 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 ma-
51. chine calibrations that are not considered embedded
52. codes.
53.    • Equipment manufactures to repair and service
54. equipment during the warranty or extended war-
55. ranty periods.

- 56. • Development of a Memorandum of Understanding (MOU) between Machinery manufacturers/ “Manufacturing Association” and or Machinery dealers/ “Dealer Association” and the Agricultural Producers/”Agricultural Organization” giving farmers and ranchers a guide or option to repair the equipment they own.
- 57.
- 58.
- 59.
- 60.
- 61.
- 62.
- 63. • A Memorandum of Understanding that shall make the diagnostic codes and other information available to farmers and ranchers so that they can make the determination to either repair their equipment themselves or have a qualified/certified shop make the repair.
- 64.
- 65.
- 66.
- 67.
- 68.
- 69. **We oppose:**
- 70. • Equipment manufacturers requiring that general maintenance to be conducted by one of their dealers to keep manufacturer’s warranty intact.
- 71.
- 72.
- 73. • Equipment owners having to pay exorbitant, recurring, expensive, extended subscription rates to maintenance information for machinery after purchasing equipment if such subscription is required.
- 74.
- 75.
- 76.
- 77.
- 78. • mandatory titling of farm trailers and agriculture equipment.
- 79.

### **Truck Transportation**

**163**

- 1. **We support:**
- 2. • reasonable farm truck driver qualification regulations should be adopted.
- 3.
- 4. • legislation allowing raw agricultural commodities to move without permits with a 10% variance over gross weight, without axle weight limitations, on trucks licensed within Texas from the place of harvest to the first point of processing.
- 5.
- 6.
- 7.
- 8.
- 9. • semi-truck licensing at one-half price for farm use and registration should be allowed for seasonal use.
- 10.
- 11.
- 12. • the state should grant permits and licenses to custom harvesters to transport agricultural machinery at reduced cost.
- 13.
- 14.
- 15. • farm trailers not exceeding 12,000 pounds gross weight should be permitted to operate without a license.
- 16.
- 17.
- 18. • increasing the load limit up to 36,000 pounds for class C driver with pickup and trailers.
- 19.
- 20. • rollbars and safety belts on farm tractors should not be required.
- 21.
- 22. • increasing weight limits for trucks hauling ag and forestry products including individual axle weight limitations to compensate for the increased cost of transportation. Only state and federal DOT officers should enforce trucking weight laws. Road and bridge damage, caused by normal road use, should not be assessed to legally loaded trucks.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 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-  
34. mile radius during daylight hours. This exemption  
35. should include implement dealers or their agents only  
36. when 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  
48. in the state of Texas.  
49. • farm operators being added to the list of busi-  
50. ness types that can have drivers use the Farm-  
51. Related 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  
57. continue to travel weight-restricted roadways and  
58. bridges in the event that alternative routes are not  
59. available. access to all state and federal highways  
60. by loaded cotton module trucks. all bridges and roads  
61. be upgraded to handle 80,000-pound loads.  
62. • mileage limits be eliminated on farm trucks.  
63. • TxDOT remove the 150-mile limitation on  
64. transporting agriculture commodities with farm  
65. license 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 process-  
73. ing facilities. We suggest that commercial driver's  
74. licenses not be required and state and federal regula-  
75. tions be relaxed in order that farmers be allowed to  
76. transport farm fuel trailers and other placardable  
77. materials on public roads in a safe, practical and  
78. affordable manner.  
79. • strict enforcement of a uniform system of truck-  
80. ing regulations and policies between Texas, Mexico  
81. and Canada to expedite the movement of commerce.  
82. • farm equipment required to be registered for  
83. highway use should have the option to be registered  
84. for seasonal use.

- 85. • legislation waiving weight and size limits for
- 86. trucks during weather related emergencies.
- 87. • regulations and legislation allowing over-width
- 88. and over-height trucks to operate on toll roads under
- 89. the same regulations as interstate highways.
- 90. **We oppose:**
- 91. • governmental activities, not specifically initi-
- 92. ated by the Legislature, restricting commercial ve-
- 93. hicle access to agricultural products. Allowable gross
- 94. vehicle weights should be the same for county roads
- 95. as for state and federal highways.

## **Water Transportation 164**

- 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
- 8. more competitive.

## **GOVERNMENT**

### **State Constitution 165**

- 1. **We support:**
- 2. • The maintenance of strong, independent, and
- 3. responsible state and local government that is es-
- 4. sential to the preservation of self-government and
- 5. individual freedoms. Our present state constitution
- 6. is sound and should be maintained. Any desired
- 7. changes can be made by the people through the
- 8. amendment process already in existence; therefore,
- 9. we request that wording on amendment ballots be
- 10. written in laymen's language.
- 11. • If a new state constitution is proposed by the
- 12. Legislature, a separate vote should be taken on each
- 13. article and section for ratification.
- 14. • Rules governing compensation of members of
- 15. the Texas Legislature be a part of the state consti-
- 16. tution.
- 17. • State and county officials continue being elected
- 18. according to the present election system. Authority
- 19. for redistricting should remain vested in the state
- 20. constitution.
- 21. • term limits of 12 years for state legislators;
- 22. however, if term limitations are passed, there should
- 23. be no restriction against running for the same office
- 24. after sitting out one term.
- 25. • The Office of Governor being a four-year term.
- 26. The Governor's authority should include the follow-
- 27. ing:
- 28. • Item by item veto power over the budget.
- 29. • Appointive power of agency heads and board
- 30. members with advice and consent of the Senate.



31. • Amending the Texas Constitution to define marriage as: the union between one man and one woman  
32. as husband and wife. The word spouse refers only to  
33. a person of the opposite sex who is a husband or a  
34. wife. Civil unions and domestic partnerships or any  
35. other substitute for marriage shall not be recognized  
36. as legal in Texas.  
37. **We oppose:**  
38. • initiative and referendum.  
39. • deficit spending in state government.  
40.

## Texas Legislature

166

1. **We support:**  
2. • adoption by the Texas Legislature of a reap-  
3. portionment plan which will ensure the maximum  
4. representation of rural Texas.  
5. • biennial sessions of the Texas Legislature, with  
6. these sessions limited to 140 days. The Governor's  
7. power to call special sessions should be retained but  
8. not expanded beyond its present limits.  
9. • New state laws or proposed amendments that  
10. refer to a single subject, and legislators should prac-  
11. tice restraints in introducing new laws. The Texas  
12. House and Senate should continue to prohibit the  
13. attachment of a rider or an amendment to proposed  
14. legislation when the rider or amendment is not ger-  
15. mane to the subject of the proposed bill. A thorough  
16. study must be made to confirm there is a problem or  
17. a danger to the environment before an environmental  
18. bill passes the state legislature.  
19. • the Texas Legislature recording each and every  
20. vote taken during the session so that every vote  
21. cast will be a matter of public record. We recom-  
22. mend enforcement of rules requiring legislators to  
23. be present when bills are voted upon, except in case  
24. of emergency.  
25. • a state legislator who is also an attorney not  
26. be granted a trial continuation on any case in which  
27. he or she represents a client, solely on the basis of  
28. his or her being a member of the Texas Legislature,  
29. unless legislature is in session.  
30. • legislation that requires legislators' health  
31. insurance, retirement benefits, tax breaks or pay  
32. increases be voted on by the people.  
33. • the law prohibiting former legislators and for-  
34. mer staff members from accepting employment with  
35. businesses seeking state contracts for a period of two  
36. years after they leave government service.  
37. • legislation designating English as the official  
38. language of Texas. We believe no individual has the  
39. right to demand government services in a language  
40. other than English.  
41. • The State Song should remain "Texas, Our  
42. Texas."  
43. • death certificates being public record.

- 44. • Funding for the operation of agencies and the
- 45. programs administered by these agencies should
- 46. be by appropriations from the Texas Legislature to
- 47. ensure strict legislative oversight. Any fee-based
- 48. revenue enhancing measures granted to an agency or
- 49. department by the Legislature must have the same
- 50. legislative oversight as that of appropriated funds.
- 51. User fees should remain with the collecting agency
- 52. and not go into the general fund. We urge the Texas
- 53. Legislature to not assess any more fees on agriculture
- 54. products other than fees for commodity referendums
- 55. passed by agriculture producers.
- 56. • a law where consumers must give written per-
- 57. mission for their information to be sold.
- 58. • legislation that would withhold all state funds
- 59. from any local governmental entity which is serving
- 60. as a “sanctuary” for undocumented persons.
- 61. • keeping the original names of the universities
- 62. in the Texas State University system.
- 63. • FAA approved visible marking of all towers
- 64. and their support structures including guide wires,
- 65. concrete anchors, and any other means of support.
- 66. • Renaming the Texas Railroad Commission to
- 67. reflect the agency’s purpose.
- 68. **We oppose:**
- 69. • all special interest legislation which is de-
- 70. signed to give special groups competitive advantages
- 71. through creation of legal monopolies or franchises,
- 72. or legal price fixing. A Fair Trades Act or any other
- 73. similar law should not be enacted.
- 74. • the creation of additional legal state holidays
- 75. without approval by a referendum of the voters of
- 76. the State of Texas.
- 77. • any excessive fees for State licensing of small
- 78. businesses.
- 79. • legislation of unfunded mandates for local gov-
- 80. ernment and public schools.
- 81. • illegal aliens qualifying for tuition discounts.
- 82. • the rampant escalation of the cost of tuition
- 83. and fees at state supported colleges and universities.

## **Executive Department**

**167**

- 1. **We support:**
- 2. • Paperwork reduction in all levels of government.
- 3. • Farmers and ranchers being adequately rep-
- 4. resented on all state boards or commissions which
- 5. relate to agriculture. Regulations or orders adopted
- 6. by such boards or commissions must be both practical
- 7. and workable. The Governor’s office should appoint
- 8. and maintain an entity, composed of agricultural pro-
- 9. ducers, to coordinate activities among all state agen-
- 10. cies involved in agriculture within the State of Texas
- 11. to prevent duplicating and overlapping of services.
- 12. • policy requiring governmental agencies and
- 13. public institutions, including public schools and state

14. prisons, to purchase Texas agricultural products  
15. whenever possible.

16. • user fees be charged to individuals or businesses  
17. only for those services which primarily benefit the in-  
18. dividual or business. Services which render primarily  
19. a public benefit, such as standardization, quality,  
20. health, safety and related values, should be provided  
21. at public cost. We favor cost effective privatization  
22. of as many state services as possible.

23. • the rights of all citizens to complain to their  
24. regulatory agencies, but we vigorously oppose the  
25. complainant's abuse of privilege. Therefore, legisla-  
26. tive action should be taken to limit onsite inspections  
27. of the same nature by regulatory agencies to one  
28. complaint per annum. Thereafter, the complainant  
29. will pay for inspection costs incurred by the defen-  
30. dant and agencies for the same type complaint, un-  
31. less the complaint proves to be a permit violation.  
32. When permits are required by a regulatory agency,  
33. the procedural rule requiring a public hearing will be  
34. enforced only if the protester appears at the hearing.

35. • Parties who have been injured by administra-  
36. tive directives or regulatory decisions of governmen-  
37. tal agencies should have the right to an appeal and  
38. a trial by jury, and legislation should be enacted to  
39. that end.

40. • legislation stating that anyone who wishes to  
41. sue a public entity must bear his own legal expense.

42. • The State of Texas having incentives to retain  
43. competent attorneys and a statute prohibiting for-  
44. mer employees of the Attorney General's office from  
45. working on cases they worked on as employees of the  
46. Attorney General.

47.  
48. **Judiciary** **168**

49. **We support:**

50. • The present judicial system be retained and  
51. judges of the Supreme Court, courts of civil and  
52. criminal appeals; district and county courts be  
53. elected. County and municipal judges and justices of  
54. the peace be elected by the people, but need not meet  
55. the qualifications of an attorney. All fees received by  
56. municipal judges and justices of the peace be turned  
57. over to the county or state for revenue rather than  
being retained for personal income. Requiring judges  
to limit themselves to strictly interpreting laws.

1. • The plaintiff being required to pay legal fees  
2. for the defendant when the court finds in favor of  
3. the defendant in civil cases. In the case of frivolous  
4. civil lawsuit, the plaintiff(s) and his lawyer(s) should  
5. be required to pay all legal fees and court costs for  
6. the defendant(s) when the court finds in favor of the  
7. defendant(s).

8. • disbaring lawyers who continually bring frivo-  
9. lous lawsuits.

10. • the legislature's definition and prohibition of
11. frivolous lawsuits.

## Counties

169

### We support:

1. • counties being given limited zoning authority for
2. housing and subdivisions. If counties are given land
3. use authority, agricultural areas should be protected
4. as production areas not unlike industrial parks. This
5. would allow the counties to limit residential construc-
6. tion in agricultural zones.
7. • legislation to give counties ordinance-making
8. powers over rural subdivisions whether or not they
9. are sold by plats or metes and bounds. The counties
10. should have the power through their commissioners
11. courts to require developers and/or sub-dividers to
12. provide proper drainage, roads, water service, and
13. provision for sewer service.
14. • legislation which would give the county commis-
15. sioners court ordinance-making authority to control
16. the sale and use of fireworks within rural areas of
17. the county.
18. • a temporary process for counties to take pos-
19. session of roads the county has maintained since
20. before 1971. The process will expire two years after
21. the date the legislation becomes law. The process
22. should include proper notice to landowners, and the
23. opportunity to protest the county taking possession
24. of the road.
25. • notifying adjacent landowners of any new de-
26. velopment plat approved by County Commissioners
27. Court.
28. • Counties be required to hold an election for
29. capital improvement projects where the law allows.
30. **We oppose:**
31. • All requirements for building permits for any
32. type of building or other construction of improve-
33. ments on farms and ranches in pursuit of commercial
34. agriculture in rural areas. We are opposed to county
35. fire codes applying to a building or structure used
36. for an agricultural operation, as defined by Section
37. 251.002 of the Texas Agricultural Code, unless the
38. county has adopted a fire code before December 1,
39. 2015.
40. • Landowners being liable for attempting to
41. repair a county road that has fallen into disrepair.
42. • sending funds that remain in a county's man-
43. dated indigent health care account to the state at
44. the end of the year.
45. • enactment of a countywide leash law, housing/
46. shelter, and water requirements for domestic animals.
47. • Name changes and/or removal of historical
48. monuments.

1.     **We support:**
2.     • legislation to repeal the law which gives cities
3. the right of extraterritorial jurisdiction.
4.     • legislation to provide that no unincorporated
5. area may be annexed unless the annexation is ap-
6. proved by a two-thirds majority vote of electors in
7. the area to be annexed. Agricultural land that is
8. annexed into the city limits be exempt from city
9. code requirements such as electrical standards for
10. farm buildings and permits or fees to burn brush.
11. City standards should not apply to farm and ranch
12. activities and structures.
13.     • Cities providing all normal city services to
14. annexed areas within two years of annexation, or
15. de-annex all of the area for which cities are unable
16. to provide normal services.
17.     • Cities that own properties outside of their ju-
18. risdiction, paying normal taxes.
19.     • extraterritorial jurisdiction of cities exclude
20. agriculturally designated land from city regulations
21. and taxes.
22.     • When municipalities propose extending their
23. extraterritorial jurisdictions, all landowners are
24. to be notified in writing at least two weeks prior to
25. any action.
26.     • Cities be required to hold an election for capital
27. improvement projects where the law allows.
28.     **We oppose:**
29.     • legislation restricting cities from collecting city
30. property taxes on the extension of municipal bound-
31. aries until such time as full city services are provided
32. to the affected annexed areas. In areas de-annexed
33. because of city failure to provide normal services, all
34. taxes or other revenue collected from the people must
35. be returned to them. No further effort may be made
36. to again annex such areas for a period of not less than
37. four years from the date of de-annexation. We oppose
38. limited-purpose annexation. All land that has been
39. annexed under limited-purpose annexation should
40. be de-annexed. Cities should be prohibited from an-
41. nexing agricultural land not adjacent to developed
42. land within the city limits.
43.     • extraterritorial jurisdiction being used by a
44. municipality to restrict private property rights and/
45. or agricultural activities as it relates to producing,
46. processing, marketing, or delivery of agriculture
47. commodities.
48.     • Municipalities annexing or extending their
49. extraterritorial jurisdiction onto agricultural land
50. without the written consent of the landowner and
51. compensation for any property rights restriction.

**We support:**

- 1.
2.     • campaign reform can best be achieved by strict
3. enforcement of the current campaign laws.
4.     • establishing a cap on funds expended toward
5. election to a political office, including “payment in
6. kind” contributions.
7.     • the electoral process, each voter be required to
8. read, write, and understand the English language,
9. and furnish proof of U.S. citizenship, photo ID, and
10. be present during the actual registration process,
11. with exceptions permitting spouses to register for
12. each other and a provision exempting members of
13. the Armed Forces from this requirement. All voters
14. be required to show a Government issued, tamper
15. resistant photo ID when voting. College or university
16. students be required to establish their voting resi-
17. dence and register to vote in the same manner as all
18. other citizens. Furthermore, in community, state, or
19. national elections, students who receive part or all of
20. their financial support from their parents be permit-
21. ted to vote only in the voting district of their parents.
22.     • changes be made in the regular absentee and
23. absentee mail-in ballot and voting procedure to elimi-
24. nate fraud and excess cost. We favor county clerks
25. notifying the voter registration clerks in their county
26. of information received from death certificates.
27.     • county and/or state bearing the cost of all pri-
28. mary elections, and candidates should be required
29. to pay a nominal filing fee. Timing of Primary elec-
30. tions should be held no later than January 31st of
31. the election year.
32.     • the repeal of Section 162.015 of the Texas Elec-
33. tion Code that makes a person who voted in a primary
34. election ineligible for nomination by another political
35. party other than the party holding the primary in
36. which the person voted.
37.     • holding the presidential primary in conjunction
38. with the state primary.
39.     • Eliminating special elections, and all issues to
40. be voted on be included in the general election; how-
41. ever, if the practice of permitting special elections is
42. continued, petitioners calling for a special election
43. should bear the cost of such election.
44.     • repealing the present law that permits certain
45. candidates to seek more than one elective office si-
46. multaneously.
47.     • the Texas Legislature to exempt local and
48. county elected officials, in counties with less than
49. 10,000 population, from the requirement of declar-
50. ing political party affiliation, thus eliminating the
51. effect of straight line party voting and the problems
52. of conducting a local primary election.
53.     • printing a hard copy of votes cast via electronic
54. voting machines to help in recounting and in reduc-

55. ing fraud.  
56. • the Texas Secretary of State to consistently  
57. and vigorously enforce the election laws of the state;  
58. specifically, the requirement that party chairs post  
59. notices of County and Precinct conventions in a  
60. timely manner, and necessary materials are ready  
61. for these conventions.

62. **We oppose:**

63. • automatic straight party ticket voting on bal-  
64. lots in general elections and recommend ballots  
65. be changed to encourage voters to consider each  
66. candidate.

67. • Lawyers who have presented cases or have cases  
68. pending in a judicial candidate's court from making  
69. election contributions to that judicial candidate.

70. • internet voting in any local or statewide elec-  
71. tion, except for activated reserve and active duty  
72. military who are not stationed at their permanent  
73. address area.

74. • any effort to allow non-citizens or prisoners the  
75. right to vote in any elections.

76. • any change that will restrict or curtail the  
77. right of an individual citizen or any group of citizens  
78. to express themselves as guaranteed by the First  
79. Amendment to the U.S. Constitution.

## Public Officials

172

1. **We support:**

2. • A high moral standard should be a prerequisite  
3. for all elected and appointed officials, and no one  
4. should be permitted to run for public office if they  
5. have a criminal record. We recommend mandatory  
6. drug testing of elected public officials

7. • the dismissal of any public employee who is  
8. proven to be an active user of illegal drugs.

9. • legislation requiring that any state, county  
10. or local office holder, whether elected or appointed,  
11. be automatically relieved of his their duties while  
12. under indictment by a grand jury. Elected or ap-  
13. pointed public officials who have been found guilty  
14. of fraud or misconduct while in office not be allowed  
15. to receive pensions or retirement benefits pertaining  
16. to that office.

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

21. • the state constitution and statutes be amended  
22. to provide for early retirement of disabled state or  
23. county officials who can no longer perform their  
24. sworn duties.

25. • Persons holding public elective office must re-  
26. sign when they seek any other elective office.

27. • every elected official serve his term of office at  
28. the salary being paid at the time of his election to

29. that office, and that any salary increases and fringe
30. benefits for elected public officials be voted on by
31. the people. We recommend that all elected officials
32. receive pay raises only after they have served one
33. term in office and are re-elected.
34.     • Elected and appointed officials of state govern-
35. ment should be audited periodically. The Attorney
36. General should audit expense accounts on all state
37. officials, and charge back all expenses to individuals
38. that are not on official business. We recommend that
39. elected officials not spend tax dollars for promotion
40. for a proposed resolution or amendment.
41.     • Any elected or appointed government official
42. who is an attorney, who receives funds from a state
43. agency or subdivision of the state, should not be able
44. to act as plaintiff's attorney in any case where the
45. defendant is a state agency or subdivision of the state.
46.     • State Legislators should not be allowed to raise
47. their pay, benefits, or pension unless legislation is
48. introduced and passed in an independent bill that
49. exclusively addresses this issue.
50.     • any person who is delinquent in payment of
51. local property taxes be barred from holding any
52. public office.
53.     • a selection process for the Texas Transportation
54. Commission that will ensure their accountability.
55.     • transparency in state government and an effective
56. Public Information Act.

## **Government Spending**

**173**

1.     **We support:**
2.     • Legislators be required to submit estimated cost
3. and source of revenue of any bill they introduce. Any
4. additional requests for appropriations be accompa-
5. nied by a suggested source of revenue. No increases
6. in budget should be authorized by the Legislature
7. unless rules and regulations found in the Texas
8. Constitution are complied with by the Legislative
9. Budget Board.
10.     • the judicious management of the Texas Eco-
11. nomic Stabilization Fund (Rainy Day Fund) to protect
12. Texas against future emergencies. Safeguards must
13. be maintained to prevent authorized expenditures
14. during one budget cycle from requiring a supplemental
15. appropriation in the next budget cycle to cover
16. those expenses.
17.     • Rainy Day Fund should only be used for pur-
18. poses which provide broad public benefit, such as
19. transportation.
20.     • When programs or regulations are mandated
21. by the Texas Legislature, by a state agency or by
22. executive order, full funding should be provided by
23. the state and not local entities.
24.     • State agencies should be encouraged not to
25. spend their allotted money at the end of the year to



26. avoid funding year cuts. State agencies should be  
27. commended for not spending their entire budget.  
28. • restricting state indebtedness by legislation  
29. limiting issuance of bonds to fund state expenditures.  
30. • the Texas Enterprise Fund.  
31. • Money spent on advertising the lottery should  
32. be reduced to the amount needed for the point of sale  
33. material and the drawings.  
34. • local construction projects funded by taxpayer  
35. money be contracted to U.S. owned companies.  
36. • implementation of the following goals, intended  
37. to reduce and control welfare spending within the  
38. State of Texas:  
39. 1. Stopping the upward trend of state expenditures  
40. for welfare.  
41. 2. Prohibiting the use of state funds for soliciting  
42. welfare recipients.  
43. 3. Establishing a local citizens committee appoint-  
44. ed by commissioner's court to determine eligibility  
45. and/or need of welfare applicants.  
46. 4. Charging all welfare costs to the Department  
47. of Health and Human Services.  
48. 5. Requiring all able-bodied recipients of welfare  
49. assistance to work for local government units (city,  
50. county and state) to the extent that their labor val-  
51. ued at minimum prevailing wages for the local area  
52. earns the value of the products or payments received.  
53. 6. Requiring county clerks to keep a record of the  
54. names of those recommending individuals for welfare  
55. assistance.  
56. 7. Maintaining the names of all those receiving  
57. public welfare in the county clerks office as a matter  
58. of public record.  
59. 8. Prohibiting public welfare assistance, health  
60. care, and free schooling to illegal residents.  
61. 9. Providing public welfare to dependent children  
62. only in ways which will discourage illegitimacy.  
63. 10. Making persons ineligible for unemployment  
64. compensation from any state if jobs are available at  
65. the person's point of residence.  
66. 11. Preventing recipients of old age assistance  
67. payments from having their benefits reduced because  
68. of their earnings from other sources.  
69. 12. Requiring unemployment checks to be picked  
70. up and signed for by recipient at the office nearest  
71. his legal address, with no out of state mailings.  
72. 13. Maintaining the level of assistance to the  
73. elderly, the blind and the disabled.  
74. 14. Prohibiting the use of tax monies for abortions.  
75. 15. Prohibiting incentives for irresponsible family  
76. planning. Requiring the father of a child born out of  
77. wedlock to be identified for the purpose of financial  
78. support of the child.  
79. 16. Cutting off welfare and food stamps to families  
80. with elementary school age children if the children do  
81. not meet minimum state law attendance standards.

82. 17. Stopping all State aid to any recipient who  
83. fails or refuses to take a mandatory drug test.  
84. 18. Prohibiting the use of the Lone Star Card to  
85. purchase soft drinks sweetened by natural or arti-  
86. ficial ingredients.  
87. **We oppose:**  
88. • automatic pay raises for state employees. All  
89. state employees be required by law to pay their share  
90. of social security tax.  
91. • The concept of “revenue sharing”.  
92. • Texas Economic Stabilization Fund (Rainy Day  
93. Fund) being used to establish programs with recur-  
94. ring expenses.

## **Banking and Credit**

**174**

### **We support:**

1. • legislation to reform bankruptcy laws. We rec-  
2. ommend laws that will prohibit bankruptcy judges  
3. from using escrow accounts held for royalty owners  
4. by banks for payment of any debts owed by the com-  
5. pany. The original owner of any commodity, natural  
6. or mineral resource should have first priority for pay-  
7. ment in bankruptcy settlements or in other litigation.  
8. • agricultural producer’s having first lien on  
9. their commodity stored in a licensed and bonded  
10. warehouse whether in open storage (farmer owned)  
11. or contracted to be purchased when the agriculture  
12. producer has not yet been paid.  
13. • protection for all homesteads. This protection  
14. should include prohibitions on cross-collateralization  
15. of homestead property and nonconsensual liens on  
16. homestead property.  
17. • legislation that would allow continuation of  
18. agricultural valuation on land, part of which is used  
19. as collateral to refinance a home or secure a home  
20. equity loan.  
21. • that the licensing and bonding regulations be  
22. strengthened to protect farmers and ranchers using  
23. accepted business practices in the sale of agricultural  
24. products or in storage of such products in private or  
25. public storage facilities.  
26. • improvements to the ag lien notification process.  
27. • The UCC filing fee should be paid by lending  
28. institutions.  
29. • making the Young Farmer Loan Guarantee  
30. Program available to young producers for the benefit  
31. of Texas agriculture, legislative revisions to broaden  
32. the program’s usefulness.  
33. • The drafting of rules and regulations imple-  
34. menting the Farm and Ranch Finance Program con-  
35. tain safeguards to ensure that only bona fide farmers  
36. and ranchers be eligible to participate.  
37. • an aggressive program for the collection of stu-  
38. dent loans financed by the issuance of state bonds.  
39. **We oppose:**

- 40. • colleges and universities from providing stu-
- 41. dents names and addresses for credit card solicita-
- 42. tions.
- 43. • any legislation that would encourage elimina-
- 44. tion of locally owned and controlled banking institu-
- 45. tions.
- 46. • any legislation that would allow any banking
- 47. institution to require the borrower to purchase in-
- 48. surance from that institution or any other specified
- 49. agency or individual.
- 50. • further regulation of the credit union banking
- 51. industry.
- 52. • Banks being allowed to request joint payee
- 53. checks to establish a line of credit when actual bor-
- 54. rowing will begin at a later date.
- 55. • laws that allow banks to legally claim property
- 56. that belongs to third parties while in the process of
- 57. foreclosing on their customers.
- 58. • any change in the homestead protections pro-
- 59. vided in the state Constitution.
- 60. • any change in the original Home Equity Lend-
- 61. ing provisions that would weaken the protections
- 62. and safeguards in the law adopted by the state. Any
- 63. change in the Homestead Law should be approved
- 64. by the voters of the state.

## **Disaster Assistance Programs 175**

- 1. **We support:**
- 2. • legislation to reimburse agricultural produc-
- 3. ers for loss of agricultural inputs caused by natural
- 4. disasters.

## **EDUCATION**

### **Administration 176**

- 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
- 18. in a riot or subversive action shall lose his right to
- 19. any government loan or grant-in-aid for the purpose
- 20. of education. Administrators should be required to

21. report any criminal activity by a student or employee  
22. to the proper authorities in order to protect the stu-  
23. dent body from such criminal acts. Schools and their  
24. administrators should have the authority to punish  
25. students that commit an infraction on school grounds  
26. and on 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 be-  
34. tween the administration and parents, and result in  
35. better 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  
41. effects of a school voucher system on school districts  
42. in the State of Texas.

43. We recommend adoption of legislation which  
44. would uphold the rights of parents to send their  
45. children to the school of their choice, and which would  
46. maintain the present status of private and parochial  
47. schools free from control by state government. We  
48. support local control of the Independent School Dis-  
49. trict system in 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  
53. Core and C-Scope, which would turn local control of  
54. school districts over to the federal government via a  
55. list of mandates and thereby jeopardizing accepted  
56. customs, 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.

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  
7. any 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  
11. courts, determining the method of allocating state  
12. funds among school districts. We oppose any school  
13. funding system requiring small school districts that  
14. are barely able to offer enough basic courses to meet  
15. state accreditation standards being taxed to support  
16. large urban schools that offer advanced courses in  
17. science, 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 in  
22. effect, we favor a requirement that all receiving dis-  
23. tricts 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  
29. tax system is used to fund local school districts, we  
30. support the \$1.00 per \$100 cap on the tax rate for  
31. maintenance 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 support the exploration of alternative means of  
36. funding public education outside of property taxation.

37. We oppose borrowing from or making loans  
38. against the Teachers' Retirement Fund or the Per-  
39. manent University Fund.

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

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

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 his-  
10. tory and geography, the U.S. Constitution, Texas Con-  
11. stitution, Bill of Rights, and economics, emphasizing  
12. the free enterprise system. We support the teaching  
13. of 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,  
22. online curriculum management systems that have  
23. been adopted by the State Board of Education  
24. should be subject to a public review process similar  
25. to our state-adopted textbooks. Local school districts  
26. should not be allowed to use state funds to purchase  
27. non-approved instructional materials. Support of  
28. educational curriculum programs should be the re-  
29. sponsibility of the local district when local revenue is  
30. used to fund the programs. Strict discipline should  
31. be enforced and strong moral and spiritual values  
32. should be stressed in every subject and activity. In  
33. order to achieve this goal, our teachers must have  
34. the authority to control their students and be paid  
35. a fair salary. Teachers should be allowed to paddle  
36. disruptive students before 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  
42. of 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  
46. marriages, homosexual adoption or child custodial  
47. rights and special entitlements or privileges based  
48. on sexual 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.  
70. Such government mandated programs are expensive  
71. to taxpayers, destructive of individual rights and lo-  
72. cal control, and add little or nothing to excellence in  
73. public 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  
81. of His influence upon their life and to assemble on  
82. school grounds to pray or read the Bible as long as it  
83. doesn't 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  
92. security and food safety. We encourage all public  
93. schools to stress the importance of American ag-  
94. riculture. We recommend the Texas Legislature  
95. implement an annual Agriculture Appreciation Day,  
96. in conjunction with public schools.  
97. We support continued state and local school dis-  
98. trict funding for agriculture education and leadership  
99. programs vital to leadership needs in the food and  
100. fiber industry. We support agriculture based cur-  
101. riculum 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 assis-  
108. tance 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 implementa-
- 123. tion of the 4x4.
- 124. We commend and endorse public school teachers
- 125. and officials in the use of prayer in the school room
- 126. and in public functions where they are in charge.
- 127. We recommend that local school boards and
- 128. administrators recognize and oppose the use of tax
- 129. dollars for the teaching of humanism, an atheistic ide-
- 130. ology, including that which comes into the classroom
- 131. through 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
- 146. schools so students can participate in college level
- 147. courses.

## **Teachers**

**179**

- 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



17. school 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** **180**

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

**Health**

**181**

1. We support legislation designed to accomplish
2. the 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 fa-
16. cility shall be randomly tested for both drugs and
17. alcohol.
18. 7. We recommend that all nursing care facilities
19. be inspected by certified inspectors.
20. We oppose a national health care plan. We urge
21. the Texas Legislature to pass legislation nullifying
22. and rejecting the "Patient Protection and Affordable
23. Care Act: (Public Law 111-148) and "Health Care
24. and Education Reconciliation Act of 2010" (Public
25. Law 111-152). We support Texas' lawsuit against the
26. recently passed health care legislation.
27. Nursing home and assisted living rates should be
28. uniform and not based on an individual's financial
29. statement.
30. The Texas Medical Board should maintain a list of
31. sanctioned physicians which can be made available
32. upon request.
33. We recommend that health care provided under
34. the indigent health care program be for bona fide
35. United States citizens only.
36. We recommend that the policy of "No Smoking" in
37. designated areas be enforced.
38. We support legislation that gives an unborn hu-
39. man being the right to life and protects the unborn.
40. The Peer Review Organization (PRO) of the Texas
41. Medical Foundation should be accountable to the
42. Texas Medical Board so that a doctor who is sanc-
43. tioned would have the right to appeal to the Texas
44. Medical Board.
45. We favor payments to rural hospitals by Medicare
46. equal to payments at large hospitals for the same
47. type hospitalizations.
48. We encourage our state legislators to modify rules
49. and regulations, and guidelines that discriminate
50. against rural medical care. Emphasis should be on
51. availability of quality medical care in remote areas.

52. Any patient who has tested positive for the HIV/  
53. AIDS virus, or has reason to believe that he or  
54. she may have been exposed to the virus, should be  
55. required by law to reveal this fact to health care  
56. workers prior to the beginning of treatment. Health  
57. care workers who test positive for the HIV/AIDS  
58. virus should be required, by law, to reveal this fact  
59. to their patients. A person guilty of rape should be  
60. required by law to take an AIDS test and have the  
61. victim advised of the results.

62. We recommend that doctors, hospitals, and other  
63. medical facilities send their bills for services rendered  
64. and other charges to patients within 30 days.

65. We oppose legislation to legalize physician-assist-  
66. ed suicide for anyone. We support the right of an  
67. individual to refuse the use of life support machines.

68. We support the Organ Donor Program.

69. We support training and certification of Emer-  
70. gency Medical Dispatchers.

## **Rural Living**

**182**

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  
11. to ensure the safety and protection of those using  
12. their services.

13. We encourage all public outlets of gasoline to fur-  
14. nish restroom facilities and to supply air and water  
15. for their customers.

16. We support legislation that would prohibit the  
17. enforcement of flood-related building codes in non-  
18. flood plain areas.

19. Monies collected for the purpose of funding 9-1-1  
20. emergency programs in rural areas should immedi-  
21. ately be used for their originally intended purpose.

22. We support legislation that would make it unlaw-  
23. ful for any firm or organization to release names,  
24. addresses or Social Security numbers of its members  
25. or subscribers without that persons permission. We  
26. support legislation which will preserve and restore  
27. the privacy rights of individuals. The Department  
28. of Agriculture and other state agencies should not  
29. release names of persons who are registered in their  
30. systems under the open records law.

31. We support volunteer fire departments in their  
32. efforts to maintain their volunteer status.

33. We support a plan initiated by Fire Departments  
34. and area agricultural producers that would ad-

35. equately control wildfires.
36. We support changing state and federal wildfire
37. policy to require that state and federal fire managers
38. and incident commanders coordinate with county and
39. local fire departments and landowners when acting
40. as first responders and contributing to firefighting
41. efforts. We support limiting personal liability for vol-
42. unteer fire departments and private citizens for any
43. actions, on either public or private property, related
44. to fighting wildfires.
45. We oppose local or state governments imposing a
46. tax or fee on the electronic transmission of informa-
47. tion, i.e., e-mail or telephone.
48. We recommend that the Texas Farm Bureau
49. support the Texas Department of Agriculture Texas
50. Family Land Heritage Program. (This award is to
51. honor Texas families who have owned and worked
52. the same land for 100 years or more.)
53. We support increasing access to high speed inter-
54. net connections in rural areas through any source,
55. including wireless and fiber optics, by using a com-
56. bination of tax incentives, grants, and/or regulations
57. to providers of the service. We encourage internet
58. providers to upgrade their services, equipment, soft-
59. ware and hardware to the latest technology in rural
60. areas and smaller towns of the state. We support
61. legislation in Texas to stop Agenda 21.
62. We oppose the levy of fees or fines for non-com-
63. pliance of volunteer fire departments by the Texas
64. Commission on Fire Protection (TCFP).
65. We support Rural Economic Development pro-
66. grams.

## LAW ENFORCEMENT

### **General Law Enforcement 183**

1. We support the expansion of the Texas Rangers
2. organization.
3. Lawlessness and civil disobedience should not be
4. tolerated, and it is deplorable that the Code of Crimi-
5. nal Procedure tends to overprotect the offender and
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
13. the rights of criminals, defendants and the general
14. public.
15. 1. We support doing away with the defense of so-
16. called "diminished capacity" resulting from intoxica-
17. tion or drug abuse;
18. 2. We oppose defendants being allowed to use
19. "temporary insanity" as a plea in cases where serious

20. crimes are committed;
21. The term "Terroristic Threat" should be redefined
22. in the criminal code to be more closely identified with
23. terrorists' attacks on our nation.
24. State and local laws should be fairly and equally
25. enforced without regard to race, sex, or age.
26. We support enforcement of the flag code.
27. Any search warrant regarding humane treatment
28. of animals must be issued by the local magistrate
29. of the district where the farm or kennel is located.
30. Background and finger print checks conducted
31. by the DPS, FBI, Home Land Security, TSA, and
32. other government entities should be shared among
33. agencies for licensing services to reduce duplication.
34. Immigration laws should be enforced in order to
35. eliminate sanctuary cities.
36. We support the use of clear visible signs of identi-
37. fication of Law Enforcement vehicles which are not
38. recognizable as Law Enforcement vehicles for stop-
39. ping citizens on the public roadways as a matter of
40. safety to the citizen being approached.

### **Prison System 184**

1. Recent trends in criminal law have been toward
2. increased leniency for the criminal and less protec-
3. tion for law abiding citizens. This trend must be
4. reversed 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 experi-
22. ence. In order to maintain critical personnel in the
23. prison system, all employees who have direct super-
24. vision over prisoners should be classified as hazard-
25. ous duty corrections personnel, for the purposes of
26. state mandated percentage pay increases. We favor
27. elimination of the five percent (5%) cushion used to
28. determine overcrowding in the Texas Department
29. of Criminal Justice. Prisoners should have no rights
30. in suggesting 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  
 40. be self-sustaining, using prisoner labor to produce  
 41. products for public sale. To economize the prison  
 42. system for state and county, the following practices  
 43. should 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  
 54. public service and maintenance work. We encourage  
 55. expansion of these programs.  
 56. We recommend that the state probation system be  
 57. reviewed and that all efforts are made to maintain  
 58. an efficient, fair system of justice.

**Punishment 185**

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  
 5. serve as a deterrent to crime.  
 6. We support strengthening laws so that punish-  
 7. ment of juveniles is the same as adults for major  
 8. crimes. Capital punishment should be maintained  
 9. in Texas.  
 10. We recommend strengthening the statutes concern-  
 11. ing trespass and vandalism and an increase of  
 12. penalties for these offenses.  
 13. We support legislation establishing a mandatory  
 14. fine and full restitution for property damaged by indi-  
 15. viduals found guilty of trespassing and/or vandalism.  
 16. We support legislation to remove liability on the  
 17. part of the landowner for injury and damages to  
 18. trespassers and vandals.  
 19. We support legislation that holds authorities  
 20. or agencies responsible for collecting and paying  
 21. full damage restitution to private property owners  
 22. when damage to private property is a direct result  
 23. of pursuing criminals onto private property. We  
 24. favor financial restitution to victims by criminals.  
 25. Anyone convicted of a felony should automatically be  
 26. liable for damages to the injured party. Any vehicle  
 27. damaging private property (fences) will have a hold

28. on it until damages are paid to property owner or  
29. their agent.

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

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

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

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

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

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

68. We oppose the rules that protect "right to privacy"  
69. for convicted felons.

70. We support stiffer penalties for persons charged  
71. with theft of anhydrous ammonia for the purpose of  
72. manufacturing methamphetamines.

73. We support the Police Protection Act that recog-  
74. nizes tougher penalties on those who target peace  
75. officers equal to that of hate crimes.

## **Drugs and Alcohol 186**

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
5. schools and is a major threat to health and a stimulus

6. to crime. The State of Texas should actively search for  
7. credible drug abuse programs and see that they are  
8. presented to school age children, and the programs  
9. and material made available to community leaders.  
10. Vigorous effort must be expended to educate youth  
11. and parents in the hazards of drug abuse and gang  
12. activities.

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

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

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

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

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

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

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

50. We support the termination of any state govern-  
51. ment employee who is found guilty of drug or sub-  
52. stance abuse.

53. We support legislation declaring K2 an illegal  
54. substance and banning its sale.

## **Juveniles**

**187**

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
8. debts incurred or damage caused by juveniles who
9. successfully petition a judge to have their status as
10. a minor removed. Stricter discipline should also be
11. practiced in all state schools of juvenile correction.
12. The State should be financially responsible for dam-
13. age caused by those who run away.

## **Motor Vehicles** **188**

1. The fines and fees from all traffic citations issued
2. on State or Federal highways should be retained by
3. the municipality collecting the fines and fees. Indi-
4. vidual law enforcement agencies should not, however,
5. be funded on the basis of fines assessed.

6. Registration of new vehicles should be for a full
7. 12 months from month of purchase. We favor legisla-
8. tion that would not require registration of vehicles
9. on title transfer. Re-registration of vehicles should
10. be allowed at any time without penalty. We favor a
11. common registration date for all vehicles owned by
12. one person if 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 en-
16. forcement 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
23. accident, we support legislation requiring a public
24. official to stay at the scene until the landowner or
25. his agent arrives to secure the property. A penalty
26. should be assessed against anyone attempting to
27. tamper with or remove anything from the scene
28. without permission from the public official at the
29. scene of the accident.

30. Formal driver's training should be required for all
31. first time driver license applicants.

32. We support fewer restrictions to obtain Hardship
33. Drivers Licenses issued to the children of Texas farm
34. families.

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

44. All motor vehicles, except vehicles with agricul-
45. tural seasonal registration, must have current license

46. plates and current liability insurance, including vehicles from other countries or states. If license plate or
47. insurance is expired, the vehicle should be impounded
48. until proper plate and insurance is furnished.
49. We support the state not requiring cab cards for
50. farm trucks.
51. Farm vehicle or farm trailer registration should
52. be issued only to those with a Texas Agriculture or
53. Timber Exemption Registration number.
54. We encourage all cities to program traffic lights
55. to keep traffic flowing at a safe speed, while at the
56. same time saving fuel.
57. We support a law making texting while driving
58. illegal.
59. We oppose issuing a driver's license to undocu-
60. mented illegal immigrants.
61. Rural driver's license offices should remain open
62. for regular and commercial license, written and driv-
63. ing testing and renewals.
- 64.

## **Property**

**189**

1. We support strong penalties and fines for theft of
2. agricultural commodities and property such as tim-
3. ber, livestock, feed, grain, fertilizer, farm equipment,
4. etc. We urge appointment of special Texas Rangers
5. to 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 to
19. include an extra penalty for anyone burning this refuse
20. and not maintaining a watch and physical presence at
21. 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 per-  
59. son who photographs or records private property,  
60. animals, and/or crops with the intent to produce  
61. photographs, audio or video recordings to make false  
62. statements or misrepresentations about agricultural  
63. operations as a whole to the general public.

## **Weapons**

**190**

1. We support the right of the individual to keep  
2. and bear arms. We support amending the Texas Pe-  
3. nal Code, to define "traveling," to allow law abiding  
4. citizens to carry a firearm for defensive purposes  
5. while traveling. We support the current legal carry-  
6. ing of handguns. We support the creation of a single  
7. license certificate comingling LTC and Texas Drivers  
8. License for those legally licensed to carry a handgun.  
9. We recommend that the fees be reduced and the re-  
10. newal process be shortened/streamlined to eliminate  
11. redundant information 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  
18. would stipulate that any resident of the State of  
19. Texas could use deadly force if they believe their life  
20. or another 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 sen-  
26. tence 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  
34. of the owners.

## INSURANCE

### Insurance Generally

191

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 department  
5. may be based across the state line. Volunteer Fire  
6. 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  
12. Insurance require insurance companies to appraise  
13. crop loss claims as quickly as possible.  
14. A mortgagee or trustee should not be able to ex-  
15. ercise an option to use insurance proceeds on a stan-  
16. dard fire and extended coverage policy to reduce the  
17. indebtedness of the insured's loan if it is economically  
18. feasible to rebuild or restore the damaged property,  
19. provided the insured's loan payments are current.  
20. We support a limitation on liability judgments  
21. to the cost of actual damages and a maximum of  
22. \$250,000 in punitive damages on pain and suffer-  
23. ing. Legal fees should be limited to 15 percent of the  
24. settlement with the attorneys paying a pro-rata share  
25. of all court costs. Juries should not be made aware  
26. whether or not one 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 leg-  
32. islation requiring the losing party in a civil lawsuit  
33. to 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 192**

1. Drivers under 25 who have satisfactorily completed a driver's education course and have good driving records should not be penalized by higher insurance rates.
2. Uninsured motorists should not be able to collect medical benefits, auto repairs or any other compensation for an accident involving an insured person, regardless of who is at fault. Uninsured motorists should lose all rights to sue another regardless of who is at fault in an auto accident. We support seizure of the auto of an uninsured motorist who is involved in an accident resulting in damages, regardless who is at fault. The third offense shall result in seizures of the auto and revocation of driver's license for 90 days. The auto should be sold to reimburse the insured motorist for damages. We support tracking of, and stiff penalties for, insurers and buyers who sell or purchase insurance on monthly installments solely for the purpose of license renewal or other documents that require proof of insurance, and then cancel or stop premium payments.
3. All government owned or government controlled vehicles or other machinery should be covered by casualty and liability insurance if such vehicles and equipment are operated by civilians.
4. The State should require that all vehicles with foreign license plates have the states minimum liability insurance upon entry into the State of Texas.
5. We oppose the lowering of insurance rates for Mexican nationals needing liability insurance on U.S. highways.
6. We recommend that the State of Texas adopt no-fault auto insurance.
7. We oppose increasing insurance rates on larger type vehicles.

**Health Insurance 193**

1. We recommend changes in the insurance code to prohibit companies selling accident and sickness policies from adding exclusions after policies have been in effect for one year.
2. We recommend that the Texas Department of Insurance require health insurance companies operating in the State of Texas to pay insurance claims within 30 days of receipt. If not paid in 60 days, 20 percent interest shall be added to the amount due to the customer.
3. We support legislation requiring all group hospital insurance policies to pay total stated benefits to policy owner regardless of other policies owned.

14. For the purpose of rating workers' compensation
15. insurance, we favor payroll classification separating
16. office, clerical and marketing personnel from other
17. employees with greater risk exposure.
18. A state agency should monitor and discourage
19. abuses of medical health claims.
20. We oppose requiring businesses to provide health
21. care insurance for employees.
22. We recommend that the Texas Health Insurance
23. Risk Pool be funded.
24. We support establishment of a group health insur-
25. ance program for all active and retired school employ-
26. ees comparable to the health insurance programs for
27. higher education and state employees.
28. Health insurance companies should be required to
29. use a pool common to all companies for the purpose
30. of calculating insurance premiums for various age
31. brackets.

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