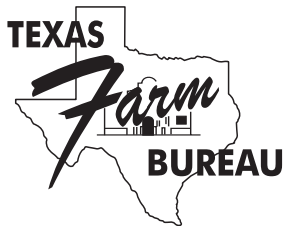


STATE POLICIES

of the

Texas Farm Bureau



2010

Our Mission

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

STATE POLICIES

Adopted by official voting delegates at the 76th Annual
Convention of the Texas Farm Bureau, December 5-7, 2009,
Fort Worth, TX.

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FARM BUREAU PHILOSOPHY

Preamble

101

1. We give thanks to almighty God for the many
2. blessings He has bestowed upon us as a nation and as
3. individuals. We invoke His wisdom and direction upon
4. our every decision in order that we may be worthy
5. citizens of His Kingdom and of our nation. May He grant
6. us the grace to know and to do His will.

7. We believe that our faith in God and the democratic
8. principles of free enterprise and human freedom, upon
9. which our nation was founded, are responsible for its
10. greatness. We encourage our government officials to
11. return to the concepts of this Preamble concerning our
12. belief in God.

13. We believe in the right of all people to choose their
14. own occupation free from compulsory unionism; to be
15. rewarded in accordance with their productive
16. contribution to society; to save, invest and spend their
17. earnings as they choose; and to worship as their
18. conscience dictates.

19. We believe that the present degree of centralization
20. of power and authority and the trend toward further
21. centralization of power and authority in the Federal
22. government and the apathy of American people to this
23. trend are among the greatest dangers threatening our
24. Republic and the American way of life. "Planned
25. economy" concepts such as socialism and communism,
26. fascism and other forms of totalitarianism must be
27. opposed wherever and in whatever form they may be
28. found.

29. In order that we as individuals in our profession may
30. make greater contribution to the above stated principles
31. through group action, Farm Bureau is a free,
32. independent, non-governmental, voluntary organization
33. of farm and ranch families united for the purpose of
34. analyzing their problems and formulating action to
35. achieve educational improvement, economic opportunity,
36. and social advancement, thereby promoting the national
37. welfare. Farm Bureau is local, national and
38. international in its scope and influence. It is non-
39. partisan, non-sectarian and non-secret in character.

40. It is wholly controlled by its members through
41. majority decision and is financed by voluntary
42. membership 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 for
4. profit and individual satisfaction. We believe in a
5. competitive business environment in which supply and

6. demand are the primary determinants of market prices,
7. the use of productive resources, and the distribution of
8. output. We will work for less government control.
9. We believe in the right of every man to choose his own
10. occupation; to be rewarded, according to his contribution
11. to society; and to save, invest, spend or convey to his
12. heirs his earnings as he chooses.
13. We believe that government operation of commercial
14. businesses in competition with private enterprise should
15. be terminated.

Socialism and Communism 103

1. International communism is both an internal and
2. external threat to the private competitive enterprise
3. system. Communism is foreign to all the ideals of the
4. free world. It would deny mans faith in God, his heritage
5. of freedom, and his belief in justice and mercy. Farm
6. Bureau is dedicated to the defeat of Communist ideology.
7. We oppose one world government and any treaty or
8. pact that encourages a one world government.
9. We are opposed to socialism and communism and
10. its attempt to destroy the property rights that have
11. served as a foundation for the American way of life. We
12. strongly oppose the socialistic movements attempt to
13. redistribute wealth, thereby threatening to destroy the
14. system of incentives that have built this great nation.
15. We support the basic principles behind the founding of
16. our country; namely, freedom and dignity of the
17. individual, and his right to participate in a free
18. enterprise system. To strengthen our awareness of our
19. system of government we recommend:
20. 1. American History and World History be taught in
21. all American schools and colleges.
22. 2. The true nature of communism and socialism be
23. taught in our schools and in the armed services so that
24. people can better recognize its character, understand
25. its purposes, and counteract its objectives.
26. 3. Adult education programs, including forums,
27. assemblies, and other forms of communication, be
28. promoted to increase the awareness of citizens to any
29. system of government that threatens the American way
30. of life.
31. We oppose any efforts of our government to establish
32. a "North American Union" that would dilute our U.S.
33. Constitutional rights and powers, reduce the sovereignty
34. of the United States, remove the supremacy of the U.S.
35. Supreme Court, or open our borders with Mexico or
36. 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.
4. Responsibility for performance of government functions
5. should be assigned to that unit of government closest to
6. the people which can administer such functions
7. effectively.

8. We urge the Texas legislature to join with the
9. legislatures of other states in passing legislative
10. affirmations that assert their sovereign rights under
11. the Tenth Amendment of the United States
12. Constitution and demand that the United States
13. government cease all unfunded mandates and
14. interference that exceeds the powers specifically
15. delegated to federal authorities by the supreme law of
16. the land.

17. Therefore, we urge the Texas Farm Bureau and the
18. American Farm Bureau to exert all possible power and
19. influence to assert and maintain states and local rights.
20. These rights are guaranteed by the Bill of Rights in
21. both the Constitution of the United States and the
22. Constitution of the State of Texas and must not be
23. diluted.

AGRICULTURAL AGENCIES

Texas AgriLife Extension Service 105

1. The Texas AgriLife Extension Service should
2. continue its role of making available useful and practical
3. information on subjects related to agriculture and home
4. economics. The AgriLife Extension Service should
5. continue to be a part of the Texas A&M University
6. system. We support the AgriLife Extension Service
7. having a director who is separate from other parts of
8. the agricultural complex; thereby allowing the agency
9. to market itself and respond to the needs of agriculture.
10. We oppose reducing the number of ag specialists in the
11. Texas A&M System. We oppose funding reductions for
12. the Texas AgriLife Extension Service. We oppose any
13. legislation that would combine the Texas AgriLife
14. Extension Service and the Texas AgriLife Research of
15. the Texas A&M System. Funding for the Extension,
16. Texas 4-H program, and Animal Damage Control
17. Service should be sufficient to at least maintain current
18. program levels and to continue these services to farm
19. and ranch families.

20. The Texas AgriLife Extension Service should
21. continue to work primarily with all farmers and
22. ranchers as long as individuals and various farm groups
23. seek and respond to this type service, but the Service
24. should abstain from educational activities on matters
25. of political policy.

26. New programs providing services to non-farm people
27. should not come at the expense of programs for farm
28. and ranch families.

Texas Department of Agriculture 106

1. The primary purpose of the Texas Department of
2. Agriculture should be to promote the advancement of
3. agriculture and to educate the public on agriculture.
4. The Texas Department of Agriculture should be
5. adequately staffed and funded. We support
6. reimplementing of Texas Department of Agriculture
7. road inspection stations.
8. We support the continued development of
9. agribusiness and value-added processing of Texas
10. products by the Texas Department of Agriculture.
11. Existing laws should be properly enforced with
12. respect to weights and measures, and seed laws.
13. The Texas Department of Agriculture should promote
14. and support development of agricultural development
15. districts.
16. TDA should provide information and assistance in
17. creating Internet services for the sale of commodities.
18. Texas Department of Agriculture regulations should
19. mirror United States Department of Agriculture
20. (USDA) regulations for the inspections and licensing of
21. kennels and only certified Department of Agriculture
22. employees should be authorized to conduct inspections.

Texas Animal Health Commission 107

1. The Texas Animal Health Commission should not
2. be combined with any other state agency. We oppose
3. user fees being assessed to finance TAHC or any other
4. agricultural regulatory agency; however, if the legislature
5. requires that agricultural regulatory agencies assess
6. user fees, we encourage the fees be assessed
7. proportionally for all services provided and not exceed
8. the cost of providing the service. Rather than requiring
9. fee increases we encourage agencies to review their
10. existing services to determine which services may be
11. ended or modified for cost savings. We support
12. legislation which would provide that the Texas Animal
13. Health Commission be exempt from provisions of the
14. Freedom of Information Act in matters related to animal
15. health, animal identification, and disease control to
16. protect information related to individual producers,
17. locations and animal health traceback from unnecessary
18. harassment, invasion of privacy, and to enhance the
19. provision of homeland security in the agricultural sector.
20. We support the TAHC having the authority to
21. determine whether to close the borders of Texas to the
22. importation of certain traditional or alternative
23. livestock. We are opposed to transfer of such powers
24. into the hands of the legislature, or any other agency.
25. We support the right to use antibiotics for livestock
26. & poultry in matters related to animal health care.

Texas State Soil & Water Conservation Board 108

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

AGRICULTURAL COMMODITIES

Commodities-General 109

1. All commodities are inter-related, and any change
2. in supply, demand or price of one affects the others.
3. Therefore, careful consideration should be given to the
4. economic impact of a major change in one commodity's
5. policy on other commodities before such policy is
6. approved.
7. We support country of origin labeling of all foreign
8. products imported into Texas.
9. We support requiring public institutions to buy
10. domestic agricultural products when they are available.
11. We oppose all attempts by political subdivisions

12. (cities or counties) to limit the production of, or the use
13. of, genetically modified crops or animals.
14. We support legislation granting producers a “Hold
15. Harmless” position from any changes that occur after
16. their production is sold and leaves their control.
17. We oppose growing castor beans in Texas until
18. adequate regulations are enacted and educational
19. programs are available to address storage, handling,
20. and production concerns and low ricin varieties are
21. available, so that the accidental adulteration of our food
22. and feed supply is prevented.

Citrus 110

1. We support strict enforcement of maturity, size, and
2. grade standards for all citrus shipped into Texas.
3. Due to the continuing spread of citrus canker and
4. greening disease into additional nurseries and
5. production areas, we urge continuation of recent
6. safeguards and the ban on shipments of citrus fruit and
7. nursery stock into Texas.
8. Plant material is a host to diaprepies weevil and
9. Asian citrus psyllid and should be subject to inspection
10. at Texas Department of Agriculture inspection stations.

Cotton 111

1. We support the Cotton Promotion and Research
2. Program. We recommend a full-time statewide cotton
3. specialist. We support a mandatory statewide Boll
4. Weevil Eradication Program and favor state funding
5. assistance. We oppose a mandatory referendum for boll
6. weevil eradication and support a referendum upon
7. request by 10% of producers. The Texas Boll Weevil
8. Eradication Program (TBWEP) should use prudent
9. spending practices and strive to reduce overhead.
10. We urge that Texas Boll Weevil Eradication
11. Foundation personnel stay on existing turnrows and
12. designated roads.
13. We recommend a plow-up date be established for
14. cotton to aid in the control of boll weevils in affected
15. areas. We support using controlled burning of CRP
16. acreage prior to spring planting in the affected areas to
17. assist in the boll weevil eradication program. We support
18. allowing producers harvesting cotton near, on, or after
19. the stalk destruction deadline to have ten days after
20. harvest to destroy stalks without incurring a penalty or
21. fine. We support TDA in its effort to control non-
22. commercial cotton, (not located in a crop field), by
23. making the users of gin by-products aware they are
24. responsible for the destruction of any re-growth resulting
25. in hostable cotton from the use of such products.
26. We recommend that the stalk destruction dates for
27. areas under pink bollworm or boll weevil regulation

28. continue to be set by the Commissioner of Agriculture
29. following a public hearing for the area affected. We
30. support chemical as well as mechanical means as an
31. approved method by the TDA for cotton stalk
32. destruction. In the quarantine area, the cotton stalk
33. destruction deadline for cotton stalks should be strictly
34. enforced and TBWEP and TDA should coordinate efforts
35. to accomplish this task.

36. We support removal of the 10 day application period
37. for cotton stalk destruction, with a 24 hour notification
38. for extension.

39. We support studies for feasibility of containment,
40. suppression and/or eradication of pink bollworm. We
41. support the Texas Department of Agriculture and the
42. Texas Boll Weevil Eradication Foundation developing
43. procedures to ensure that cotton harvesting equipment
44. and raw cotton products being transported are certified
45. boll weevil free. No equipment should cross any zone
46. boundary without being certified boll weevil free.

47. We are opposed to changes in the trade rules of cotton
48. trading associations that pass marketing and storage
49. charges from buyer to seller. We support charging for
50. the exact amount of time the bale is stored in the
51. warehouse.

52. We oppose the present penalties on low micronaire
53. cotton.

54. We favor a specific cut-off date for application of 2,4-
55. D and other similar chemicals in counties where cotton
56. is produced to coincide with uniform recommended
57. planting dates for cotton in each county. We favor the
58. registration of Propazine (Milo Pro) for use on cotton.

Dairy

112

1. We favor an inspection service that will emphasize
2. milk quality rather than physical requirements and
3. appearance of facilities. Only a qualified Texas
4. Department of Health Sanitarian should be permitted
5. to degrade a "Grade A" dairy based on a sample of milk.
6. The sample should be in possession of a qualified
7. sanitarian at all times until delivered to a state
8. laboratory. The Department, at producer's request,
9. should retest a producer's milk as promptly as possible
10. following an unacceptable test.

11. We support the dairy promotion and advertisement
12. program. Imitation dairy products should be labeled
13. as such, particularly when displayed with dairy
14. products.

15. The minimum requirements for consumer grade milk
16. should be increased to 12% solids. Component
17. standards should comply with state regulations and be
18. printed on the product labels.

19. We support the concept of regional compacts to price

20. Class 1 milk and will support legislation to create a
21. Texas state milk marketing order.

Forestry **113**

1. Timber has been classified as an agricultural crop
2. and we support the right to harvest our crop. We support
3. the use of agroforestry and integration of land use
4. practices. We support the education of the public
5. economic and environmental importance of timber and
6. its production. We support the principles of Sustainable
7. Forestry Initiative (SFI), Best Management Practices
8. (BMP), prescribed burning, and an adequate nursery
9. supplier, to manage and promote the health of all
10. forested areas and their neighboring properties. We
11. support increased funding for the Texas Forest Service
12. in order to fulfill its increased responsibilities for fighting
13. wildfires, not only on forestlands in East Texas, but
14. statewide.

15. The Texas Forest Service shall remain under the
16. jurisdiction of TAMU System. We support the task of
17. regenerating sufficient acreage to timber production to
18. satisfy the economics of domestic and export markets
19. and the environmental needs of all concerned, ensuring
20. an adequate supply of nursery seedstock by fostering
21. policies favorable to private or public landowners,
22. through reduced taxes and/or abatements, eliminating
23. frivolous lawsuits, and reducing restrictive regulations
24. and harvesting mitigated forestlands.

25. When insects, fire, disease or noxious infestations
26. occur in state or national forests, parks, or other publicly
27. owned property, appropriate agencies should be required
28. to immediately apply proper management and
29. protection practices to control these problems and
30. prevent their spread to private land.

Fruits and Vegetables **114**

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

Hay and Forage **115**

1. We recommend the Texas Department of Agriculture
2. coordinate with the USDA in establishing standards
3. for hay testing.

4. We support the development of a federal crop
5. insurance program for hay producers.

6. We support government assistance for building
7. private hay storage facilities.

Honey **116**

1. We recommend that Texas A&M investigate the
2. adequacy of the honeybee inspection service to ensure

3. proper inspection and supervision to better serve the
4. beekeeper. We support continuation of the Texas
5. European Honeybee Certification Program
6. administered by the Texas Apiary Inspection Service.

7. We recommend Texas honey standards be set at 100%
8. of the definition of honey; sweet, viscous fluid elaborated
9. by bees from nectar obtained from plant nectaries, chiefly
10. floral.

11. We recommend that appropriate officials take
12. effective legal action to end the deliberate adulteration
13. of honey by using corn syrup.

14. We recommend that Texas A&M and the USDA
15. continue monitoring the expansion of the Africanized
16. Bee and the Varroa Mite, while obtaining the necessary
17. funding to limit this expansion. We strongly recommend
18. that priority be given to the rapid development of Varroa
19. and Tracheal Mite control methods that will be
20. economically useful to beekeepers.

21. We recommend that Texas A&M and USDA jointly
22. develop an applied method of rearing European queen
23. bees inside an Africanized area.

24. We encourage the beekeeping industry and the
25. American Farm Bureau Research Foundation support
26. Africanized Bee and Varroa and Tracheal Mite research.

27. The Texas AGRILIFE Extension Service and the
28. school lunch nutritionists should encourage use of pure
29. quality honey in the school lunch program.

30. We support legislation allowing private property
31. owners or their agents to control wild swarms or colonies
32. of honeybees or Africanized Bees on their own property.

33. We support legislation allowing beekeepers
34. registered with the Texas Apiary Inspection Service to
35. remove bees without regulation from the Texas
36. Structural Pest Control Board.

Horses

117

1. We recommend that all horses sold by private treaty
2. or through auction markets should be tested for Equine
3. Infectious Anemia (EIA).

4. We recommend extending the health documentation
5. from every 45 days to every 6 months to coincide with
6. the test for EIA.

7. We support legislation authorizing Texas &
8. Southwestern Cattle Raisers Association brand
9. inspectors to inspect horses for brands and identifying
10. marks at all posted markets and slaughter plants in
11. the state.

12. We favor continuing the classification of horses as
13. livestock and personal property. We oppose horses being
14. classified as companion animals. Processing and
15. exportation of equine meat should be legal when
16. performed in compliance with USDA Humane
17. Slaughter of Livestock regulations.

18. We recognize a healthy horse racing industry is
19. beneficial to Texas horse breeders. We support changes
20. in the current Texas pari-mutuel law designed to
21. increase revenue to racetracks, resulting in larger purses,
22. breeders' awards and other industry incentive programs.
23. We support legislation allowing the placement of VLT's
24. (Video Lottery Terminal) at all race tracks in Texas.
25. We support equine owners/producers making the
26. decision on who performs the floating of equine teeth.

Livestock

118

1. We support continuing the current brucellosis
2. program. Texas should avoid seeking brucellosis free
3. status until the sources of the previous infected herds
4. have been discovered.
5. We strongly recommend that we have livestock
6. producing members on the Texas Animal Health
7. Commission.
8. We are opposed to bison from Yellowstone Park being
9. transported to Texas.
10. We recommend surveillance for screwworms on a
11. state and national level, and continued eradication
12. efforts on the international level.
13. We are opposed to restrictions on the sale and/or
14. administration of antibiotics and other drugs for animal
15. health by producers or their agents, unless such use is
16. adequately proven detrimental to human health.
17. We support legislation allowing pet owners to buy
18. the vaccine and vaccinate their own pets for rabies.
19. We oppose any attempt to impose regulations on
20. palpation of livestock.
21. We support an eradication program of the horn fly.
22. We recommend uniform guidelines for control of the
23. fever tick in Texas. We support implementation and
24. funding for the National Strategic Plan for the Cattle
25. Fever Tick Program developed in 2006. Immediate
26. funding should be made available to eliminate fever
27. ticks from the temporary preventive quarantine areas
28. of Texas. An awareness program should be implemented
29. to educate and to assist Texas ranchers in identifying
30. this pest.
31. We recommend that we solicit Mexico's assistance in
32. increasing the width of the Mexican "border barrier
33. zone."
34. Inspections should continue for brands, marks and
35. other identifying characteristics at posted markets in
36. Texas.
37. We urge that the brand inspection law be extended
38. to cover all slaughter plants. We oppose compulsory
39. statewide branding, but we support district or regional
40. brand laws when established on a local option basis.
41. However, we recommend that each cattleman adopt an

42. individual permanent method of identifying his cattle.
43. County clerks should be required to notify animal brand
44. owners, by mail, concerning the re-registration of animal
45. brands.

46. We support the current law giving the Texas Animal
47. Health Commission the authority to establish a premise
48. and animal identification system. We support a
49. voluntary market driven program until such time as
50. there is a federal mandate requiring the establishment
51. of such systems. We support an individual animal
52. identification system that responds to the specific needs
53. of each species rather than an identical program being
54. required for all species.

55. We support the following guidelines for a livestock
56. identification program:

57. 1. The program should be as simple and cost effective
58. as possible for producers.

59. 2. The federal government should provide cost
60. sharing, especially for the development and
61. implementation of the infrastructure.

62. 3. Confidentiality of producer information must be
63. respected and changes in the Freedom of Information
64. Act must be made to further ensure that confidentiality.

65. 4. The data base containing individual animal
66. identification must be maintained in a private industry
67. data base and not in a governmental data base.

68. 5. Information shall be made available only to the
69. proper animal health authorities in the event of an
70. animal disease incident and must not be used for any
71. other purpose or by any other governmental authority.

72. 6. Identification of animals will not be required before
73. movement from the original registered premise. Under
74. Country of Origin Labeling, only animals that are born,
75. raised and processed in the U.S. are eligible for a "Made
76. in USA" or similar label.

77. We support using the current brucellosis eradication
78. I. D. system as one method of cattle identification.

79. We support a voluntary Country of Origin Labeling
80. (COOL) program for livestock products that will result
81. in higher market returns for producers. We oppose
82. burdensome record keeping requirements on any portion
83. of the meat industry that would result in lower prices to
84. livestock producers.

85. Auction and commission companies should be
86. required to furnish a copy of the weight ticket to the
87. seller of all livestock sold on a weight basis. We urge the
88. Texas Animal Health Commission to develop rules and
89. regulations to control trichomoniasis. The Texas
90. Animal Health Commission and the Texas AgriLife
91. Extension Service should continue to work together to
92. educate producers on the rules and regulations of the
93. Trichomoniasis Program.

94. We urge the regulation of livestock imports to protect

95. domestic livestock from foreign animal diseases.

96. All live cattle entering the U.S. from Mexico should
97. be identified with a firebrand indicating import. All
98. imported live cattle from other countries destined for
99. commercial feedlots should be spayed or castrated and
100. S branded. We support expanded facilities and increased
101. personnel working at the Texas Department of
102. Agriculture export pens along the Texas/Mexico border.
103. We encourage the Texas Department of Agriculture to
104. cooperate with Mexican authorities at all levels to create
105. ways to reduce the large volume of livestock awaiting
106. approval for passage into Mexico at these facilities.

107. We support a concerted joint Texas/Mexico effort to
108. control/eradicate bovine tuberculosis and brucellosis.
109. We support the work of the U.S./Mexico Bi-National
110. Tuberculosis and Brucellosis Committee. We support
111. the Texas Cattle and Deer Tuberculosis Management
112. Plan using the zone approach to controlling movement
113. of cattle exposed to infected herds with TB.

114. The TAHC should work toward a quick solution with
115. USDA to ship cattle out of Texas to TB free states.

116. We recommend that we work with the appropriate
117. agencies to correct the inequities in the current foot-
118. and-mouth disease indemnity proposal.

119. The Texas estray laws should be amended to require
120. that the proceeds of the sheriff's sale of impounded
121. estrays be used for compensation of property damages
122. caused by the estrays. The damages should be
123. determined by a panel of disinterested landowners.

124. We support continued research of bovine growth
125. hormones with special emphasis on human health and
126. the effects on carcass quality.

127. We support measures to hold owners of dogs liable
128. for damage to livestock and property. We support
129. legislation that would prohibit dogs that are known to
130. worry or kill goats, sheep, poultry, calves, or other
131. livestock, from running at large.

132. We support the humane treatment of all domestic
133. animals and wildlife. We recognize that livestock and
134. wildlife are part of the human food chain, they are not
135. equal to humans, nor do they have human rights. We
136. oppose any changes to the current animal cruelty laws
137. that adversely impact the normally accepted practices
138. of handling livestock.

139. We urge the development of agricultural information
140. and education programs that will give the public a clear,
141. realistic, and technically accurate perspective of animal
142. rights issues relative to producer responsibilities.

143. We recommend legislation requiring penalties for
144. the owner of livestock which are habitually allowed to
145. run at large with reckless disregard to the welfare and
146. property of others.

147. We recommend a State law be passed that clarifies

148. and states as a principle of law that due to the
149. unpredictable nature of any livestock and livestock
150. activities, those who participate in these activities have
151. to accept the inherent danger and responsibility of their
152. actions.

153. We recommend that livestock and poultry manure
154. be classified and promoted as reusable by-products or
155. organic fertilizer.

156. We strongly oppose any methane or greenhouse gas
157. tax levied on livestock and/or wildlife because of normal
158. biological bodily functions.

159. We support minimum guidelines of the National
160. Research Council's recommendation for phosphorus
161. levels in feed rations.

162. We support livestock assistance programs for natural
163. disasters. We support revenue assurance programs.
164. The producer should have the option to participate in
165. government-assisted insurance.

166. We support financial or other incentives to increase
167. the number of large animal veterinarians.

168. We urge the selection committee of the College of
169. Veterinary Medicine at Texas A&M University to place
170. greater emphasis on selecting new students who will
171. pursue food animal practices.

172. We support the expansion of the current veterinary
173. college and/or the establishment of additional Colleges
174. of Veterinary Medicine in the State of Texas.

175. We support continuation of the Texas Veterinary
176. Medical Diagnostic Lab. We support state funding of
177. the Rural Veterinarian Incentive Program.

Nursery and Greenhouse 119

1. We support legislation which will make it unlawful
2. to sell or offer for sale any plants or nursery stock which
3. are not viable (represented as live plants or live nursery
4. stock) at the time and place of sale.

5. We oppose local invasive plant list ordinances, which
6. would lead to differing, conflicting, and uncoordinated
7. efforts to control or ban potentially harmful plant
8. species.

Peanuts 120

1. We favor a voluntary check-off program administered
2. by the Texas Peanut Producers Board.

3. We support Texas peanut growers' effort to develop a
4. program to promote peanut consumption. We support
5. research to increase production and guarantee crop
6. integrity, and any other activities which would be
7. beneficial to Texas peanut producers.

8. We recommend legislation authorizing the Texas
9. Commissioner of Agriculture to establish uniform
10. grades and sizes of peanut seed, and to enforce proper

11. labeling of such grades and sizes.

Pecans **121**

1. We recommend state legislation to establish grades
2. and standards on thin shell fancy pecans, specifying
3. approximate kernel content of pecans sold to consumers
4. by dealers or handlers of such pecans.
5. We urge our Land Grant Colleges to research genetic
6. engineering to develop new varieties of pecans for disease
7. and insect resistance.

Poultry **122**

1. We favor updating the Texas Egg Labeling and
2. Grading Law to assure consumers a quality product,
3. and eliminate the present inspection fee now assessed.
4. We favor continuous inspection of out-of-state eggs by
5. the Texas Department of Agriculture at retail outlets so
6. that they will meet the requirements of the Texas egg
7. laws.

Ratites **123**

1. We support legislation that would insert the family
2. name Ratite (rather than exotic fowl) when any regulatory
3. agency or legislation refers to Emu, Ostrich, Rhea and/
4. or Cassowary.
5. We support the promotion of ratite value-added
6. products.
7. We support allowing producers the choice of the most
8. economical method for identifying ratites.

Rice **124**

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

Sheep and Goats **125**

1. We encourage the establishment of wool, mohair and
2. meat product processing plants within the State of Texas.
3. We encourage increased funding for research and
4. development for sheep, mohair and meat goat
5. production. We encourage the Texas Agricultural
6. Statistical Service to differentiate between mohair and
7. meat goats.
8. We encourage feasible enrollment of sheep producers
9. in the APHIS Scrapie program.

Soybeans 126

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

Wheat and Feed Grains 127

1. We recommend legislation requiring the Weights and
2. Measures Division of the Texas Department of
3. Agriculture to regulate all grain moisture testers used
4. by commercial grain handlers and dealers; and to levy
5. appropriate penalties against offenders.
6. We recommend that all in-load suction grain probes
7. used for automatic sampling be approved by the USDA
8. Research Management Office.
9. We are opposed to any type of grain compact between
10. states.
11. We support legislation giving the Texas Department
12. of Agriculture regulatory authority over in-house
13. inspectors of bonded grading facilities. We also
14. recommend that all grain samples be kept a minimum
15. of ten (10) days and that grading results be available
16. within twenty-four (24) hours.
17. We oppose the addition of foreign matter to grains.
18. We oppose any practices by grain handling companies
19. that result in a reduction of grain quality.
20. We support the United Sorghum Check-off Program.
21. We support the continuation of research and
22. production of GMO wheat seed to help control disease
23. and pests in order to maintain and improve current
24. yields and profitability.

Wildlife 128

1. We support legal sports hunting. We support the
2. right of landowners, within legal limits, to control
3. hunting and fishing on their land, both unfenced and
4. fenced property. We favor legislation to repeal the law
5. that requires landowners to purchase hunting and/or
6. fishing license to hunt or fish on ones own property.
7. Landowners should not be required to have a hunting
8. license to kill feral hogs, coyotes and other non-game
9. animals.
10. We support research, law enforcement, and
11. educational activities designed to improve hunting and
12. fishing for this and future generations. Laws and
13. regulations pertaining to hunting, fishing, and trapping
14. seasons, bag limits, license fees, and damages to
15. agricultural properties by hunters and fishermen,
16. trespassers and wildlife should be compatible with
17. agricultural practices and private property rights.
18. We recommend that law enforcement officers protect

19. the rights of hunters on public land. We support the
20. arrest and removal of all people who disrupt the rights
21. of hunters that hold a valid Texas hunting license and/
22. or permit. We recommend that the fine for illegal hunting
23. be increased, and repeat offenders be charged with a
24. felony and automatic fine including full restitution when
25. it applies to damaged or destroyed property. We support
26. laws and regulations that make it illegal for a person to
27. use a spotlight from a public road, other than onto his
28. own property, except in cases of emergency. We urge that
29. all money received from fish and game license fees and
30. park entrance fees shall go to the Parks and Wildlife
31. Department with proper legislative oversight. We
32. recommend that Texas Parks and Wildlife Department
33. use land acquisition funds for operating, rather than
34. buying more park land, while at the same time closing
35. existing parks.

36. We recommend that the hunting season for all game
37. species begin on a Saturday or other first holiday
38. morning and end on a Sunday or other last holiday
39. evening.

40. We support Texas Parks and Wildlife Departments
41. leasing rather than acquisition of property to provide
42. public hunting opportunities. The rights of private
43. property owners should be recognized and respected by
44. the Department by giving greater attention and follow-
45. up on citizens input concerning game laws at county
46. public hearings. We recommend that the Governor
47. appoint bona fide ranchers and landowners from the
48. whitetail deer areas of Texas to the Texas Parks and
49. Wildlife Commission.

50. Because reductions in local game populations have a
51. very definite impact on local economies and
52. management practices, local landowners should be
53. notified prior to any trapping and translocating of such
54. game species.

55. We support classifying exotic game as personal
56. property and that it not be regulated. We support
57. classifying farmed elk in Texas as exotic livestock.

58. Normal agricultural practices, such as top seeding,
59. should not be considered "baiting."

60. We support the Texas Legislature's efforts to reverse
61. the quail decline in Texas. Without supporting new
62. laws, we encourage cooperation between landowners to
63. ensure deer blinds, feed, feed plots, and feeders are more
64. than 100 yards from boundary fences for safety purposes.

65. Texas Parks and Wildlife Department and Texas
66. Animal Health Commission should continue to address
67. disease problems associated with interstate and
68. intrastate shipment of native wildlife, particularly those
69. related to the hunting economy in Texas.

70. We support legislation that prohibits public hunting
71. in Texas public streams and riverbeds.

72. We support legislation that would exempt all property
73. owners from liability for damages or injuries caused by
74. wildlife, including Africanized Bees, on private property.
75. We support clarifying hunter harassment laws so
76. that normal agricultural activities cannot be construed
77. as harassment by a hunter on adjoining property.
78. We support an exemption from the Endangered
79. Species Act for those exotic species located in Texas
80. that, although endangered in their native country, are
81. thriving in Texas under private management and
82. ownership.
83. We oppose any designation of exotic livestock
84. animals as an invasive species.
85. We support classifying feral hogs as an invasive
86. species.
87. Landowners should not have to pay for a lease license
88. to be able to lease their land for hunting. We support
89. additional state funding for animal damage and
90. depredation control. We support programs of cost share
91. approaches to control deer damage to crops and/or
92. property.
93. We support continued research to develop a live test
94. for CWD (Chronic Wasting Disease).
95. Texas Parks and Wildlife Commission should make
96. the spring turkey hunting season “shotgun or bow and
97. arrow only” for safety reasons.

AGRICULTURAL PROMOTION

Information 129

1. We recognize the vital importance of accurate crop
2. and livestock reports, market price reports and county
3. agricultural statistics in the marketing of farm and
4. ranch products. We support programs and
5. appropriations that provide accurate and up-to-date
6. marketing information for farmers and ranchers.
7. We recommend that an educational program be
8. implemented to educate the general public to the fact
9. that we have the safest food supply in the world, and
10. that our economical food supply is a partial result of
11. government farm programs.
12. We encourage the TDA to include hay quotations with
13. their 800 telephone service grain quotes.
14. We encourage public television programs be devoted
15. to agriculture on a regular basis.

Marketing 130

1. We will work to develop foreign and domestic markets
2. for our agricultural products.
3. We oppose any monopolistic practice that would have
4. a detrimental effect on the free market.
5. We support the development of a producers protection

6. act to cover agricultural production contracts.
7. All posted markets, meat packers, processors and
8. farm commodity commission sales offices should be
9. adequately bonded to protect the consignor and buyer.
10. We support check-offs voted by producers for
11. commodity promotion.
12. We favor the establishment of a statewide beef check-
13. off program in the event the national Beef Check-off
14. program should be discontinued.
15. We support the National Beef Promotion and
16. Research Program.
17. We oppose any check-off system when the funds are
18. not controlled by the producers of that commodity. We
19. support an increase in the Beef Check-off to \$2.00 per
20. head or an amount determined by producers. We support
21. a corresponding increase for imported boxed beef.
22. We recommend that agricultural products be
23. marketed on the basis of uniform standards and grades
24. and that food products be clearly identified by grade in
25. retail outlets. We urge market agencies, processors and
26. retailers to reflect the value of quality products through
27. price differentials. We recommend that all meat
28. products containing fillers be labeled identifying the
29. filler and the percentage use.
30. We recommend support of the Texas AgriLife
31. Extension Service in its educational program of improved
32. livestock marketing procedures, to include revised feeder
33. and stocker grades of cattle.
34. We urge that the Texas Department of Agriculture
35. require individuals who buy commodities and check
36. them for aflatoxin be required to take a second sample
37. when it is requested by the farmers selling the
38. commodities.
39. We support the use of Texas grown fruits, vegetables
40. and other products in the federal W.I.C. program.
41. We support a producer cooperative beef packing
42. facility in Texas.
43. We support tax-free bonds to enable agricultural
44. producers to develop facilities for value-added products.
45. We recommend supporting the Texas Department of
46. Agriculture's "Go Texan" campaign.
47. We support wine makers being allowed to market
48. their products at their production sites.
49. We support agri-tourism as an important potential
50. for agriculture growth.
51. Farmer's market vendors should not be required to
52. purchase a vendor's license from city or county
53. governments.

Research

131

1. To continue the unparalleled contribution of U.S.
2. agriculture to the material, financial and social well-
3. being of our State and Nation, we will support

4. continuation and intensification of agricultural research
5. programs, including mechanical, chemical, biological,
6. organic and other methods, to solve current and
7. anticipated problems in agriculture. Efforts should be
8. made to ensure that research done is appropriate,
9. necessary, and non-repetitive, and that data be used to
10. do comparative analysis between the different methods
11. for cost effectiveness and practicality.

12. We recommend that funds be made available for all
13. agricultural research. We favor intensive research to
14. improve soil and testing methods for Texas soils. We
15. propose that Texas A&M or TDA shall put into operation
16. a state of the art soil testing facility to accurately test
17. soil.

18. We support increased efforts through biotechnology
19. to increase the marketability of our products, solve
20. environmental concerns and increase net farm income
21. by decreasing input costs and improving product quality.
22. We support biotechnology research, labeling and product
23. development. Our competitive advantage in world
24. markets will be maintained only by continued support
25. and encouragement of technological advancements.
26. Traditional agricultural research programs should not
27. be de-emphasized until it can be shown whether
28. biotechnology is the answer to our research needs.

29. We request that Texas A&M and USDA continue
30. research for general and specific crop pollination
31. requirements for such crops as hybrid cotton, sunflowers,
32. soybeans, cucurbits, rapeseed and canola.

33. We request that Texas A&M and USDA continue
34. applied research on alternative crops. We support
35. development of affordable desalination of brackish,
36. saline and seawater to increase the supply of fresh water.

37. We oppose the practice of an entity obtaining
38. exclusive rights to results derived from taxpayer-funded
39. research.

40. We continue to support the Texas Food and Fibers
41. Commission as an independent state agency; however,
42. in the event of a legislative attempt to eliminate this
43. agency, we support merging the agency with the Texas
44. Department of Agriculture contingent on the transfer of
45. appropriations to continue its programs at TDA.

AGRICULTURAL REGULATORY PROGRAMS

Agricultural Chemicals 132

1. Farm Bureau should work with other organizations
2. and with government agencies to educate the general
3. public on the role of agricultural chemicals. We
4. recommend support for educational programs that teach

5. agricultural producers and laborers safe chemical
6. handling practices according to label directions.
7. We support continued research and experimentation
8. relative to the use of farm chemicals to promote a viable
9. and productive agriculture.
10. We support the safe use and promotion of
11. biotechnology and genetically modified plants which
12. reduce our reliance on chemicals.
13. Restrictions or bans on the use of agricultural
14. chemicals must be based on sound scientific research
15. and facts. When a chemical has been previously
16. approved as safe, any group challenging the chemical's
17. safety should be required to pay for the new test unless
18. they prove the safety issue to be true. The fact that
19. some of these products may be persistent is not in itself
20. sufficient reason for rejecting their continued use. We
21. urge the Agriculture Resources Protection Authority to
22. notify affected areas six (6) months in advance when
23. pesticides are going to be restricted or banned. The EPA
24. or TDA should not be the main source of information for
25. restricting or banning pesticides.
26. We favor legislation which provides that pesticide
27. authority be placed in state government rather than in
28. other political subdivisions.
29. We recommend lifting of restrictions on current pest
30. control products (bird repellents) used in other states
31. so they can be used in Texas.
32. The Texas Department of Agriculture should issue a
33. temporary applicators license immediately upon
34. completion of all requirements. No fee or tax should be
35. charged for a private applicators license.
36. Regulations governing application of agricultural
37. chemicals must be workable and effective, and should
38. always be accompanied by an economic impact
39. statement proving that they will solve more problems
40. than they create. We support that state restrictions on
41. farm chemicals not exceed EPA labels. We propose a
42. review of the use of herbicides and chemicals by area,
43. rather than nationwide. The use of restricted chemicals
44. should be regulated in urban areas, households, and
45. yards through certification and requirement of an
46. applicators license.
47. We oppose the right of TDA to have unrestricted
48. access to private property of farmers and ranchers using
49. the 1080 collar and/or M-44 devices. Confidentiality of
50. the users should be protected.
51. We oppose the Texas Department of Agriculture
52. regulations that are responsible for the rising cost of
53. liability insurance for commercial applicators of
54. agricultural products (chemicals). Farmers and ranchers
55. should not be held liable for damages arising from the
56. use of any chemical that has been applied according to
57. label instructions.

58. We recommend that farm chemical manufacturers
59. and dealers provide farmers with a place to dispose of
60. empty chemical containers. We recommend that TDA
61. recall, collect and dispose of all outdated farm pesticides,
62. with no penalty for possession of these chemicals.

63. We recommend that farm chemical manufacturers
64. package chemicals in returnable, reusable, refundable
65. containers that are permanently marked as to product
66. content.

67. We support the creation of a clearinghouse for
68. chemical problems so producers can call in to pinpoint
69. chemicals that are not working.

70. State record keeping requirements should be
71. consistent with federal record keeping requirements.
72. We oppose any regulation that would require a permit
73. to apply a chemical for crop protection.

74. We support strict enforcement for violations of
75. present chemical laws pertaining to the Butyl Ester
76. form of 2, 4-D after a county's cut-off date.

77. We favor the continued use of 2, 4-D where it can be
78. safely applied.

79. We support the Lorsban chemical being approved for
80. the control of Russian Wheat Aphid.

81. We recommend that Reflex chemical be approved for
82. West Texas.

83. We support the use of Atrazine. Atrazine should be
84. restricted to commercial and agricultural use. We
85. support the continued use of carbofuran granular and
86. liquid formulation for the control of wireworms in grain
87. sorghum and corn, and for aphids in cotton.

88. Imported agricultural commodities should be subject
89. to the same restrictions on the use of agricultural
90. chemicals as those which apply to domestically produced
91. commodities.

92. We support a state requirement that all anhydrous
93. ammonia tow vehicles be equipped with water storage
94. for first-aid purposes and that the container be full of
95. water before the tanks can be placed in motion.

96. We support expanded biological pest control research.
97. We support biological pest control programs that can
98. be used as a practical and feasible substitute for
99. chemical controls.

100. We support and encourage the use of Integrated Pest
101. Management Programs in the Texas AgriLife Extension
102. Service.

103. We oppose politically mandated buffer zones.

104. We support legislation to prevent towns,
105. communities, or cities from regulating or limiting the
106. use of agricultural pesticides.

107. We recommend new and "proven safe" pesticides
108. should be made available by:

109. 1. Allowing more use of Fast Track full registration;
110. 2. Giving the Texas Department of Agriculture more

111. authority to authorize use of “proven safe” pesticides in
112. emergency situations without waiting for EPA approval;
113. and,
114. 3. Making Section 18 authorization good for 18 or 30
115. months so that the farmer can use it if the same problem
116. occurs the next year.
117. We recommend that current pesticide application
118. laws be revised to be more producer-friendly.
119. The Texas Department of Agriculture should work to
120. obtain authority to use a combination of “Arsenal” and
121. “Roundup” for the control of salt cedar.
122. An applicator should be licensed or certified when
123. applying any aquatic pesticides.
124. There should be restitution to those who have false
125. claims filed against them with the Texas Department
126. of Agriculture for misapplying agricultural chemicals.

Feed and Fertilizer Law 133

1. We favor a feed and fertilizer control law, with
2. adequate funds, personnel, and enforcement authority
3. to cover all regulations related to ingredients and weights
4. and measure for commercial feeds and fertilizers in bulk,
5. sack or liquid form. High aflatoxin corn, cottonseed,
6. and other commodities that have been detoxified should
7. be allowed to be sold within the state as long as the
8. buyer is informed.
9. The Feed & Fertilizer Control Service Advisory
10. Committee should consist of end users (farmers and
11. ranchers) that represent 50% of the committee; feed
12. processors who process for their own purposes should
13. not be permitted to represent end users because they
14. neither pay tonnage fees nor are under the jurisdiction
15. of the feed law.
16. We recommend that Texas Feed and Fertilizer
17. Control Service have regulations that require feed tags
18. to clearly label ingredients so that kinds of grains,
19. sources of protein, TDN and kinds of roughage will be
20. placed in order of percentage and not labeled by a generic
21. description.
22. We recommend the Fertilizer Control Act provide for
23. the labeling of fertilizer showing minimum guaranteed
24. analysis, including percentage of water soluble nutrients;
25. chemical source; elements derived from; and if it is a
26. blended fertilizer. Analysis should be made at least
27. quarterly and penalty for violations should be severe
28. enough to ensure compliance. The state Feed and
29. Fertilizer Control Service should deal more effectively
30. with repeat violators. Tolerances should not be relaxed.
31. We favor regulations requiring the calcium content
32. and solubility of agriculture lime be guaranteed to the
33. consumer.

Plant Diseases and Insects 134

1. We support all efforts to eradicate the imported fire
2. ant.
3. We encourage all governmental agencies responsible
4. for the maintenance of state-owned lands to utilize every
5. available method to control the imported fire ant.
6. We support state and federal funded research for a
7. control program for insects and diseases of plants and
8. animals.
9. We recommend that in a quarantine area, not only
10. the quarantine plant but any host plants should be
11. quarantined.
12. We support control and eradication of the citrus black
13. fly, Mediterranean fruit fly, horn fly, white fly and aphid.
14. Texas should initiate an effective grasshopper control
15. program.
16. We favor adequate funding for research of the
17. biological control or eradication of the Southern Pine
18. Bark Beetle. We support the efforts of the U.S. Forest
19. Service to control the Southern Pine Beetle by the cut
20. and leave and/or salvage methods on wilderness areas
21. and on all other national forest land in Texas.
22. We favor increased state and federal research on the
23. possible eradication of the Africanized Bee and the
24. Japanese beetle and dissemination of information to
25. the general public.
26. We support research on Phynatotricul Omnivorum
27. (root rot), which causes many agricultural crops to die
28. before producing fruit.
29. Due to overwintering of insects in Conservation
30. Reserve Program lands, we recommend allowing
31. prescribed burning of the CRP land without penalty to
32. the landowner and/or tenant.
33. We recommend that the Feed & Fertilizer Control
34. Service take measures to assure a more uniform and
35. equitable system of testing for aflatoxin.
36. We recommend increased research on genetics and
37. culture practices to reduce aflatoxin and support the
38. approval of Novacil for use on corn intended for livestock
39. feed.
40. We support funding for ergot control in grain sorghum.
41. The USDA and the wheat industry should cooperate
42. in an all-out effort to gain acceptance for designating
43. Karnal bunt as a minor plant pest/disease. The
44. tolerance of Karnal bunt must be based on sound science
45. and appropriate to each segment of the industry, for
46. Karnal bunt in wheat, wheat products and other
47. commodities. USDA should:
 48. 1. Sponsor an international meeting of scientists to
 49. evaluate the status and strategies for management of
 50. the smut and bunt diseases of cereals worldwide, with
 51. particular attention to Karnal bunt.
 52. 2. Take a leading role in re-evaluation of international

53. policies on the use of quarantines to prevent the
54. movement of cereal smut and bunt fungi, and
55. 3. Maintain a research effort at some level on smut
56. and bunt diseases of cereals, including Karnal bunt.
57. Karnal bunt should be immediately deregulated and
58. handled as a quality issue.
59. We encourage continuation of compensation
60. discussions and should keep the minimum
61. compensation level the same as 1996. Compensation
62. should be established for harvesters and transporters
63. and consistent regulations need to be established for
64. sanitizing equipment.

Seed Law

135

1. We recommend the revision of the Texas Seed Law
2. on the following:
3. 1. Stronger enforcement and increased penalties for
4. violators.
5. 2. The Commissioner of Agriculture shall be required
6. to publish quarterly a list of violators.
7. 3. Information on the registration or analysis tag
8. should show the year grown and the actual germination,
9. uniformity, and vigor of the seed.
10. 4. It should be illegal to ship vegetable plants
11. identified as grown from hybrid seed when the plant is
12. grown from non-hybrid seed.
13. 5. It should require seed companies to include the
14. results of annual cold germination and vigor tests on
15. the seed tag of cotton and grain sorghum.
16. 6. Protected seed varieties should be allowed to be
17. sold, variety stated, between farmers as long as one of
18. the parties is involved in the production of said seed.
19. 7. Farmers should be allowed to use or to sell to other
20. farmers, cottonseed grown on their own farm.
21. 8. The Texas Department of Agriculture should
22. regulate the quality and varieties of wild flower seeds
23. in order to prevent the unwanted spread of noxious weeds
24. through seed sales.
25. 9. The Texas Department of Agriculture should
26. require all certified peanut seed sold for planting
27. purposes in Texas to meet zero noxious weed seed
28. tolerance.
29. 10. We support research and development of heat
30. and drought tolerant seeds.
31. 11. Strongly urge the Texas A&M University system
32. and USDA to reinstate or expand the oats and wheat
33. breeding and research program.
34. 12. Require germplasm and variety names of seed
35. be stated on the bag and certification tag.
36. 13. Require germplasm and variety names of seed
37. be stated in advertising of seed varieties.
38. 14. Allow the sale of "Bin Run" seed for cover crops.
39. (non-harvest use)

Weed Control

136

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

LABOR

General Labor

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1. We favor strict enforcement of the Texas “right to
2. work” law and recommend that it be added to the state
3. constitution.
4. We recommend that the Texas Workforce
5. Commission cancel its cooperative agreement with the
6. U.S. Labor Department and operate as an independent
7. state agency. We favor an increase in the minimum
8. number of employees that fall under Texas Workforce
9. Commission jurisdiction.
10. We support raising the payroll thresholds used for
11. Workers Compensation and the Texas Workforce
12. Commission as the minimum wage increases.
13. We recommend that any employee of a state entity
14. or school district be replaced as soon as the employee
15. strikes or uses any of the other commonly known
16. weapons of labor unions such as slowdown or call-in-
17. sick techniques.
18. We favor legislation making unions responsible for
19. their actions in violating their contracts. We are opposed

20. to the following:
21. 1. creation of a state labor department;
22. 2. any changes in the present state picketing laws;
23. 3. mandatory deduction of any tax or membership
24. dues from an individuals pay;
25. 4. use of union dues or corporation funds for the
26. support of political candidates;
27. 5. any state or national law and/or regulation
28. mandating hiring on any basis other than ability;
29. 6. the unionization of public employees;
30. 7. providing state aid such as welfare and
31. unemployment compensation to workers while on strike.
32. We oppose the hiring or use of minors for the purpose
33. of dispensing or selling materials in heavily congested
34. traffic areas or hazardous areas.
35. The Texas Workforce Commission should be
36. mandated to allow 30 days for an employer that is under
37. their investigation to set a date for them to audit their
38. records at the employer's place of business.
39. Employers should be allowed 12-14 days upon
40. receipt of certified mail from the Texas Workforce
41. Commission to appeal an unemployment claim filed
42. against them.
43. The Texas Workforce Commission should increase
44. the screening of unemployment applicants to prevent
45. collection of unemployment benefits without just cause.
46. Just cause for termination should be clarified in
47. which an employer could justifiably terminate an
48. employee and that employee be denied benefits.
49. Any employee that willfully files a false
50. unemployment claim should lose their right to file for
51. unemployment benefits for a 5-year period.
52. We believe that temporary or seasonal workers hired
53. in agricultural-related industries should not be allowed
54. to file for unemployment benefits. We recommend that
55. any agricultural operator working a non-agricultural job
56. be eligible for full unemployment benefits.
57. We support true reform of Workers Compensation
58. insurance laws in Texas including the elimination of
59. Trial de Novo and unnecessary litigation which makes
60. Workers Compensation insurance costs prohibitive for
61. employers.
62. We recommend that multiple business entities under
63. one ownership that must file separate federal employers
64. tax returns, also file separate Texas Workforce
65. Commission quarterly reports.

Farm Labor

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1. We defend the right of farm workers to organize and
2. bargain collectively without the assistance of federal or
3. state government. We oppose the formation of a state
4. labor relations board. State laws and regulations
5. concerning farm labor should contain the following

6. principles:
7. 1. secret ballot elections;
8. 2. prohibition against harvest-time strikes;
9. 3. unbiased arbitration of labor disputes, using the
10. concept that the arbitrator shall choose one of the final
11. proposals, or a compromise, of the two parties involved
12. to ensure speedy settlement of the dispute;
13. 4. prohibition against secondary boycott;
14. 5. legal recourse for injured third parties;
15. 6. prohibition against the use of compulsory dues for
16. political purposes;
17. 7. denial of tax-exempt status to any organization
18. using compulsory dues for political purposes;
19. 8. prohibition against the Texas Workforce
20. Commissions solicitation of labor for out-of-state jobs;
21. 9. workers compensation on a voluntary basis by
22. employers;
23. 10. a bonding requirement for commercial labor
24. recruiters and their sub-agents with a penalty for
25. violation of any labor recruiting law of \$1,000 or three
26. months in jail for each offense;
27. 11. provisions for school-age minor employment when
28. employment does not interfere with school program;
29. 12. a requirement that parents and employers share
30. the responsibility of fulfilling child-labor law
31. requirements;
32. 13. prohibition against licensing crew leaders;
33. 14. prohibition against any group of laborers
34. gathering on a producers property for any reason without
35. producers consent.
36. We support legislation to develop a definition of
37. contract labor to include all employees hired for specific,
38. short-term jobs not normally done by permanent
39. employees.
40. We recommend penalties for fraudulent suits or
41. harassment of farm employers or farm employees by
42. the Legal Services Corporation and/or its agents. Texas
43. Rural Legal Aid should be prevented by law from
44. producing and distributing material designed to
45. promote lawsuits against farm employers.
46. We recommend expenses for lawsuits found to be
47. brought for frivolous reasons be paid by the attorney
48. filing the suit.
49. We believe agricultural labor from foreign countries
50. should be available when local labor cannot be secured.
51. We oppose legislation which requires employers to
52. determine the citizenship or legal immigration status
53. of employees, or which penalizes employers for hiring
54. illegal aliens. The classification of migrant workers
55. should be eliminated as a separate class of labor.
56. Seasonal agricultural employers should be exempted
57. from the state unemployment compensation law. Until
58. that change is accomplished, the unemployment

59. compensation tax rate for seasonal employees should
60. be at the lowest Texas Workforce Commission
61. unemployment tax rate. We favor the retention of the
62. current agricultural exemptions from unemployment
63. compensation. If these exemptions are threatened by
64. legislation or court action, we should protect the interests
65. of agriculture as much as possible. Workers
66. compensation rates for custom harvesters should be
67. lowered.

68. We favor excluding farm and ranch workers from
69. workers compensation insurance. Until accomplished,
70. we favor:

71. 1. lower rates with a deductible clause for agriculture,
72. 2. laws should be clarified and simplified for
73. agricultural workers,
74. 3. exemption of employers with 5 or fewer employees,
75. 4. agricultural employers having the option of either
76. private insurance or workers compensation insurance.

77. In an effort to reform abuses and problems in the
78. current workers compensation system, the following
79. guidelines are recommended:

80. 1. The Texas Legislature continues its study to reduce
81. premiums and provide for fair, equitable, and workable
82. agricultural workers compensation laws.

83. 2. Where possible, rate classifications should be
84. segregated so that agricultural employers pay lower
85. rates on hand laborers than on equipment operators.

86. 3. Those agricultural employers otherwise exempt
87. from workers compensation insurance should not be
88. liable, nor lose basic common law of defense, if an
89. employee gains employment by presenting falsified
90. documents to said employer.

91. 4. We urge criminal penalties for fraudulent workers
92. compensation claims.

93. 5. Owners, stockholders and relatives of owners and
94. stockholders should be exempt from the workers
95. compensation act if they choose to be excluded. If they
96. choose to be excluded, their payroll or employment
97. should not count towards the minimum payroll or
98. number of employees before the Texas workers
99. compensation act takes jurisdiction.

100. 6. Workers compensation policies should require
101. premium payments on a quarterly basis as they accrue
102. and not demand full payment at time of policy issue.

103. We are opposed to a state minimum wage law;
104. however, as long as a state law is in effect, its provisions
105. should not be more burdensome than the provisions
106. found in federal wage laws. Additionally, agricultural
107. wages should be exempted.

108. We favor a change from calendar to annual reporting
109. requirements for state unemployment taxes. We also
110. favor a change from quarterly threshold levels to annual
111. threshold levels. We favor increasing these threshold

- 112. levels to reflect wage inflation that has occurred since
- 113. the enactment of agricultural coverage, and that it be
- 114. indexed for inflation.
- 115. We support repeal of the Agricultural Hazard
- 116. Communications Act. Until repealed, modifications
- 117. should be made to make the law more workable for
- 118. farm employers.
- 119. We urge the Texas Department of Agriculture to
- 120. review worker protection standards and re-evaluate
- 121. existing policies and ensure that new policies are feasible
- 122. and workable with the least amount of paperwork
- 123. required.

TAXES

Tax Structure Generally 139

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

Property Taxes 140

- 1. We favor repealing, or reducing and constitutionally
- 2. capping, all property taxes. We favor lowering the current
- 3. appraisal cap to 6%. All increases above the cap should
- 4. be approved by countywide election. Any new tax should
- 5. be accompanied by a pro-rata reduction in property taxes.
- 6. We oppose any tax on personal property. We support
- 7. property tax relief efforts in the State of Texas. The
- 8. state constitution should retain the provision that
- 9. agricultural land be assessed for tax purposes according
- 10. to its productive value, leaving to the Texas Legislature

11. the responsibility and authority for enacting
12. implementing statutes. Legislation should mandate
13. compliance with agricultural use value provisions by
14. all agencies which levy and collect property taxes.

15. Subjective and/or unrealistically high values (such
16. as views, possible building sites/development, and etc.)
17. should not be used to set the appraised value of property.

18. We recommend legislation that would deny the power
19. of eminent domain and taxing authority to development
20. districts until a district referendum has passed.

21. Appraised values should reflect any decreased use
22. and/or value as a result of power lines, pipelines, oil/gas
23. field roads, oil/gas field locations, pipeline facilities,
24. and wind turbines.

25. We support taxation of property and assets of public
26. and private utilities by appropriate taxing jurisdiction.

27. The intent of the open space legislation is being
28. abused by granting open space valuation to unqualified
29. tracts of land. Land acquired and used for agricultural
30. purposes shall be granted agricultural or open space
31. valuation immediately. We support tightening
32. requirements to qualify for wildlife management
33. valuation. In order to qualify for agriculture valuation,
34. Wildlife Management acreage must meet 4 of 7
35. management objectives.

36. Land bought for conservation purposes should not
37. be exempt from property taxes. Property taxes should
38. be paid on current market value of land purchased for
39. conservation purposes.

40. Clearing of cedar, ashe juniper, and removing dead
41. oak wilt, or the installation of a rainwater collection
42. system shall not be the basis for increasing the
43. appraised values of land by appraisal districts.

44. All structures and facilities used for producing
45. agricultural income should not be valued separately
46. when income method is used to value farms and ranches.

47. We support legislation exempting buildings used for
48. the storage of farm equipment, tools, feed and other
49. agricultural supplies from property taxes.

50. We recommend legislation to prevent taxing
51. authorities from applying penalty taxation surcharges
52. whenever rollback taxation applies to the sale of
53. agricultural land.

54. We oppose the Property Tax Division setting out
55. hunting lease income as a separate line item in income.

56. We should monitor and work closely with the State
57. Comptrollers Office to assure that more accurate data
58. is used in determining hunting lease income and expense
59. factors as well as cash lease values, rather than the
60. information presently gathered from sources such as
61. Parks and Wildlife, FSA, NRCS and the Extension.
62. Such data can be obtained at the local level by the Chief
63. Appraiser and the County Agricultural Advisory

64. Committee.

65. Article 8, Section 19 of the state constitution, relating
66. to exemptions for farm products and family supplies,
67. should be retained. Orchards should qualify for this
68. exemption.

69. All implements of husbandry should remain exempt
70. from property taxes. We recommend legislation to
71. exempt dairy barn equipment from property taxation
72. and that the dairy barns be taxed at the same rate as
73. other agricultural buildings.

74. We oppose the mandatory listing on county tax rolls
75. of any personal property used in the production of
76. agricultural commodities.

77. Incorporated cities should be prohibited from
78. collecting city taxes from any area designated as farm
79. and ranch, as long as such land is operated as a farm or
80. ranch.

81. The present law, as passed by the Legislature in 1983
82. (S.B. 969), pertaining to the authority of certain counties
83. should be amended to exempt farm and ranch property.

84. The homestead and over age 65 exemption for city,
85. county and state taxes should be increased. All property
86. taxes on homesteads should be frozen at the age of 65.
87. Due to inflation, these exemptions should be indexed
88. using the local appraisal district calculated inflation
89. index for rising property values. We recommend
90. legislation to define a homestead as being up to 200
91. acres, and classed as agricultural land at the owners
92. option, for taxation purposes in this state.

93. Farms that border public roads or highways should
94. not be taxed from the center of the roadway. In some
95. cases, easements to widen rights-of-way were given by
96. owners without compensation. The farm tax boundary
97. should be at the road or highway right-of-way and
98. mineral rights should go with the farm from the center
99. of the road.

100. We favor the election of appraisal districts' boards of
101. directors. We are opposed to a state appraisal system
102. controlled from Austin. Appraisal districts should be
103. allowed to do only those jobs intended by the Texas
104. Legislature. There should be no statewide or area wide
105. methods of property evaluation. We recommend repeal
106. of Section 5.10 of the Property Tax Code entitled "Ratio
107. Studies." We oppose any effort by the State of Texas or
108. the Property Tax Division to require mandatory re-
109. evaluation in a Central Appraisal District. We urge
110. that the Property Tax Division continue to serve only as
111. an advisory board to county tax offices. We support
112. legislation eliminating expensive requirements of the
113. Property Tax Division that affect Central Appraisal
114. Districts. We favor the 3/4 jurisdiction rule assuring
115. rural areas adequate representation. We also
116. recommend imposing a spending limit on appraisal to

117. 1/2 of 1% of the total tax collected from all taxing entities
118. in the district the previous year. Legislation should be
119. passed to place the Central Appraisal Districts under
120. budgetary control of the county commissioner's court.
121. The Central Appraisal District should provide a
122. worksheet reflecting changes in valuation any time a
123. taxpayer receives a notice of value increase.

124. We support elimination of the current unelected
125. position of County Chief Appraisal Officer and support
126. the shifting of the duties of the Chief Appraiser to the
127. County Tax Assessor/Collector which is an elected
128. position.

129. Existing legislation should be amended to provide
130. for the public election of at least one member of each
131. Appraisal Review Board in each appraisal district.

132. We support legislation that would require any taxing
133. entity to be subject to a rollback if, by either raising the
134. tax rate or raising property values, or a combination of
135. the two, the amount increased exceeds 8%. We support
136. lowering the current rollback rate of 8%.

137. We recommend that the Timber Price Trends
138. publication used by county appraisal districts for
139. property tax calculations contain figures representing
140. at least fifty percent (50%) of all timber sales, including
141. gatewood prices.

142. The Legislature should enact laws that hold timber
143. land appraisal to no more than the projected growth of
144. timber. For property tax purposes, areas that have been
145. converted to pine plantations should be evaluated as
146. unimproved open pasture land for the first 15 years. In
147. order to maintain adequate timber supply, we support
148. taxing replanted timberland at the lowest open space
149. value for a period of 15 years.

150. Legislation should be passed and maintained to
151. prohibit local taxing agencies and appraisal districts
152. from assessing the market value of property on the basis
153. of speculative and theoretical values for subdivision or
154. resort property, and taxing agencies and appraisal
155. districts should be required to use a lower realistic value.

156. Neither the state nor appraisal districts should be
157. allowed to increase value on property with agriculture
158. or open space land valuation, including property under
159. wildlife management, by changing the calculation
160. methods or caps. All property should be individually
161. assessed to ensure equal valuation. Adjoining properties
162. should be compared to like properties and should not be
163. assumed to have the identical value of a neighboring
164. property.

165. Persons evaluating farm property should have
166. knowledge and experience in agricultural land valuation.
167. Appraisal boards should appoint appraisal review

168. boards with equal rural representation.
169. Property that has not changed ownership or type of
170. ag usage should only require the owners signature for
171. recertification for ag valuation with the Central
172. Appraisal District. Farm Services Agency (FSA)
173. certification report should be accepted for ag use
174. certification when property has changed ownership or
175. type of ag use.

176. We oppose the practice of appraisal district
177. employees making appraisals without the landowners
178. actual knowledge. Employees of appraisal districts will
179. obey the Texas trespass law. Any taxing authority that
180. enters any property should have properly identified
181. vehicles and name badges and notify owners of property
182. prior to entering.

183. Appraisal districts should value water wells and
184. septic tanks as part of existing improvements and not
185. as additional value on properties.

186. No state agency should set property tax values higher
187. than a school districts local values if the district is in a
188. uniform county valuation unit, as this results in lowering
189. the state funding of the school district. School districts
190. should continue to be reimbursed for state mandated
191. exemptions on a dollar-for-dollar basis.

192. Cities buying property for municipal use or for lakes
193. outside their own county should be required to pay all
194. taxes that would have gone to the county where the
195. property is located. Cities building reservoirs to provide
196. a water supply should be forced to pay county and school
197. taxes on land inundated where such land, at the time
198. acquired, was covered by bonded indebtedness to the
199. extent necessary to retire their proportionate share of
200. the bonded indebtedness. Any property held solely for
201. investment or speculation by any political subdivision
202. of the state or state agency, should be required to pay a
203. fee equal to all applicable property taxes.

204. All river authorities should be denied the powers of
205. taxation. No tax should be imposed on the seventeen
206. (17) counties in the Trinity River Basin for the purpose
207. of construction or maintenance of the Trinity Canal.

208. There should be no taxation of unmined or unproduced
209. coal and other minerals.

210. We favor any charitable organization having income
211. producing property to be taxed for that property. We are
212. opposed to any governmental entity or any other tax-
213. free organization, except houses of worship, as defined
214. by the U.S. Tax Code, acquiring land or property and
215. removing it from its tax roll.

216. We propose that the state law which allows tax free
217. housing be amended to provide for taxes to be paid to
218. local taxing entities on those projects.

219. The places of worship of churches should be tax-
220. exempt, but all other church-owned revenue-producing

221. properties should be taxed.
222. Volunteer fire departments should be exempt from
223. taxes.
224. Only real property owners should be eligible to vote
225. in bond or property tax elections. These property owners
226. should be permitted to vote in bond or property tax
227. elections in the voting district in which their property is
228. located, even though this location is not the location of
229. their residence.
230. We support legislation which precludes election,
231. appointment, or incumbency to any public office of any
232. individual who is delinquent in property tax payments.
233. If taxing entities fail to send tax statements because
234. of minimum taxes, then the entity should not be allowed
235. to foreclose on property because of nonpayment of these
236. minimum taxes. For taxing districts and entities, if it
237. is the entities fault for not notifying the landowner of
238. record that taxes are due, then any penalties, collection
239. fees, and interest should be waived. We support
240. legislation that would require taxing and tax collecting
241. entities to send receipts by mail to those who pay by
242. mail. Taxing entities which do not send receipts for
243. taxes paid through the mail should be prohibited by
244. law from foreclosing on property for non-payment of
245. taxes.
246. The appraisal district should post in the local paper
247. the average increase in value if the county's property
248. values have gone up, to show a real increase in taxes.
249. A property owner that prevails in court against a
250. taxing entity in a property valuation dispute should be
251. entitled to recover all expenses incurred in association
252. with the lawsuit, plus compensatory damages, if
253. applicable.
254. We recommend that Section 42.29 of the Property
255. Tax Code be amended so that a taxpayer who prevails
256. in a court appeal under Section 42.25 or Section 42.26 of
257. the Code, may be awarded reasonable attorneys fees,
258. appraisers fees, research fees and other expenses, the
259. amount of which shall be determined by a judge or by a
260. jury.
261. We do not support two tier tax for homes and other
262. property.
263. We urge the Texas Property Tax Division of the
264. Comptroller to pass more precise appraisal guidelines
265. for the valuation of manufactured homes for property
266. tax purposes.
267. We favor reappraising property every three years
268. instead of annually.
269. We support exempting agricultural land from the
270. higher productive value appraisal at which land
271. registered with TPWD is taxed.
272. We support legislation which clearly defines
273. "Ecological Laboratories" in the tax code in order to

274. provide meaningful guidelines to judge the legitimacy
275. of applications for this status.
276. We support Appraisal Districts refunding mistakes
277. in assessments that run for multiple years up to a
278. maximum of five years, and the removal of judgment
279. error immunities from statutes.
280. We favor an appraisal system which values minerals
281. based on actual value and that is more responsive to
282. movements in the market.
283. Tax Appraisal Districts with mineral valuations
284. should inform royalty owners of the appraisal
285. methodology utilized on gas wells prior to the owners
286. meeting with the appraisal staff.
287. Valuation for improvements to farm or ranch acreage
288. such as wind turbines, mineral development or other
289. commercial development should revert to ag valuation
290. if the development is abandoned.

Other Taxes

141

1. We encourage the Texas Legislature to exempt
2. material used in construction of new agricultural barns
3. or material used for remodeling or repairing of such
4. existing barns used for storage of feed or machinery
5. from the state sales tax.
6. We favor exemption of recreational income on
7. agricultural land from sales tax.
8. We favor those claiming agricultural exemptions be
9. issued a number from the Comptrollers office to be placed
10. on purchase invoices. The Comptrollers office should
11. take action against businesses which refuse to honor
12. sales tax exemptions for items purchased for agricultural
13. use.
14. Any vehicle on which the state sales tax has been
16. paid when purchased new should not be taxed again
17. upon resale.
18. All fuels and lubricants used for agricultural
19. purposes should be exempt from any tax.
20. We favor up to one cent per gallon sales tax on fuels
21. to be returned to the respective counties for county road
22. improvement. The present motor fuel tax refund for
23. non-highway uses should be maintained. We support a
24. tax exemption for clear diesel purchased for off-road
25. use. All fuel tax money should be spent on roads rather
26. than being put in a general fund for other purposes.
27. Because of the importance of farm-to-market roads
28. to rural residents and to agriculture in general, any
29. increase in the state gasoline tax should be at least
30. partially allocated to county commissioners courts for
31. the purchase of rights-of-way for such roads. Cities
32. needing additional funds for roads, highways, or other
33. similar improvements should not be permitted to utilize
34. revenues generated by increased motor vehicle fuel taxes
35. for these purposes. Such funds should come instead

36. from city vehicle taxes imposed within the city limits.
37. A proportional share of the tax on aviation fuel should
38. be used to repair airports in counties where the tax is
39. paid.
40. We oppose legislation that would eliminate any of
41. the counties portions of funds from road use, such as
42. road assumption, vehicle registration fee and school
43. funds.
44. Municipalities or entities benefiting from
45. construction of water infrastructure should pay for it
46. through sales tax or fees on water and wastewater
47. service.
48. All public entities handling tax money should be
49. required to publish their annual budget requests in
50. column form in their local newspapers. A public
51. referendum should be permitted to roll back any tax
52. increase by any entity. We support the people's right to
53. an election by roll back petition when property tax rate
54. increases exceed 8%. Voters should have the right of
55. "recall vote" when the Texas Legislature increases our
56. tax burden.
57. We favor repeal of the state inheritance tax. If the
58. estate tax is not repealed, we support the use of Ag Use/
59. Open Space valuation in calculating the estate tax. In
60. order to preserve private property rights and to facilitate
61. transfer of estates to legal heirs without unreasonable
62. expenses, we favor amending Texas probate laws to
63. simplify the probate process and to reduce the excessive
64. legal fees involved. We recommend the value of
65. agricultural property be valued at the ag valuation used
66. to calculate ad valorem taxes.
67. We oppose the collection of exempt taxes and the
68. subsequent application of taxes for refund of bonding,
69. in order to bypass the refund application. Taxation
70. should not be used as a method of regulating energy use
71. or of implementing EPA standards.
72. We favor a refinery tax on petroleum or petroleum
73. products, provided that revenue is used only for financing
74. public school education in Texas with a corresponding
75. reduction in the allowed ceiling of property taxes.
76. The Subchapter S Corporation is a tool for estate
77. planning and should not have to carry the burden of a
78. franchise tax, since all assets and profits of the
79. Subchapter S Corporation are taxed as individual
80. proprietorships. We propose that all family corporations
81. which derive more than 50% of their earned income from
82. agricultural production be exempt from any franchise
83. and margins tax because farm or agriculture production
84. income is unable to pass on any tax expense. The clause,
85. retained earnings, also referred to as earned surplus,
86. should be deleted for franchise tax purposes. We oppose
87. any unemployment taxation on an owner-manager of a
88. Subchapter S corporation.

89. We oppose a medical tax on hospital bills to go to a
90. state fund for allocation to hospitals to defray indigent
91. care costs.
92. We urge the Legislature of the State of Texas to enact
93. legislation to prohibit taxing entities in the State of
94. Texas from granting tax abatements.
95. We oppose any taxing entity using tax dollars
96. dedicated to a specific purpose for any other purpose
97. without a public referendum. We support a resolution
98. preventing a taxing entity from issuing any type of
99. indebteding instruments that would extend beyond the
100. current operating year without a public referendum. We
101. favor legislation allowing a property owner to vote on
102. bond and tax issues in every political subdivision where
103. he/she owns taxed property.
104. We recommend that the Attorney General's office
105. render an opinion regarding the purchase of unexpired
106. contracts of persons paid with tax funds and enabling
107. employers to place these persons in other positions.
108. We are in favor of a truth in taxation statement from
109. all taxing entities to end misleading statements from
110. the press. We support expanding the sales tax holiday
111. for purchases of back-to-school items to include
112. backpacks, lunch boxes, notebooks, pencils and other
113. required school supplies.
114. We support amending state law to allow an increase
115. of the county sales tax cap to 1%. Increases must be
116. approved by a county referendum. We support the use
117. of sales tax receipts by community economic
118. development corporations to develop and encourage
119. businesses that will process or add value to agricultural
120. products.
121. We support increasing or indexing dedicated taxes
122. for construction and improvement of non-toll roads.
123. We support Volunteer Fire Departments getting a
124. tax rebate on fuel.
125. We support tax rebates and/or payments to school
126. districts and/or counties for land taken off of the tax
127. rolls by government mandate.

NATURAL RESOURCES

Energy and Fuels

142

1. We support the use of nuclear energy as a dependable,
2. economical and safe source of power. Fusion nuclear
3. power must be fully developed. We also favor
4. reinstatement of the nuclear breeder reactor program
5. which will utilize nuclear waste as a fuel for energy
6. generation.
7. We oppose the processing, reprocessing and the
8. production of mixed oxide fuel (MOX) in areas where
9. there is possibility or risk of pollution and
10. contamination of agricultural land, air and

11. groundwater.
12. We urge appropriate agencies of state government to
13. establish a high priority for agricultural use of fossil
14. fuels to ensure necessary production of agricultural
15. commodities.
16. We recommend that trash and garbage be recycled or
17. used as energy where possible.
18. We favor repeal of the regulation against a second
19. liquid draw line on LP gas motor fuel tanks.
20. We oppose any mandatory regulations or fees with
21. the registration or monitoring of above ground fuel
22. storage for farm use.

Renewable Energy **143**

1. We support legislation encouraging the production
2. and use of fuel alcohol and exempting fuel alcohol from
3. state taxes. Fuel alcohol should not be required to be
4. denatured if it is contaminated during manufacture to
5. the extent that it is unfit for human consumption.
6. We support increased research and development of
7. alternative fuels using agricultural products and by-
8. products. We support farm-based renewable energy from
9. wind, solar, geothermal, and biomass sources.
10. We support legislation and interpretation of present
11. environmental law that would classify biofuels
12. (biodiesel, ethanol, and biomass electrical generation)
13. as “green fuel.” Carbon released from energy generation
14. by biofuels should not be considered a pollutant. We
15. support better incentives for the production of renewable
16. energy use. Fuel or energy derived from agriculture
17. products and by-products should be tax exempt. We
18. support legislation requiring Ethanol blends to be used
19. where air quality violations exist.
20. We support the creation of a renewable fuel producer
21. assessment fund (assessed on each gallon of ethanol or
22. biodiesel produced) to be matched with funds from the
23. state of Texas fuel, ethanol and biodiesel production
24. account. We encourage the establishment of self-help
25. programs with oversight and administration by the
26. TDA.
27. We favor legislation that would give the landowner
28. in the State of Texas all geothermal energy rights.
29. We support new transmission infrastructure for
30. electricity generated from renewable energy sources.
31. All temporary test towers for wind generation of
32. electrical power should be lighted.
33. A landowner should be allowed to lease and reserve
34. wind interests.

Utilities **144**

1. We recommend that Public Utilities Commission
2. (PUC) members be initially appointed by the Governor

3. for a term of four years and subsequently required to
4. run for election after one term.

5. Public utilities should be prohibited by law from
6. declaring their gifts to charities as an expense when
7. testifying before the PUC for rate increases.

8. We favor a constitutional amendment prohibiting a
9. public utility from passing on to consumers and
10. landowners the costs of expansions and improvements,
11. within reasonable limits.

12. We recommend that the following areas of the PUC
13. policies that are currently administrative be enacted
14. by the Texas Legislature to become law:

15. 1. The only hearings held in Austin should be the
16. hearings before the PUC.

17. 2. All public meetings mandated by law for new or
18. increased capacity of any facilities or lines be subject to
19. the Open Meetings Act. The County Judge of the affected
20. county should act as the presiding officer.

21. 3. The County Judge in affected counties should hold
22. administrative hearings on matters of new or alternative
23. structures and/or easement changes.

24. 4. Distances of transmission lines to inhabited
25. structures.

26. 5. A Special Office of Property Owners Advocacy
27. should be created and administrated by the legislature
28. and funded by stockholder-owned utilities.

29. 6. Annual royalty payment should be arrived at in
30. conjunction with damages and initial easement
31. purchase. They should be considered as property that
32. can be passed from landowner to landowner.

33. 7. Utility companies should pay overcharge rebates
34. within twelve months.

35. 8. Utility companies "take or pay" provision should
36. be prohibited.

37. We support the wholesale competition provisions of
38. the Public Utility Regulatory Act of 1995. We
39. recommend that any deregulation of public utilities be
40. allowed only if access to affordable and reliable service
41. by rural users is maintained. Rural users should not
42. have to pay higher utility fees than comparable urban
43. users. We oppose "add-ons" and other assessments to
44. utility bills. We further recommend that any
45. deregulation plan not infringe upon the responsibility
46. of electric cooperatives to provide metering, billing and
47. other services to their members and that any
48. deregulation plan be consistent with state and federal
49. policies that encourage and support rural economic
50. development. Transporting companies who sell natural
51. gas for agricultural purposes only, who do not sell or
52. deliver natural gas to urban areas, should be exempt
53. from regulation.

54. We request action by the Texas Public Utilities
55. Commission to investigate and work toward solution of

56. the problems of rural telephone service and rural electric
57. service. We recommend that any service area granted to
58. a telephone company be revoked if the entire area is not
59. supplied telephone service within two years, or that other
60. telephone companies be allowed to cross area boundaries
61. to provide the needed service. We favor amending laws
62. regulating public utilities to provide for competition
63. within a given franchise when the first five years of that
64. franchise shows a 300% business increase. We urge the
65. Public Utilities Commission to grant only those
66. increased telephone rates that can be justified. We
67. recommend that efforts be made to lower intrastate
68. long distance telephone rates to make them more
69. compatible with interstate rates. We strongly support
70. the Communications Act of 1934. We strongly support
71. keeping the "access charge" for rural telephone co-ops
72. and oppose the "bill & keep" concept.

73. The Texas statutes under which the electric
74. cooperatives and rural utilities operate should be
75. amended to provide:

76. 1. That an electric cooperative and/or rural utility
77. cannot sell all or a major segment of its property without
78. the approval of a majority of its members.

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

81. 3. That electric cooperatives and/or rural utilities
82. have equal rights with any electric power supplier in
83. rural areas.

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

89. 5. That cooperatives be permitted to assess a penalty
90. charge to utility customers who are delinquent in paying
91. their utility bills.

92. We support legislation which holds a utility company
93. liable for any damage caused by the company or its
94. contractor entering private property. We recommend
95. that the Texas Legislature pass laws requiring utility
96. companies to follow existing rights-of-way, where
97. possible, with all utility lines. If not, then follow
98. established fence lines.

99. We support legislative measures that would allow
100. landowners to have the opportunity to negotiate utility
101. right-of-way easements based either on a monthly,
102. annually, or one-time payment option.

103. We support requiring TV cable providers to provide
104. the same safety requirements in rural areas that electric
105. cooperatives and/or rural utilities are required to
106. provide. This is to include safety shields on guide wires
107. on poles with anchors.

108. We support the enforcement of the uniform minimum

109. height code of all overhead wires over all highways to
110. allow movement of farm machinery. All new telephone
111. lines should be installed underground where feasible.
112. Any electrical devices containing any toxic substance
113. and being near any home site must be labeled in such a
114. manner that the individuals near them are aware of
115. their contents or the landowner be notified of their
116. contents. Utility companies should follow all state and
117. pesticide laws when using chemicals on rights-of-way.

118. We support legislation giving authority to the
119. Weights and Measures Division of the Texas
120. Department of Agriculture to check the accuracy of the
121. natural gas master meters (agricultural use) within the
122. state of Texas as well as the BTU rating of the natural
123. gas so that all consumers within the state can be
124. assured of quantity and quality of the natural gas they
125. are paying for.

126. We recommend an interim study committee of
127. legislators and agricultural producers using natural gas
128. for irrigation to study the inconsistencies of natural gas
129. prices, billing procedures, and methods to notify natural
130. gas users of price prior to use. We recommend a tax on
131. natural gas that leaves the State of Texas. We are
132. opposed to exporting natural gas and oil out of the state
133. of Texas for less than it is selling for in Texas. We urge
134. legislation giving agricultural producers who use natural
135. gas in their production the right to appeal a rate
136. increase.

137. The deregulation of electrical energy has resulted in
138. an approximate doubling of energy cost. We support
139. regulation of electrical energy to control the cost.

140. Utility companies should maintain their rights-of-
141. way.

142. Utility and construction companies should stay
143. within their easements during their work.

Environmental Issues 145

1. We recommend Texas Commission on
2. Environmental Quality (TCEQ) not issue permits for
3. new coal-fired power plants unless they consider
4. incorporating (IGCC) Integrated Gasification Combined
5. Cycle or advanced combustion technologies along with
6. latest pollution control technologies that meet or exceed
7. United States Environmental Protection Agency
8. (USEPA) requirements. Furthermore, we encourage the
9. Public Utility Commission and the TCEQ to adopt
10. incentives that would encourage utilities to use advanced
11. clean coal technologies. In unclassified areas, monitoring
12. should be done to determine a base line ambient air
13. quality before any coal-fired power plants are permitted
14. by TCEQ. Should a coal-fired power plant be permitted
15. with latest technology and meet clean air standards;
16. pollutants extracted should not be disposed of or

17. deposited in areas that could harm ground or surface
18. water.

19. Farmers and ranchers must be and are good
20. environmentalists. Our pride in our land and the
21. economic necessity of making a living from it require us
22. to be good stewards of the soil and to work constantly
23. toward its improvement. The American agricultural
24. industry desires to be compatible with a healthy
25. environment, but criticism of our practices should come
26. from competent experts who are not attempting to
27. individually attract media attention or promote their
28. self-interests.

29. We oppose passage of laws that would give any
30. individual or group the right to sue farmers, ranchers or
31. others in cases of claimed environmental pollution where
32. the person or persons bringing the suit are not directly
33. affected. Anyone moving into a farming or agriculture
34. production area should not have the right to sue an
35. agricultural producer because of dust, noise, odor, or
36. drift, so long as the property has been in operation before
37. the new resident moved in. Although we defend the
38. rights of all citizens to complain to their regulatory
39. agencies, we vigorously oppose the complainant's abuse
40. of privilege. Therefore, legislative action should be taken
41. to limit on-site inspections of the same nature by
42. regulatory agencies to one complaint per annum.
43. Thereafter, the complainant will pay for inspection costs
44. incurred by the defendant and agencies for the same
45. type complaint, unless the complaint proves to be a
46. permit violation. Persons making a false complaint
47. about chemical drift should be subject to false accusation
48. penalties.

49. To prevent unnecessary discrimination toward
50. individuals and communities, we favor legislation that
51. restricts environmental agency powers. We oppose the
52. TCEQs (Texas Commission on Environmental Quality)
53. Citizen Watch Program. All environmental audits
54. requested by non-governmental institutions of real
55. property will remain privileged information between
56. the buyer, seller and lender. We oppose any
57. environmental assessments of rural rights-of-way
58. performed by or for public or private utility companies,
59. and we oppose the release of these assessments for public
60. review without the landowner's prior written consent.

61. We support Texas anti-littering laws. To reduce litter
62. of recyclable cans and bottles we favor a deposit on
63. aluminum can and glass bottles.

64. We support the use of recycled and recyclable products
65. whenever financially feasible. We support the use of
66. agricultural products in the production of biodegradable
67. products. We oppose legislation limiting the handling,
68. use and storage of oils, oil filters, air filters, gas, diesel
69. or any other items needed to operate an agricultural

70. enterprise. We support the use of prescribed burning as
71. a valuable agricultural management tool. We support
72. the state-sponsored training program for prescribed
73. burning.

74. We support current law which allows for the use of
75. prescribed burning during a burn ban provided a certified
76. burn manager conducts the process.

77. We will support research and actions to provide
78. accurate weather forecasting and storm detection as a
79. vital aid to farming and ranching activities. We support
80. the present program of monitoring for acid precipitation
81. in Texas and we advocate accelerated research on the
82. cause and effect of acid precipitation. Weather
83. modification activities and research should be
84. conducted with full public understanding and recognition
85. of possible effects to property in the area. We recommend
86. that before any weather modification activities take
87. place over any region, landowners of that region be given
88. the right to vote on this issue.

89. We request an in-depth agriculture impact study
90. concerning nuclear weapons assembly plants expansion.

91. We support the setting of a maximum acceptable
92. level of salt water in the land as a result of oil and gas
93. production. This maximum level should not take into
94. consideration naturally occurring salt water levels. The
95. TCEQ should replace the Railroad Commission of Texas
96. having authority to investigate, remediate, and take
97. enforcement action against a person or entity that
98. exceeds the maximum acceptable level of salt water
99. due to oil and gas production.

100. We support requiring mitigation land to be managed
101. at the highest practicable level.

102. Uranium exploration, mining and restoration
103. activity should be placed under one agency with
104. preference being TCEQ.

105. Groundwater baseline testing should be required
106. before any significant exploration is allowed. In the case
107. of in-situ uranium mining, the suitability of the aquifer
108. to allow safe mining without the potential of harming
109. the groundwater must be confirmed prior to the issuance
110. of any exploration permits. Adequate protection shall
111. be provided to land owners who own the surface rights
112. without mineral rights.

Animal Species Generally 146

1. Farmers, ranchers, and appropriate state employees
2. must have the right to use all effective methods of
3. predator control, including the use of steel traps, aerial
4. hunting and chemical toxicants, including M-44s, to
5. protect livestock, wildlife, poultry and crops. We oppose
6. confiscation of air vehicles of coyote hunters for minor
7. violations. We strongly encourage a concerted statewide
8. effort to retain present laws allowing the taking of

9. furbearing and other non-game animals whose pelts
10. may be of value, and the shipment and sale of their
11. pelts. The mountain lion should be classified as a
12. predator rather than a game animal. We strongly oppose
13. the introduction of any species into any area that could
14. cause detriment to agriculture.

15. We will encourage and support efforts of state and
16. federal agencies to improve and practice control
17. measures for destructive species of predators, rodents,
18. and pests. The State of Texas should continue adequate
19. funding for predator control, which includes bounties for
20. predators of perishable crops. We support federal
21. funding for the USDA Animal Damage Control program
22. and request that more of the ADC funds be utilized at
23. the field level to reduce some of the burdensome
24. administration.

25. We recommend that the state and federal
26. governments take action to prevent public lands, parks,
27. military bases, and other government-controlled land
28. from becoming safe havens for predators or any other
29. agricultural pest from which they can stage raids on
30. nearby farms and ranches.

31. We favor legislation making it a crime and a civil
32. tort to release hogs or other destructive animals into
33. the wild. We oppose any legislation or regulation
34. establishing the classification of feral hogs as "game."
35. We oppose any legislation that would prohibit or restrict
36. the use of dogs as a means of trailing, hunting and/or
37. elimination of feral hogs, provided the permission of the
38. landowner or landowner's agent has been obtained.

39. We support state funding for any research or program
40. to control and/or eliminate feral hogs.

41. We favor research on the adverse economic impact of
42. blackbirds, grackles, and other avian pests that leads
43. to their control and/or elimination in both agricultural
44. and non-agricultural areas. The Texas Department of
45. Agriculture should work with chemical companies to
46. obtain a chemical labeled to control the "prairie
47. crayfish."

48. Texas Parks and Wildlife Department should be
49. prohibited from requesting listing of any species as
50. endangered species. Any recovery program for
51. endangered species should include landowner and/or
52. producer incentives and avoid restrictions and
53. punishment. If private property is declared habitat for
54. endangered species, and restrictions are placed on it,
55. the owner and/or producer should receive adequate
56. annual reimbursement for such restrictions. We favor
57. an economic impact study be made and its results
58. considered before declaring any endangered species. We
59. support the right of landowners and/or producers or
60. tenants to protect themselves, their families, livestock
61. and properties from all predators, or invasive species,

62. including those listed in the Endangered Species Act.
63. We recommend that all poisonous reptiles be removed
64. from any list of threatened or endangered species. We
65. support removal of the Black Vulture “*Coragyps*
66. *atratus*,” from the protected status of the Texas Parks
67. and Wildlife Department. We support the right of
68. producers to protect their livestock from vultures
69. without reprisal from state or federal regulatory
70. agencies.
71. We support legislation to save the Texas oyster
72. industry and to protect public health.

Real Property Rights 147

1. We encourage and support stronger action through
2. legislation, regulation or otherwise to provide maximum
3. protection for land and water property rights of farmers
4. and ranchers and other landowners in Texas.
5. We oppose the recreational use of motor driven land
6. conveyance vehicles on or in any public stream or public
7. stream bed in the state of Texas.
8. We support the right of landowners to sell the
9. development rights, including conservation easements.
10. We support a landowner having the option of selling
11. development rights or an easement versus the loss of
12. title through eminent domain for mitigation purposes.
13. We oppose any waters of the state of Texas being
14. designated for any purpose that would adversely affect
15. a landowner, including the American Heritage Rivers
16. Initiative. We also oppose any state or federal money
17. being spent on the American Heritage Rivers Initiative.
18. We strongly oppose any activity or regulation by
19. governmental or non-governmental entities that will
20. interfere with the rights and control of private property.
21. If an agricultural producer loses income, productivity
22. and/or the right to own or use property, or property value
23. due to these activities or regulation, that producer
24. should be fairly compensated for the life of that loss.
25. We support the right of property owners to erect and
26. maintain billboards.
27. We support the current law protecting the right- to-
28. farm and any reasonable changes to strengthen it.
29. The policy of state government agencies purchasing
30. real estate from non-profit organizations at a profit
31. should cease immediately. Real estate which these
32. groups purchase with tax-exempt dollars should only
33. be transferred to a government body by donation. If
34. these groups continue to sell real estate at a profit, they
35. would lose their tax-exempt status and pay taxes at
36. the appropriate rate.
37. We favor no net loss in private land ownership.
38. We oppose any legislation that assesses adjacent
39. landowners for cost of any road construction.
40. We support legislation that would grant ownership

41. to current owner or adjacent owner of abandoned state
42. and county rights-of-way, or abandoned railroad rights-
43. of-way. We oppose the use of inactive rail beds as a hike
44. and bike trail. If a governmental agency, or other entity,
45. establishes a hike and bike trail, it shall ensure
46. protection of adjoining landowners through construction
47. and maintenance of adequate fences and protection from
48. liability issues related to the use of such facilities. All
49. landowners in Texas should have the option to maintain
50. a fireguard within boundaries of highway rights-of-way
51. and railroad rights-of-way next to their property. We
52. support limitations on rights-of-way permits and
53. easements requiring that the right be exercised within
54. 5 years. Public utility companies should use existing
55. rights-of-way where possible.

56. We support strict enforcement to prevent trespassing
57. on private property. Property owners and lessees should
58. not be liable for injuries to trespassers on their property,
59. whether their property is posted or not. Unauthorized
60. landing of hot air balloons on private property should be
61. illegal. All aircraft operators, including military, should
62. be liable for all damage to livestock and property caused
63. by over flight of the aircraft. A minimum flight altitude
64. should be established to ensure safety of livestock.

65. We support legislation that would exempt all property
66. owners from liability for damages or injuries from
67. wildlife, including Africanized Bees, on private property.

68. Archeological and historic sites, and artifacts
69. associated with them, should be the property of the
70. landowner when they occur on private land. We oppose
71. public access to private land, including historic or
72. archeological sites, except when specific permission is
73. granted by the landowner.

74. We oppose the current law allowing conservation
75. easements. We support amending the law to cover, but
76. not be limited to, the following:

77. 1. Easements are for a specified time or the lifetime
78. of the surface owner, whichever is shortest.

79. 2. Transfer of easements to a third party is prohibited.

80. 3. Easements are void if the surface owner does not
81. receive the promised tax reduction or other
82. considerations. Any buffer around the perimeter of
83. military bases, designed to keep land in production
84. agriculture, should be clearly focused on that purpose
85. alone. Agreements between the military, or its agents,
86. and landowners should be by lease or contract rather
87. than easement, and in terms of years, not perpetuity.

88. In order to preserve private property rights and to
89. facilitate transfer of estates to legal heirs without
90. unreasonable expense, we favor amending Texas probate
91. laws to simplify the probate process and to reduce the
92. excessive legal fees involved. We recommend legislation
93. whereby property owners victimized by erroneous or

94. improper appraisals in inheritance tax and land
95. condemnation cases have a course of action at civil law
96. against such appraisers, including the awarding of
97. compensatory and punitive damages.

98. We support state tenancy laws that provide lessees
99. rights of fair treatment but that maintain the property
100. rights of landowners.

101. We support legislation which would prevent foreign
102. ownership of agricultural land, production units,
103. processing plants and/or warehouses which would result
104. in unequal and unfair foreign trade advantages. Foreign
105. landowners should be required to pay the same taxes
106. required of citizens.

107. We recommend that landowners be able to own
108. property to the center of a creek if they hold an
109. appropriate deed.

110. We support the recommendation of the Red River
111. Boundary Commission of Texas which states that the
112. vegetation line along the south bank of the Red River be
113. generally designated as the jurisdictional boundary line
114. between Texas, Oklahoma, and Arkansas.

115. The Texas Parks and Wildlife Department s
116. authority for acquisition of agricultural land should be
117. limited to voluntary purchases without the use of
118. condemnation, and with authorization from the
119. Legislature. We support property owner's right to utilize
120. resources to preserve environmentally sensitive
121. ecosystems from development. The use of Texas Parks
122. and Wildlife and/or U.S. Fish and Wildlife expertise is
123. encouraged, but should not be required. We oppose the
124. creation of the Columbia-Bottomland National Wildlife
125. Refuge on the Gulf Coast using state or federal funds. If
126. such land acquisitions are made, conservation groups
127. proposing the projects should bear all financial
128. responsibilities of funding and maintenance.

129. We support current law that provides landowners
130. with safeguards under the development of regional
131. habitat conservation plans. We support any reasonable
132. changes to strengthen the current law to benefit private
133. property rights.

134. Highway departments, utility companies, local, state
135. and federal governments that damage property should
136. notify property owners within 24 hours and should settle
137. claims within 30 days of occurrence.

138. We support legislation giving the Texas Legislature
139. authority to clear up land vacancy issues relieving the
140. property owner from the burden of proof of ownership.
141. Should a vacancy issue arise, the vacancy applicant shall
142. assume all expenses related to proving the vacancy,
143. including expenses of all parties in an unsuccessful
144. application.

145. In cases where there is "Vacant Land" (un-surveyed,
146. unsold public school land) and the land is held by a

147. “good-faith” party, we support legislation that the
148. vacancy be awarded to the party(s) without charge and
149. no compensation to the “discoverer/finder.” Occupied
150. land and unoccupied land without title should be divested
151. as required by the Texas Land Commission.

Eminent Domain

148

1. No agency of government should ever be allowed to
2. use its power of eminent domain without establishing
3. positive proof that there is an urgent and overriding
4. public need for the land that is more important than
5. future production of food and fiber, and that there is no
6. alternative to taking the land. The power of eminent
7. domain should not be used for recreational,
8. environmental or private business purposes. We
9. strongly support landowners being compensated for the
10. value of the natural resources, if the property is being
11. condemned to acquire those natural resources. We
12. support a constitutional amendment prohibiting the
13. use of eminent domain to take private property for
14. economic development purposes, unless it contains
15. unacceptable provisions.

16. We support additional protection for the private
17. property rights of landowners when eminent domain is
18. used to acquire property. We support legislation
19. requiring those exercising eminent domain to make a
20. good faith offer. The condemning authority should pay
21. attorney fees, appraisal fees, and related costs whenever
22. the offer is challenged and the amount awarded exceeds
23. the initial offer. Adequate time should be given to allow
24. a satisfactory relocation.

25. We recommend a governmental review to determine
26. the number and kind of entities that have the right to
27. exercise eminent domain. We encourage the Legislature
28. to consider limiting the number of entities with these
29. powers.

30. Entities that have eminent domain authority should
31. come under sunset review.

32. At least one owner of agricultural or open-space land
33. should be represented on all condemnation courts when
34. agricultural or open-space land is being condemned. We
35. oppose statewide legislation which would grant the
36. power of eminent domain to any additional groups or
37. agencies. Before any unit of government holds an election
38. affecting the acquisition of rural property by
39. condemnation, it should be required to permit voting by
40. rural and absentee property owner of voting age if their
41. rural property may be acquired.

42. We favor legislation that would provide more
43. adequate compensation to owners of property
44. condemned and taken, including the option of
45. participation or royalty payments and for property
46. rendered less valuable as a result of property being

47. divided, or adjacent property taken in condemnation.
48. Easements should not be used for any purpose other
49. than the purpose it was originally agreed to. If
50. additional use is made of the easements, the landowner
51. should be annually compensated based on its potential
52. revenue produced from the use. Landowners should be
53. entitled to share in the revenue produced on property
54. lost by condemnation or easement.

55. The landowner should have the option of a lump sum
56. payment and/or annual lease throughout the production
57. period. Appraisals being made on land being condemned
58. should be public information, so the people involved can
59. be assured of obtaining fair and equitable prices for
60. their land. Property acquired through condemnation
61. for a stated purpose but not used for that purpose within
62. a two (2) year period, or property which ceases to be
63. used for the specified purpose, should be returned to
64. private ownership. The last owner or heirs should be
65. given the first option to buy at the original sale price.
66. We favor legislation requiring complete satisfaction of
67. all financial responsibilities before any construction
68. commences on property or easements taken under
69. eminent domain.

70. We oppose the use of eminent domain to acquire land
71. for mitigation (the act of buying or setting aside more
72. land to replace habitat taken).

73. We favor amendment of the existing Texas-enabling
74. process to require review and approval by the county
75. commissioner's court for all federal or state government
76. land purchases or exchanges. We support the reduction
77. of state-owned land.

78. The use of eminent domain to acquire agricultural
79. land for lakes should be prohibited where the water is
80. allocated for municipal and industrial use only.

81. Any entity acquiring land by condemnation should
82. be required by law to replace in kind based on actual
83. replacement cost, subject to approval by the property
84. owner. We support limiting condemnation to only the
85. surface estate when the public purpose can be
86. accomplished by only acquiring the surface, with the
87. minerals and water rights remaining in the possession
88. of the owner.

89. We support legislation that would deny the power of
90. eminent domain and taxing authority to a development
91. district until a county-wide referendum has passed in
92. all the affected counties.

Minerals

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1. We will support measures to protect an owner's right
2. to the fullest development, production and benefits of
3. his minerals consistent with sound conservation
4. practices.

5. We recommend that the Texas Railroad Commission

6. regulate state natural mineral resources, other than
7. sand and gravel. We oppose efforts of federal authorities
8. to regulate our state resources.

9. We support legislation and strongly recommend that
10. state agencies adopt new practices to assure that land
11. and mineral owners are fully informed regarding
12. hearings and orders on oil and gas field rules, directives
13. regarding pollution, and other actions which directly
14. affect mineral or surface rights. We further recommend
15. that hearings be held in the area where the minerals in
16. question are located, and that appeals be heard in the
17. nearest court of jurisdiction. The Texas General Land
18. Office should be required to follow Texas Railroad
19. Commission rules and regulations and Texas
20. Commission on Environmental Quality
21. recommendations concerning the oil and gas
22. explorations and production on state lands. The Texas
23. Railroad Commission should be responsible for periodic
24. inspection of casings on all producing wells, oil and gas
25. pipelines, and waste disposal and injection wells. We
26. recommend that all pipeline carriers adhere to strict
27. policies for checking and repairing leaks in lines and
28. valves as well as in replacing old lines and installing
29. new lines. We favor the development of mineral and
30. energy resources on federal lands by private enterprises.

31. Legislation should provide the Railroad Commission
32. of Texas Well I.D. Number as the one identifying number
33. for reference in all jurisdictional agencies inclusive of
34. the ad valorem taxing entities. Legislation should also
35. provide that the minimum withhold payment be reduced
36. from \$25.00 to \$10.00 in a calendar year. We support
37. the Railroad Commission Informal Complaint Process
38. as the FIRST ATTEMPT in resolving any claim before
39. hiring legal assistance for litigation. We support
40. legislation that allows the mineral owner, when forced
41. into litigation, to recover all reasonable lawyer fees and
42. court costs whenever a well operator and payer are found
43. in violation of Railroad Commission rules and the Texas
44. Natural Resources Code. In a case where a mineral
45. owner has prevailed by favorable decision in Small
46. Claims Court or J.P. Court, then, having such favorable
47. decision appealed to a higher court, we would support
48. legislation that would provide the prevailing litigant
49. treble the award from Small Claims or J.P. Court and
50. treble reasonable lawyer fees and court costs.

51. Price information should be plainly exhibited on any
52. payment detail and must accompany the payment. We
53. urge the Texas Legislature to require oil and gas
54. production royalty checks be paid on time in accordance
55. with the terms of respective leases.

56. We support legislation providing for a minimum
57. damage payment to surface owners where a well may
58. be drilled or a pipeline installed, inclusive of any required

59. surface production equipment for the well and pipeline.
60. Such minimum damage payment should be paid within
61. five (5) working days of commencement of any excavation.
62. This minimum damage payment should be made on a
63. per acre basis for the area excavated for a drilling rig
64. and on a by-the-foot basis for pipeline installation(s).
65. Where such minimum payment cannot be agreed upon,
66. then binding arbitration is preferred over litigation; the
67. parties sharing equally in the costs of arbitration.

68. We are opposed to any compulsory unitization or
69. pooling of gas or oil acreage.

70. We support legislation ensuring that mineral rights
71. separated from the surface rights return to the current
72. surface owner after 10 years unless the mineral owner
73. is known. All mineral and royalty rights withheld when
74. land is sold should revert to the surface owner if not
75. claimed within a specified amount of time after being
76. recorded. All new land sales should have a specified
77. time limit on withholding of minerals. After due process
78. of law has been executed to find mineral and royalty
79. owners who have executive rights with their minerals
80. and royalty, at this time the executive rights through
81. court hearing should be returned to the current
82. landowner and the unknown heirs share of proceeds be
83. put in escrow for them to claim. We support efforts to
84. clear mineral ownership for certain university fund land
85. held in good faith under color of title for at least 50
86. years.

87. We support new regulations from the Texas
88. Department of Insurance which make exclusions in title
89. policies regarding mineral rights more conspicuous in
90. order to better inform the land purchaser of this
91. exception to coverage. We support new legislation
92. allowing title insurance coverage be made available as
93. an option for mineral rights on land title insurance
94. policies.

95. We urge enforcement of the strip mining law and
96. regulations to provide full protection for surface property
97. rights and to minimize damages resulting from
98. extraction of subsurface minerals. Sulfur bearing sand
99. should be placed back in the pit near the depth from
100. which it was extracted. Surface damage created by strip
101. mining or other mineral and/or sand extraction practices
102. should be repaired to restore the land surface to a
103. condition acceptable to the surface owner.

104. The lessee should be required to obtain a damage
105. release from the surface owner. Consideration for the
106. damage release will include provisions to reimburse
107. the surface owner for:

108. 1. Damage to livestock.
109. 2. Damage to the surface.
110. 3. Damage sustained because of reduced production
111. of the land.

112. 4. Damage incurred because of devaluation of the
113. property.
114. 5. Damage resulting from the use of any natural
115. resources other than those for which the lease is
116. executed.
117. 6. Damage resulting from the inability of the surface
118. owner to carry on farming or ranching operations as
119. previously conducted.
120. This legislation should not act to change existing
121. agreements between the surface owner and the lessee.
122. We oppose oil and gas exploration, surface pipe lines
123. and seismographic testing from county roads and rights-
124. of-way without consent of adjacent property owners. The
125. following restrictions should apply to seismographic
126. operations:
127. 1. No seismographic permits should be granted
128. without consulting all landowners in the survey area.
129. 2. All seismographic holes should be recorded.
130. 3. All seismographic holes should be either cemented,
131. filled with mud or gel before surface capping.
132. 4. All exploration work from aircraft should be
133. stopped.
134. 5. The seismographic operations should be assigned
135. to the jurisdiction of the Texas Commission on
136. Environmental Quality.
137. We support legislation to protect royalty owners in
138. the event of the financial failure of the crude oil gathering
139. or purchasing company.
140. We urge legislation that would prevent any oil
141. operator or oil company in violation of Railroad
142. Commission regulations from securing any drilling
143. permits by changing the name of the company or by
144. other questionable practices.

Groundwater

150

1. We believe that the right to capture groundwater in
2. place is a vested property right.
3. Groundwater captured by a landowner should, by
4. law, be owned and fully controlled by the landowner. We
5. support the common law doctrine rule of capture in areas
6. of the state without a groundwater conservation district.
7. We oppose any state control of groundwater.
8. We believe the conservation and management of
9. groundwater by locally controlled groundwater
10. conservation districts is vital to the future viability of
11. agriculture and rural communities in Texas. We
12. encourage the creation of locally controlled groundwater
13. conservation districts to manage groundwater where
14. management is needed. We support the delineation of
15. groundwater management areas, and a process whereby
16. all the major and minor aquifers in the state within a
17. management area will be managed by locally controlled
18. groundwater conservation districts.

19. Districts should adopt rules to manage an aquifer
20. under the correlative rights principle where practical
21. and feasible. Groundwater districts should be required
22. to follow established procedures when considering rules
23. or permits to provide landowners a fair opportunity to
24. be involved in the process. Rules should be based on the
25. best science available, and should promote the
26. utilization of available water supplies for the maximum
27. benefit. District rules should not unreasonably or
28. unconstitutionally prohibit landowners from exercising
29. their private property right to use or market
30. groundwater. However, we oppose the exportation of
31. groundwater out of an arid region. We support the
32. authority of districts to prohibit the export of
33. groundwater when the amount to be exported exceeds
34. the amount of groundwater needed for future use in the
35. local area. We support legislation amending the Texas
36. Water Code to prohibit the exportation of groundwater
37. from a local groundwater conservation district until the
38. district has obtained or developed reliable scientific
39. information about the stored supply and recharge
40. characteristics of the district aquifers, and has adopted
41. a management plan and rules.

42. Districts should be granted specific authority to
43. prohibit pumping of groundwater into “vanity ponds”
44. for appearance purposes. Districts should be required
45. to prohibit such pumping in a critical groundwater area.

46. Districts should be required to consider the impact
47. on existing groundwater users when adopting rules or
48. issuing permits.

49. If a district allocates groundwater rights based on
50. historical agriculture use, the full right should not be
51. retained by the permit holder if the use of the water
52. changes from agriculture to some other use.
53. Groundwater wells for domestic and livestock purposes
54. with a maximum capacity of 25,000 gallons per day
55. located on real property of ten acres or more should not
56. be subject to regulation by a district.

57. All state lands located within a groundwater
58. conservation district should be subject to all rules and
59. regulations of the groundwater district.

60. We oppose charging landowners a fee or tax for
61. capturing groundwater on their own property, except
62. when necessary to fund the operations of a locally
63. controlled groundwater conservation district. We
64. recommend that any person capturing groundwater from
65. any aquifer against which a tax has been levied, should
66. be required to pay taxes on groundwater transported
67. from the district. We support the authority of locally
68. controlled groundwater conservation districts to assess
69. a fee on groundwater captured by a governmental entity
70. who owns the property on which the groundwater is
71. captured, but is exempt from being assessed property

72. taxes by the district.

73. As groundwater districts are the states preferred
74. method of managing groundwater, the state should
75. assist districts with the legal and data resources
76. necessary to manage groundwater.

77. We support the authority of districts to require a
78. permit to export groundwater outside the boundaries of
79. the district. We support the inclusion of a fee under
80. export permits when needed to mitigate harm caused
81. by the export of groundwater or finance the operation of
82. a district.

83. We recommend that groundwater conservation
84. districts be allowed to set their own fees for water leaving
85. the district.

86. We support a streamlined petition process for the
87. creation of a district through the TCEQ.

88. We urge a strong agricultural representation on the
89. governing bodies of groundwater conservation districts.
90. We believe that the directors of a groundwater
91. conservation district should be elected to office by the
92. residents of that district. The board should only be
93. appointed when it is clear agricultural interests will
94. not otherwise be represented on the board.

95. We believe that groundwater conservation districts
96. managing a common aquifer should have a cooperative
97. management plan where the management practices of
98. the districts can directly impact one another. We support
99. allowing groundwater districts the authority to ensure
100. other districts within the same ground- water
101. management area do not deplete the aquifer. We support
102. a Groundwater Management Area joint planning process
103. pursuant to Section 36.108 of the Texas Water Code
104. and oppose mandatory consolidation of groundwater
105. conservation districts.

106. We recommend Texas Farm Bureau educate its
107. members on the benefits of creating a groundwater
108. conservation district in certain areas of the state as an
109. option to the rule of capture.

110. We oppose the classification of any aquifer as an
111. underground river that would be regulated by the state.
112. We oppose the classification of groundwater as a
113. mineral.

114. We support changes in the Edwards Aquifer Authority
115. Act to better reflect the needs of agriculture and
116. landowners. We should protect the two acre foot
117. minimum for irrigation and the two dollar acre fee cap
118. for agriculture in the Edwards Aquifer authority. We
119. should oppose any changes to the act that will harm
120. agriculture or landowners. We support repealing the
121. restriction under the EAA Act that 50% of an irrigation
122. permit may not be leased to another person and must
123. stay with the land and pass by title to future landowners.
124. We support amending the EAA Act to give irrigation

125. permit holders the right to lease or transfer their full
126. permit to another person for any use. All above ground
127. sprinkler systems that utilize groundwater as their
128. source should use the most practical water conservation
129. methods available. We support any feasible methods
130. to aid in the recharging of water aquifers.

131. To protect public health, land, water and natural
132. resources, federal facilities that have contaminated
133. groundwater affecting private landowners should take
134. the following steps:

135. 1. Whenever deemed necessary, a professional
136. mediator, with no vested interest, should be engaged to
137. facilitate interactions among the landowners,
138. contractors and responsible federal government agency.
139. The mediator must have access to technical and legal
140. consultants to assist with decision making. The main
141. objective of the mediator is to bring accountability to
142. the remediation process.

143. 2. Allow only the most affected parties to determine
144. which agency would facilitate the process.

145. 3. Cost of the mediation would be the responsibility
146. of the federal agency responsible for the contaminating
147. facility.

148. We support the enactment of legislation that will
149. exempt hand dug wells less than 50 feet deep from being
150. registered. We oppose legislation permitting pumping
151. of groundwater into any water course for the purposes of
152. transporting groundwater downstream.

153. We oppose amenity lakes that require the use of
154. groundwater to maintain a certain level.

155. We support the use of meters by water districts and
156. water master programs to accurately document historic
157. water use by irrigators for landowners. We oppose water
158. meters being required on irrigation equipment by TCEQ,
159. taxing entities, or other agencies.

160. We support legislation giving groundwater districts
161. more authority over the exploration and mining of
162. uranium in the state of Texas.

163. All "water users" should abide by the rules of the
164. groundwater conservation district, including state
165. agencies, governmental entities, and municipalities.
166. Sovereign immunity should not apply to a groundwater
167. conservation district. All fresh water pumped for use in
168. drilling of gas or oil wells is to be metered at the pump.
169. All pumps used to pump from an underground aquifer
170. shall have a working check valve at the well head to
171. prevent any water flowing back into the aquifer. Water
172. pumped for drilling purposes shall not be over flowed on
173. to land or into reserve pit.

Surface Water

151

1. Surface water and wetlands should belong by law to

2. surface owners of the land. We oppose any legislation or
3. action which would take away the riparian rights of
4. landowners to use water from streams adjacent to or on
5. their property, regardless of the use of such rights in the
6. past. Any landowner on whose property rainfall occurs
7. or flows should own that water for impoundment,
8. irrigation, or other use regardless of prior claims
9. downstream. Since all surface water in Texas has been
10. adjudicated, we oppose modification or canceling of
11. current beneficial users water rights to maintain
12. "instream flow" on segments of Texas rivers and
13. streams.

14. We support the present law which allows construction
15. and use of stock tanks or ponds up to 200 acre feet
16. capacity. Agricultural producers and landowners should
17. be allowed to impound a reasonable amount of surface
18. water without permit for domestic, livestock and wildlife
19. management use. The amount of surface water allowed
20. to be impounded should be based upon the climate in
21. the geographic location of the impoundment, the degree
22. of intensity of the operation, and the tract size where
23. the impoundment will be located. We support the
24. construction of retention ponds to store runoff water.
25. This water would be released slowly to help control
26. flooding and allow for greater recharge of the underlying
27. aquifers. These facilities should be built through
28. cooperative agreements between willing landowners and
29. governmental entities. We oppose subjecting current
30. diverters to further test and requirements not currently
31. required by law.

32. We recommend that a study be made on the sale of
33. allocated water rights. We oppose state or federal
34. control of runoff water into non-navigable streams. Each
35. water use area must have its full legal water
36. requirements, present and future, provided for from its
37. traditional supply before any water is diverted to any
38. other area. Any plan must take into consideration future
39. needs for water for agricultural uses, and must protect
40. established rights of prior beneficial users of water as
41. well as the riparian rights of landowners.

42. Water for agricultural purposes should be classified
43. as an essential use of water. We oppose any legislation
44. that would hinder agricultural producers in obtaining
45. water for their crops and livestock or that would make
46. the water more expensive. We support legislation to
47. assure agricultural producers that their right to water
48. use is guaranteed and that no industrial user be allowed
49. to infringe upon these rights. Agricultural use, as a
50. beneficial use of the states surface water, should take
51. priority over water for recreation, pleasure,
52. environmental and other less beneficial uses, and have
53. the same priority as industrial use.

54. We oppose condemnation of surface water rights,

55. except for domestic, essential municipal, or livestock
56. use necessary to sustain life.

57. We oppose reclassification of state water from
58. recreational or instream use to industrial use.
59. Classification of instream flows for bays and estuaries,
60. recreation, pleasure and other uses, other than water
61. for livestock, not presently designated as beneficial uses
62. under current water law should be prohibited. When
63. impoundments are made for the public and state funds
64. are used, a predetermined percentage of the impounded
65. water should remain in state control to help maintain
66. natural flow history.

67. We believe in local control of use planning for rivers,
68. streams, and the land bordering them. We support a
69. standard for classification of “navigable waters” so that
70. the classification has the least impact on private
71. property rights.

72. We oppose the construction and funding of large
73. reservoirs, dams, channelization and channel
74. realignment projects that create a large loss of tax base,
75. destroy enormous agricultural acreage for the advantage
76. of cities, recreation, or other uses of state water
77. detrimental to agriculture, unless the water project
78. would have less of an impact on agriculture and rural
79. Texas than other potential water projects in addressing
80. those water needs. Instead, we recommend smaller,
81. more economically efficient dams and reservoirs located
82. closer to the point of utilization. Construction of
83. reservoirs along streams for urban use should be paid
84. for by the users of the water. We favor more landowner
85. protection when land is condemned for public reservoirs.

86. We oppose the forced release of any water from river
87. authorities or reservoirs without remuneration. We
88. support legislation requiring the Texas Commission on
89. Environmental Quality and the U.S. Corps of Engineers
90. to consult with landowners bordering rivers and streams
91. below dams and reservoirs regarding release of water.
92. Water discharge should maintain historic normal flow.
93. Excess of flood discharge should be gradual to prevent
94. downstream flooding and erosion.

95. We recognize that inter-basin transfers will harm
96. agricultural production within the basin of origin by
97. increasing the cost of surface water. We also recognize
98. the increasing demand on our current water supplies
99. deem that we find new innovative ways to cover those
100. demands.

101. The implementation of regional water planning
102. demands that our organizations water policy must be
103. balanced between surface water and groundwater to
104. provide the greatest benefit to all the citizens of the
105. State of Texas. Prohibiting inter-basin transfers while
106. allowing the exporting of groundwater will not provide
107. that balance, and will harm those dependent on

108. groundwater while benefiting those who use surface
109. water. We believe that any inter-basin transfer that
110. would leave the basin of origin with unmet future water
111. needs should be opposed. Any inter-basin transfer
112. should be opposed unless the terms of the transfer include
113. the following:

114. 1. A surcharge should be required on the transfer to
115. provide monies to assist agricultural producers with
116. satisfying their demand for water;

117. 2. The receiving basin has implemented a water
118. conservation plan;

119. 3. The receiving basin has exhausted all other
120. reasonable means of providing their water needs;

121. 4. The receiving basin will assist with conservation
122. efforts in the basin of origin; and

123. 5. A junior priority date for any inter-basin transfer
124. that would harm existing water right holders or third
125. party surface water users in the basin of origin.

126. We believe that there are many times within our
127. river basins that excess rains and flood water create
128. water flow that is beyond the needs of the river basins.
129. We would support a means of capturing this excess river
130. flow in off channel reservoirs to be stored and used for
131. this increasing water demand throughout the state
132. provided the system designed meets the 5 points stated
133. above and the following points:

134. 1. The plan is implemented only after significant
135. impact studies show that the plan will benefit both the
136. receiving basin and the basin of origin and not produce
137. negative effects on the economy as a whole, particularly
138. the agricultural economy, or environment of the basin of
139. origin,

140. 2. The off channel reservoirs are filled by pumps only
141. when the river basin is deemed by its governing authority
142. to have excess flow,

143. 3. The basin or municipality receiving the excess
144. water pays for the construction and maintenance of the
145. off channel reservoir, pumping stations, and any
146. pipelines needed,

147. 4. The basin or municipality receiving the excess
148. water flow reimburses taxing authorities the lost tax
149. revenue for property removed from the tax base to
150. construct facilities related to the plan,

151. 5. To the extent possible any land used in
152. construction of the off channel reservoirs and other
153. facilities needed for the plan should be purchased from
154. willing sellers with the seller having the right to request
155. a cash payment or other property in exchange for the
156. land purchased.

157. 6. If a plan includes the use of ground water and
158. preliminary studies show that the aquifers can sustain
159. pumping to meet local needs as well as additional needs
160. because of the project; the ground water cannot be used

161. to fill the reservoir or be piped out of the basin of origin.
162. The pumping of ground water must be within the rules
163. and regulation of any local ground water conservation
164. districts. If during the term of the project the initial
165. studies are proven wrong by actual pumping and
166. significant drawdown of the aquifers in the basin of
167. origin occur at anytime during the implementation of a
168. plan, then we would support termination of the plan at
169. the time until the aquifers are significantly recharged.

170. We support the continuation of the six years of studies
171. related to the LCRA/SAWS Water Project (LSWP).

172. If the studies do not indicate protection and benefits
173. for the lower counties, being Colorado, Wharton, and
174. Matagorda Counties, and those issues cannot be
175. resolved with good faith efforts; then the LSWP should
176. be vigorously opposed.

177. Water rights marketing systems should provide
178. maximum protection and compensation to landowners.
179. The Texas Water Bank should remain a voluntary
180. program.

181. We recommend the Texas Commission on
182. Environmental Quality simplify irrigation permit
183. procedures and standardize expiration and renewal
184. dates. The Texas Commission on Environmental
185. Quality should develop a system of irrigation allotment
186. for the middle section of the Rio Grande River which
187. will provide a minimum percent of the yearly amount of
188. water available to irrigate.

189. We oppose the planning and further consideration of
190. the CUERO I and SANDIES reservoirs in DeWitt and
191. Gonzales counties and the Goliad Dam on the San
192. Antonio River in Goliad County because of the loss of
193. tax base for the taxing entities in each county and
194. because the intended end-users have not considered all
195. alternative means of additional water sources.

196. We urge the legislature to adopt legislation which
197. would prohibit water rights that have been canceled or
198. forfeited, from being re-permitted for use outside of the
199. county where the water right was originally
200. appropriated.

201. We do not oppose pipe lines if sound science studies
202. are done to prevent excessive export of groundwater from
203. a conservation district.

204. We support the current process to establish "water
205. masters."

206. We urge the state to reimburse landowners along a
207. river basin for damages caused by flood waters due to
208. an over storage of water in reservoirs controlled by the
209. state river authorities.

Water Management

152

1. We support the appointment of at least one owner of

2. an agricultural production enterprise as a commissioner
3. to the Texas Commission on Environmental Quality.
4. The Texas Legislature should specify the Texas
5. Commission on Environmental Quality as the lead
6. agency for water, water quality and wetlands; however,
7. the Texas Commission on Environmental Quality
8. should recommend rather than formulate policy. We
9. support the establishment of an agricultural division
10. within the Texas Commission on Environmental Quality.
11. The Legislature should appropriate funds for a “state of
12. the art” water laboratory, available to run water
13. samples for individuals on a cost basis.

14. We favor the election of all directors of river
15. authorities. We support legislation to divide river basins
16. into geographical voting districts, with the directors being
17. elected by the people they serve. All state river
18. authorities, as quasi-state agencies, should be placed
19. under the states Sunset Review process for
20. accountability and oversight.

21. We oppose the TCEQ requiring metering devices on
22. all irrigation wells.

23. We oppose legislation by municipalities to take over
24. an operating irrigation district, including the water and/
25. or assets of the irrigation district. We urge that all
26. municipalities and water supply districts, in need of
27. water, look into the feasibility of desalination. We also
28. recommend that state and federal assistance be made
29. available in the development of this water source.

30. Water for agricultural purposes should be classified
31. as an essential use of water. We oppose legislation that
32. would give municipalities water that is required to
33. sustain agriculture. We disagree with moving water
34. that is essential for agriculture to municipal use. We
35. urge the expeditious development of brackish and sea
36. water desalination projects to meet the growing
37. demands of municipalities. We recommend that state
38. and federal resources be allocated with a high priority
39. to assure a timely availability of this new water supply.

40. We support state funding of mandatory water
41. programs since regulation and enforcement of state
42. water law accomplishes a public purpose and is in the
43. public interest. We support taking a positive stand for
44. the collection of rainwater for domestic use and to
45. encourage state and county governments to promote
46. incentives for the use of rainwater. We support legislative
47. funding of low interest loans and tax incentives to
48. promote water conservation and efficiency in both urban
49. and rural environments, thus preventing waste. We
50. support reinstating the provisions in the U.S. Tax Code
51. that would allow the Agricultural Water Conservation
52. Equipment Loan Program administered through the
53. Texas Water Development Board to be utilized.

54. We support legislation that encourages and supports

55. voluntary water and land stewardship by providing
56. assistance and incentives to landowners for activities
57. which benefit both urban and rural Texas.

58. We support the concept of importing water into Texas
59. for domestic, municipal, agricultural, commercial and
60. industrial purposes. Imported water should be paid for
61. by the users. If construction of pipelines or reservoirs is
62. needed, bonds should be sold and users of the water
63. should pay the debt.

64. We support an aggressive removal program for
65. nonproductive brush in order to improve water resources
66. and rangeland quality. We urge the state to intensify
67. research on agricultural practices designed to conserve
68. water. This should include more efficient methods of
69. applying water as well as crops with low water
70. requirements. Research on more efficient dry land
71. farming should also be promoted. We favor keeping all
72. floodways clear of brush and controlling vegetation by
73. mowing or grazing grass to permit maximum movement
74. of flood water in the Rio Grande Valley. We support
75. brush control programs that are positive for range,
76. wildlife and livestock management and benefits
77. endangered species and water conservation. We support
78. Texas and United States government efforts to solve
79. the problem of Mexico not delivering water to Rio
80. Grande reservoirs as specified in the 1944 water treaty
81. between the U.S. and Mexico. We support efforts to
82. ensure that water deliveries to the Rio Grande River
83. and allocations are strictly honored by U.S. and Mexico
84. as stipulated by the 1944 treaty. We support federal
85. and state programs designed to alleviate hardships to
86. Texas agribusinesses as a result of Mexico's treaty non-
87. compliance, including crop insurance APHs (Actual
88. Production History). We support financing of
89. improvements to water delivery systems along the Rio
90. Grande River. We oppose any efforts to amend
91. reclamation laws that would negatively affect the
92. priority of water allocation for agricultural use and would
93. reduce the Secretary of Interiors authority to direct
94. water usage. We favor further construction of bear trap
95. dams to prevent additional loss of water into the Gulf of
96. Mexico.

97. Well repair persons who work on submersible pumps,
98. pump jacks and windmills should be permitted to
99. operate under one license instead of three separate
100. licenses.

101. In order to establish and defend water tariffs, the
102. Texas Commission on Environmental Quality should
103. provide, either at cost or a reasonable rate, statistical
104. information about water rates to the water utilities
105. that they regulate.

106. We oppose legislation resulting in unfunded
107. mandates for conservation measures for existing

108. (historic) water use. We support legislation requiring
109. that new appropriations, or water permits or certificates
110. of adjudication being amended for new use, should be
111. subject to conservation requirements. Municipalities
112. and water utilities that have taxing authority or collect
113. fees for water, should be required to impose water
114. conservation measures.

115. We oppose legislation which would place restrictions
116. on any existing water right holders (historic use) to
117. ensure instream flows. We support legislation which
118. would require restriction for environmental flows to be
119. considered in re-permitting an existing water right for a
120. new use. We oppose the release of raw municipal water
121. into bays and estuaries during critical drought periods
122. for any environmental or industrial reason.

123. Public water utilities need to structure their water
124. rates to promote water conservation.

125. We strongly support voluntary soil and water
126. conservation programs. We encourage the use of best
127. management landscape principles to promote water
128. conservation. We support legislation requiring “smart
129. controllers” with rain sensors or moisture sensors on all
130. landscape irrigation systems. We strongly oppose
131. compulsory soil and water conservation programs and
132. practices. We oppose any impact fees on lands that drain
133. into a watershed.

134. We support the Texas Water Development Board in
135. its responsibility to develop and implement a process
136. for state and regional water planning.

137. We support a requirement that all developers assure
138. an adequate water supply for all properties to be sold
139. within their development.

140. The Board of Directors of local conservation, water,
141. and water control and improvement districts should
142. have a voice in retaining qualified personnel at the local
143. level.

144. We recommend that oil companies should not use
145. fresh water to flood or frac oil-bearing formations if other
146. options are available.

147. Water restrictions implemented by municipalities
148. must be regulated and enforced to assure the economic
149. stability of production agriculture and agribusinesses.
150. Agriculture should have priority over businesses that
151. can sustain mechanical production under restrictions.

152. The Texas Railroad Commission should regulate the
153. amount of fresh water from aquifers utilized in gas well
154. drilling.

Water Quality

153

1. We support stricter enforcement of laws that will
2. protect surface, underground irrigation and domestic
3. water supplies from pollution, contamination, and
4. depletion by nuclear waste dumps, solid waste dumps,

5. toxic waste, wastewater sources, strip mining and other
6. mining operations and oil field production and
7. exploration. We oppose chemical or nuclear waste
8. injection wells in the State of Texas.

9. We support reasonable legislation and regulations
10. designed to clean up existing polluted surface water.
11. We support a “use attainability analysis” process on all
12. water bodies to determine the appropriate use
13. classification.

14. Efforts to control the phosphorus content of runoff
15. water should not be applied solely to agricultural
16. producers. Phosphorus control efforts should also be
17. applied to non-agricultural contributors.

18. We further support legislation which would require
19. state and municipal government entities to abide by
20. the same water quality standards required of the
21. general public in regard to pollution of surface and
22. underground water. We recommend that municipalities
23. draw their water for domestic use no more than five
24. miles downstream from their waste disposal outlet.

25. We encourage well-head protection of all wells to
26. prevent groundwater contamination. We oppose the use
27. of fresh water for water flood aspects of oil production.
28. We favor plugging of all abandoned non-producing water
29. wells and capping of all abandoned producing water
30. wells. Temporarily abandoned wells should be returned
31. to production or plugged within a five year period. We
32. support the Railroad Commission of Texas
33. strengthening regulations that provide for proper
34. plugging of abandoned oil and gas wells. The legislature
35. should maintain the well plugging fund solely for the
36. purpose of plugging abandoned oil and gas wells and all
37. funds going into that fund should not be subject to other
38. uses.

39. We favor efforts to protect and detect chemical and
40. bacterial contamination of all water aquifers. The Texas
41. Commission on Environmental Quality should prove
42. that contamination is harmful through proven tolerance
43. levels. Agricultural non-point source pollution programs
44. should be implemented by the Texas State Soil and
45. Water Conservation Board.

46. We oppose designation of any body of water as
47. Outstanding National Resource Water (ONRW).

48. We prefer the Texas State Soil and Water
49. Conservation Board to be the permitting agency for non-
50. contested agricultural air and water permits.

51. We recommend that studies be pursued to determine
52. the value of constructed wetlands as a water purification
53. method. The Texas Commission on Environmental
54. Quality should consider these systems as an alternative
55. to “no discharge” permits.

56. The Coastal Coordination Council must not usurp
57. local and state agency rule-making authority or directly

58. or indirectly infringe on personal property rights.
59. Municipalities collecting water quality drainage fees
60. designated for retrofitting existing development should
61. utilize these funds to build water quality control
62. structures in their developed areas that will meet the
63. standards required of landowners in new developments.
64. No listing of any aquatic species in the developed
65. drainage area should occur for three (3) years.

Waste Disposal

154

1. We oppose the storing of out-of-state nuclear waste
2. or other out-of-state nuclear by-products in Texas, and
3. we support legislation which would encourage state
4. research to develop safe methods of disposing of any
5. hazardous materials. We support a comprehensive
6. revision of legislation dealing with radioactive wastes
7. and toxic chemical wastes subject to state control. The
8. legislation should include understandable language and
9. definitions of chemical/toxic wastes, with comparisons
10. of exposure to market available products. Such revision
11. should include:
12. 1. Provisions for permanent disposal of low level
13. radioactive and toxic chemical wastes.
14. 2. Strict regulation of transportation of hazardous
15. waste by truck on Texas highways.
16. 3. Specific parameters of acceptable sites for facilities
17. based on geology, climate and population.
18. 4. Provisions for maximum local control in the
19. establishment of sites for such facilities.
20. Each state should assume complete responsibility
21. for its own radioactive waste disposal. Electric utility
22. dump sites should not be financed with public funds.
23. Public hearings should be required prior to
24. establishment of a hazardous material disposal site.
25. All property owners within 10 miles of the site should
26. be notified. Hearings should be conducted in the county
27. of the proposed site.
28. Nuclear wastes should be disposed of on existing
29. state and federally owned land instead of condemning
30. private land for that purpose. We favor legislation that
31. would limit the amount of nuclear waste that could be
32. stored on the generating plant site. No additional sites
33. should be approved by the state until after the effective
34. date of revised legislation.
35. We favor legislation that would prevent nuclear and
36. toxic waste dumps from being placed on or beneath
37. productive agricultural land and in areas with large
38. underground water reservoirs. An entity operating a
39. facility that processes, manufactures, stores or disposes
40. of hazardous, toxic, nuclear, or any other material that
41. may pose an adverse impact on the economic well-being
42. of agriculture should be required to compensate for any
43. losses that may occur. We oppose issuing permits to

44. chemical waste companies in flood plain areas.

45. We recommend comprehensive legislation that will
46. provide county governments the authority to limit the
47. disposal of toxic and industrial wastes within the
48. geographical boundaries of the county. The citizens of
49. the county should decide the limit of such disposal. We
50. recommend legislation making the generators of waste
51. responsible for its proper disposition. We oppose the
52. location of commercial hazardous and toxic waste
53. disposal sites in rural areas with shallow groundwater
54. tables or where a threat exists to the quality of nearby
55. surface waters.

56. We support a method for solid waste management
57. services that would benefit all persons in the state.
58. These services should be cost effective, environmentally
59. sound and locally accessible. Local governmental
60. subdivisions responsible for solid waste management
61. should work together to develop a plan that would
62. minimize the amount of solid waste to be disposed.
63. When the operation of a local waste management
64. facility is not economically feasible, an agreement with
65. surrounding governmental subdivisions should be
66. developed to operate a solid waste management facility
67. on a regional basis. The landowner should not be held
68. responsible for the cleanup expense or fines levied on
69. trash that was not generated by the landowner. Recycling
70. of waste products should have top priority of any solid
71. waste management plan. The Texas Commission on
72. Environmental Quality should not be the benefactor of
73. proceeds from sanitary landfills and at the same time
74. approve applications, which is a conflict of interest. The
75. Texas Commission on Environmental Quality should
76. prohibit any waste material from coming into the state.

77. We favor legislation that would phase out the landfill
78. disposal of toxic chemical wastes and provide incentives
79. and increased opportunity for industries implementing
80. resource recovery projects. Substantial bonding should
81. be required of toxic disposal sites. The Texas
82. Commission on Environmental Quality should move
83. expeditiously to hold hearings for "Part B" operating
84. permits and monitor any hazardous waste facility which
85. has been proved to be harming human health, air, water,
86. or agricultural land. Incentives should be provided for
87. industry to be used for reduction of waste, recycling
88. waste, biological, chemical, and physical treatment
89. technologies to detoxify or immobilize wastes that cannot
90. be recycled, or decompose them so as to destroy their
91. hazardous state. Manufacturing processes which reduce
92. hazardous waste production at the source and
93. alternative technologies should also be rewarded. The
94. state should place an annual per ton fee on the
95. incineration, injection, and landfill disposal of hazardous
96. waste which should be no lower than similar fees charged

97. by contiguous states. These fees should be placed in an
98. interest bearing “superfund” for the sole use of
99. monitoring and cleanup of abandoned or disposal sites.
100. Property owners should not be held accountable for
101. contamination of disposal pits where a hazardous waste
102. was deposited prior to a chemical being classified a
103. hazardous waste. No fines should be levied against
104. property owners and the state should pay all cleanup
105. costs. We support legislation that exempts from liability
106. individuals or farm and ranch corporations who become
107. owners of real estate found to be contaminated with
108. toxic substances if pollution took place prior to their
109. ownership. We favor research and promotion by the
110. Texas AgriLife Extension Service into the use of
111. constructed wetlands in place of drain fields for septic
112. tanks.
113. We encourage cooperation and compliance with the
114. state law on sewage disposal; however, we favor repeal
115. of that portion of the law requiring the licensing and
116. taxing of homeowners for septic tanks. We support
117. legislation or regulations that allow property owners
118. with more than 25 acres to dispose of site generated
119. non-hazardous household waste on site and be exempted
120. from Type III municipal waste disposal permit
121. requirements.
122. We support the use of biodegradable disposable
123. diapers instead of non-biodegradable diapers.
124. We support the “Don’t Bag It” lawn maintenance
125. program of the Texas Cooperative Extension.
126. We request that the Texas Commission on
127. Environmental Quality provide sound, technical and
128. environmental testing and research that is scientifically
129. credible to establish rules and regulations concerning
130. the application of municipal sludge on agricultural land.
131. Agricultural land values and surface or underground
132. water must not be adversely impacted by these practices.
133. We recommend that the Texas Railroad Commission
134. develop a more efficient method of supervising water
135. flood, injection and salt water sites. The Oil and Gas
136. division of the Texas Railroad Commission should give
137. equal consideration to landowners and oil companies in
138. carrying out the laws and regulations of Texas. We
139. support vigorous prosecution of all firms, especially
140. vacuum truck service companies, which dispose of salt
141. water on land, in public road ditches, or in any manner
142. other than that prescribed by law. All fluid wastes
143. derived from oil and gas production, including salt water,
144. brine, and other injectable wastes, should be disposed
145. of in a disposal well. We recommend that the Texas
146. Railroad Commission increase the fees on salt water
147. disposal wells. Fees should be used to inspect and more
148. closely police these wells. The present Railroad
149. Commission requirement of a one-fourth mile radius

150. check for domestic water wells or oil and gas wells at
151. proposed locations of injection and disposal wells is
152. insufficient. The following restrictions on oil and gas
153. waste disposal wells should be applied:
154. 1. appropriate limitations on the injection pressure;
155. 2. dams constructed around salt water storage tanks;
156. 3. watchmen 24 hours a day;
157. 4. limitation on injection to depths below any water
158. formation which will artesian to the surface;
159. 5. gauges in well to detect drops in pressure, warning
160. of possible seepage; and,
161. 6. casing placed and cemented to the depth of
162. disposal (for greater protection, the injection pipe should
163. be cemented within the casing and cemented entirely
164. when abandoned).
165. We support reinstating the used tire disposal
166. program in Texas.
167. We support the "Ag. Chemical Waste Collection and
168. Recycling Days" and the inclusion of spent tractor tires,
169. tracks, and irrigation polypipe. We support an affordable
170. disposal fee for used tractor tires and tracks. A
171. refundable deposit should be required on 30 gallon
172. chemical drums and 5 gallon oil buckets to encourage
173. recycling by consumers and reuse by chemical and oil
174. companies.

Agricultural By-Products 155

1. We will oppose any legislation or regulation which
2. arbitrarily defines agricultural wastes as ecological
3. contaminants. We oppose national standards for
4. pollution control. Pollution control standards should
5. be developed at the state and local level. Efforts by
6. state agencies to control pollution arising from the
7. agricultural industry of this state must be based on
8. sound science and suggested solutions which are
9. workable and practical. Government agencies
10. responsible for approving land application systems
11. should allow private landowners to utilize sludge and
12. animal waste as fertilizer.
13. We recommend all livestock and poultry operations
14. requiring a Texas Commission on Environmental
15. Quality permit to operate, be inspected periodically to
16. assure compliance with, and understanding of, laws and
17. regulations. Any newly planned facilities requiring such
18. permits should have site selections and engineering
19. plans drawn and approved before construction begins,
20. and all work completed and approved before the
21. facilities are placed into use. Packing plants should be
22. required to dispose of animal wastes and offals in a
23. manner that will not be offensive in the neighboring
24. area.
25. We support the following concepts:
26. 1. Reasonable standards for all livestock and poultry

27. operations that will protect the states water resources.
28. 2. Close attention to the mechanics of implementing
29. these standards so that the cost of developing the
30. program does not result in putting livestock and poultry
31. operations out of business.
32. 3. Provisions for a phased-in approach, allowing
33. livestock and poultry operations to address their
34. individual situations over a period of years, thereby
35. giving them time to incorporate their effluent program
36. into their cash flow.
37. 4. Work for a consistent and coordinated policy from
38. all regulatory agencies that will give the livestock and
39. poultry operations a defined direction and basis that
40. they can depend on.
41. 5. Work toward state/federal cost-sharing, low
42. interest loans and tax incentives.
43. 6. Encourage local innovation and ideas to meet or
44. exceed published guidelines.
45. 7. Reasonable standards using best management
46. practices for land application of livestock and poultry
47. manure.
48. We recommend that composting technology be given
49. time to help solve the North Bosque River pollution
50. problem and ultimately the Lake Waco issue.

TRANSPORTATION

Farm-to-Market Roads 156

1. We support a significant increase in the state road
2. building and maintenance program of farm-to-market
3. roads, rights-of-way, and rural highways. Any increase
4. in gasoline tax should result in a proportional increase
5. in farm-to-market system allocation. We oppose
6. depleting FM road funds by matching federal funds to
7. be used only on U. S. highways.
8. All signs, safety rails and mail boxes placed in the
9. rights-of-way should allow room for passage of farm
10. machinery without creating hazardous conditions.
11. Farm-to-market roads in urban areas should be re-
12. designated as state highways and not receive money
13. allocated for farm-to-market roads. TXDOT should
14. repair bridges in a more timely manner. Farm to market
15. roads converted to state highway status should retain
16. their intended purpose, the movement of farm products
17. and equipment.
18. We urge the Texas Legislature to adopt laws that
19. allow all farm to market and ranch roads to have free
20. crossovers on the Trans Texas Corridor.

Highways 157

1. We believe that the primary responsibilities for the
2. construction, maintenance, locating and policing of

3. highways should remain with the state and the following
4. steps should be taken to improve the states travel
5. system:
6. 1. A blank space for blood type information should
7. be provided on drivers licenses.
8. 2. Fire guards should be maintained where needed
9. on highway rights-of-way.
10. 3. We support adequate mowing to ensure the safety
11. of drivers and minimize fire hazards by adequate control
12. of vegetation.
13. 4. Local governments should be able to voluntarily
14. partner with the state in the purchase of rights-of-way.
15. Seismograph of state and county owned rights-of-way
16. should not be permitted.
17. 5. The Texas Department of Transportation should
18. be required to notify all abutting landowners by
19. registered mail of a hearing for acquiring more rights-
20. of-way for existing highway or for the construction of
21. new roads.
22. 6. For new highway construction, any property
23. designated as a Heritage Farm or Ranch by Texas
24. Department of Agriculture should be treated in the same
25. manner as other protected historical, archeological or
26. cemetery sites.
27. 7. When federal, state, or county highways, with
28. restricted or controlled access are constructed, we
29. support legislation requiring underpasses sufficient for
30. moving livestock between the divided property. If this
31. is not economically feasible, the landowner shall be
32. fairly compensated for damages. We also urge the
33. legislature to require Texas Department of
34. Transportation to plan adequate turn-a-rounds for
35. agricultural producers to cross these restricted highways.
36. 8. New highway construction should protect
37. landowners from drainage problems created by
38. construction.
39. 9. Off-road agricultural equipment should not be
40. licensed.
41. Texas Department of Transportation should
42. adequately maintain rights-of-way. We favor mowing
43. the full width of rights-of-way alongside all highways
44. and the appropriate use of herbicides where necessary
45. to adequately control undesirable vegetation, providing
46. there are no herbicide sensitive crops growing in the
47. adjacent fields. We support repealing or amending the
48. TXDOT rule punishing landowners for controlling
49. vegetation on adjacent state rights-of-way.
50. We support legislation that will require the design
51. of bypasses to include easy access of motorists to the
52. communities being bypassed. We support the Texas
53. Department of Transportation maintaining the right
54. to set interstate highway speed limits.
55. We oppose Texas Department of Transportation

56. having the authority to close county roads.

57. We urge that all navigable streams and county or
58. state roads which pass through any national preserve,
59. wilderness, or other federal public lands remain open
60. and under the jurisdiction of the county or state
61. respectively.

62. We oppose the Trans Texas Corridor. We oppose the
63. acquiring of additional farm and ranch lands through
64. the state powers of eminent domain for the construction
65. of the Trans Texas Corridor. Additional division of Texas
66. farms, ranches, and rural communities by such projects
67. as the Trans Texas Corridor would put undue burdens
68. on the rural economies, such as: additional cost and
69. time related to moving equipment and animals from
70. one side of a farm or ranch to another because of a
71. division in farm or ranch by the corridor; the lack of
72. adequate exits to small Texas towns and their
73. economies; and the additional tax burden passed on to
74. the local taxpayers for property removed from the tax
75. base. The addition of new rights-of-way such as the
76. Trans Texas Corridor will negatively affect wildlife and
77. hunting in many areas of the state in which hunting has
78. become a major part of farm and ranch income.

79. If the Trans Texas Corridor right-of-way has been
80. procured, all new utilities intended for regional, and
81. trans-Texas transmission shall be located within or
82. immediately adjacent to the procured right-of-way.

83. We oppose the Texas Department of Transportation
84. using taxpayer dollars to advertise in favor of the Trans-
85. Texas Corridor.

86. We favor our state legislature passing a resolution
87. calling upon the U.S. Congress and the President to
88. stop all efforts toward a North American Union (NAU)
89. or North American Community by way of the Security
90. and Prosperity Partnership (SPP), to stop the
91. Construction of a North American Super Corridor (also
92. referred to as the NAFTA Super Highway) of which the
93. Trans Texas Corridor is part.

94. If tolls are planned for any part of the corridor, a
95. referendum should be held before this tax could be
96. implemented. All efforts should be made to award
97. contracts to Texas and U.S. companies. Security for all
98. parts of the corridor should be planned and hired before
99. construction starts. We oppose non-compete clauses in
100. contracts authorizing construction of tolled highways in
101. the State of Texas.

102. We oppose the state or TxDOT imposing minimum
103. traffic requirements before a company can build and/or
104. operate a toll road in the State of Texas.

105. We feel it would be appropriate to improve existing
106. state and federal transportation rights-of-way to help
107. move the Texas transportation system forward. We
108. prefer no new rights-of-way for transportation corridors;

109. however, if new rights-of-way are absolutely necessary,
110. we would prefer additional space for corridors be located
111. adjacent to existing rights-of-way.
112. Highways that are toll free should remain toll free.
113. All interstate highways should provide frontage
114. roads on both sides of the highway for farm machinery.
115. We support current legislation that allows the Texas
116. Department of Transportation to require that a certain
117. percentage of the amount contracted for all highway
118. construction and beautification projects be dedicated
119. to the purchase of plant materials to be used to enhance
120. scenery along Texas highways and rest areas. Except
121. where prohibited by federal law and federal regulations,
122. and to the extent that is practical, the plant material
123. shall be purchased through a competitive bid basis from
124. suppliers who have a business location in Texas.
125. We urge the Texas Legislature to adopt laws that
126. require private companies to reimburse Texas taxpayers
127. for all costs associated with existing roadways (land
128. acquisition, construction and maintenance).
129. We support directional signage on public roadways
130. and new directional signs for “AGRI-TOURS.”

Highway Safety 158

1. All stop signs should indicate whether it is a two,
2. three or four way stop at an intersection.
3. The use of signs or other objects that obstruct the
4. view for motorists of roadways should be prohibited.
5. We support current law that requires luminous signs
6. or reflective tape on certain trailers.
7. Rumble-bumps should be cut into shoulders of all
8. new highway construction, or if prohibited, buttons
9. should be installed.
10. We support removing the liability of landowners (or
11. their agents) for accidents occurring in “open range”
12. rights-of-way.
13. The tying, penning, or otherwise restraining livestock
14. on any public road right-of-way, park or rest area, should
15. be prohibited, except for the purpose of loading or
16. unloading.
17. To discourage littering of roadways, we favor
18. enforcing fines for violators, and restricting the use of
19. beverage containers to aluminum cans, returnable glass
20. bottles, or biodegradable products. We support strict
21. enforcement of all roadway littering laws.
22. All drainage facilities should be constructed in such
23. a manner that they will not create a hazard.
24. We urge enforcement of bicycle and jogger safety on
25. highways. We support reasonable bicycle safety laws
26. for the use of state highways and farm-to-market roads.
27. The Texas Aggregate Quarry and Pit Safety Act of
28. 1991 should be amended to exempt agricultural property
29. landowners.

30. We support legislation that would prohibit the sale
31. of goods or services on public rights-of-way without a
32. permit from the governmental entity responsible for
33. the public right-of-way.
34. We support a state law allowing the use of clear strobe
35. lights for the protection of rural letter carriers.
36. We urge TxDot to consider public safety and welfare
37. before closing a roadside park.

Rail Transportation 159

1. Railroads should provide adequate funding for
2. maintenance and construction of rural railroads in Texas.
3. Railroad service should not be discontinued in a given
4. area without giving 180 day notice to all affected shippers
5. in the state.
6. We should work with railroad companies to ensure
7. that rail cars are available in critical areas during
8. harvest seasons.
9. We recommend legislation to ensure a clear view of
10. trains approaching crossings in rural areas. The clearing
11. and maintaining of trees, weeds and trash, for a
12. minimum of 300 feet on both sides of crossing should be
13. maintained.
14. Railroad companies, and state and county
15. governments should coordinate efforts to ensure that
16. crossings on state and county roads have flashing lights
17. and/or cross arms when feasible.
18. Railroad companies and state and county
19. governments should coordinate efforts to make railroad
20. crossings more passable by long equipment, machinery,
21. and trucks to prevent high-centering on the tracks.
22. Railroads or owners of abandoned rail rights-of-way
23. should be required to provide landowners access to their
24. property without charge.

Recreational Vehicles 160

1. Farmers and ranchers should be allowed to legally
2. operate an all-terrain vehicle (ATV) on a public road
3. when the ATV has proper lighting, a pop-it flag or similar
4. device and is being used in conjunction with agricultural
5. work.

Truck Transportation 161

1. We support the following steps to make our
2. transportation system usable and efficient:
3. 1. Reasonable farm truck driver qualification
4. regulations should be adopted.
5. 2. Legislation should be enacted allowing raw
6. agricultural commodities to move without permits with
7. a 10% variance over gross weight, without axle weight
8. limitations, on trucks licensed within Texas from the
9. place of harvest to the first point of processing.

10. 3. Semi-truck licensing should be provided at one-
11. half price for farm use and registration should be allowed
12. for seasonal use.

13. 4. The state should grant permits and licenses to
14. custom harvesters to transport agricultural machinery
15. at reduced cost.

16. 5. Farm trailers not exceeding 12,000 pounds gross
17. weight should be permitted to operate without a license.

18. 6. Rollbars and safety belts on farm tractors should
19. not be required.

20. 7. We favor increasing weight limits for trucks
21. hauling ag and forestry products including individual
22. axle weight limitations to compensate for the increased
23. cost of transportation. Only state and federal DOT
24. officers should enforce trucking weight laws. Road and
25. bridge damage, caused by normal road use, should not
26. be assessed to legally loaded trucks.

27. 8. We support the continuation of 2060 permits for
28. trucks.

29. 9. We support legislation allowing farm equipment,
30. trailers or trucks, and hay bales that are within Texas
31. Department of Transportation width and weight
32. requirements to be moved without a permit within a
33. 100-mile radius during daylight hours. This exemption
34. should include implement dealers or their agents only
35. when equipment is being moved to or from a farm.

36. 10. We recommend the exemption of safety bumpers
37. on module trucks, grain trucks and all agricultural
38. vehicles.

39. 11. A system which allows agricultural products to
40. be transported via interstate access roads from field to
41. processing point by the most direct route without
42. violating state and farm-to-market highway laws.

43. Farm truck operators should be exempt from non-
44. critical DOT regulations including log-keeping. We urge
45. the State to keep the counties informed of all state
46. licensing and weight regulations.

47. We recommend that trucks hauling ag products be
48. allowed to continue to travel weight-restricted roadways
49. and bridges in the event that alternative routes are not
50. available. We recommend that all bridges and roads be
51. upgraded to handle 80,000 pound loads.

52. We recommend the mileage limits be eliminated on
53. farm trucks.

54. We support continuing to allow semi-trucks to haul
55. farm tag trailers with the farm trailer gross weight
56. allowance of 34,000 pounds. We suggest that
57. commercial drivers licenses not be required and state
58. and federal regulations be relaxed in order that farmers
59. be allowed to transport farm fuel trailers and other
60. placardable materials on public roads in a safe, practical
61. and affordable manner.

62. We oppose any governmental activities, not
63. specifically initiated by the Legislature, restricting
64. commercial vehicle access to agricultural products.
65. Allowable gross vehicle weights should be the same for
66. county roads as for state and federal highways.

67. We support the strict enforcement of a uniform
68. system of trucking regulations and policies between
69. Texas, Mexico and Canada to expedite the movement of
70. commerce.

71. Farm equipment required to be registered for highway
72. use should have the option to be registered for seasonal
73. use.

74. We support legislation raising the weight limits for
75. agricultural trucks during a hurricane watch or warning.

76. We support regulations and legislation allowing over-
77. width and over-height trucks to operate on toll roads
78. under the same regulations as interstate highways.

Water Transportation 162

1. We oppose the disposal of dredging materials from
2. public waterways on Class I, II and III lands without
3. proper compensation. The state of Texas should
4. encourage improvements to its ports including, but not
5. limited to, deepening and/or widening projects of ship
6. channels in order to make Texas agricultural exports
7. more competitive.

GOVERNMENT

State Constitution 163

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

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

12. We strongly oppose initiative and referendum.

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

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

20. We oppose term limits; however, if term limitations
21. are passed, there should be no restriction against running
22. for the same office after sitting out one term.

23. The Office of Governor should encompass a four-year
24. term. The Governors authority should include the
25. following:
26. 1. Item by item veto power over the budget.
27. 2. Appointive power of agency heads and board
28. members with advice and consent of the Senate.
29. There should be no deficit spending in state
30. government.
31. The Texas Constitution shall be amended to define
32. marriage as: the union between one man and one woman
33. as husband and wife. The word spouse refers only to a
34. person of the opposite sex who is a husband or a wife.
35. Civil unions and domestic partnerships or any other
36. substitute for marriage shall not be recognized as legal
37. in Texas.

Texas Legislature

164

1. We support adoption by the Texas Legislature of a
2. reapportionment plan which will ensure the maximum
3. representation of rural Texas.
4. The present requirement of biennial sessions of the
5. Texas Legislature should be continued, with these
6. sessions limited to 140 days. The Governors power to
7. call special sessions should be retained but not expanded
8. beyond its present limits.
9. New state laws or proposed amendments should refer
10. to a single subject, and legislators should practice
11. restraints in introducing new laws. The Texas House
12. and Senate should continue to prohibit the attachment
13. of a rider or an amendment to proposed legislation when
14. the rider or amendment is not germane to the subject of
15. the proposed bill. A thorough study must be made to
16. confirm there is a problem or a danger to the
17. environment before an environmental bill passes the
18. state legislature.
19. We urge the Texas Legislature to record each and
20. every vote taken during the session so that every vote
21. cast will be a matter of public record. We recommend
22. enforcement of rules requiring legislators to be present
23. when bills are voted upon, except in case of emergency.
24. We recommend that a state legislator who is also an
25. attorney not be granted a trial continuation on any case
26. in which he or she represents a client, solely on the basis
27. of his or her being a member of the Texas Legislature,
28. unless the legislature is in session.
29. We support legislation that requires legislators'
30. health insurance, retirement benefits, tax breaks or pay
31. increases be voted on by the people.
32. We support the law prohibiting former legislators
33. and former staff members from accepting employment
34. with businesses seeking state contracts for a period of
35. two years after they leave government service.
36. All special interest legislation should be opposed

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

41. We favor legislation designating English as the
42. official language of Texas.

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

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

47. We support death certificates being public record.

48. Funding for the operation of agencies and the
49. programs administered by these agencies should be by
50. appropriations from the Texas Legislature to ensure
51. strict legislative oversight. Any fee-based revenue
52. enhancing measures granted to an agency or department
53. by the Legislature must have the same legislative
54. oversight as that of appropriated funds. User fees should
55. remain with the collecting agency and not go into the
56. general fund. We urge the Texas Legislature to not assess
57. any more fees on agriculture products other than fees
58. for commodity referendums passed by agriculture
59. producers.

60. We oppose any excessive fees for State licensing of
61. small businesses.

62. We oppose legislation of unfunded mandates for local
63. government.

64. We support a law where consumers must give written
65. permission for their information to be sold.

66. We support legislation that would withhold all state
67. funds from any local governmental entity which is serving
68. as a "sanctuary" for undocumented persons.

69. We oppose illegal aliens qualifying for tuition
70. discounts.

71. We oppose the rampant escalation of the cost of
72. tuition and fees at state supported colleges and
73. universities.

74. We urge the Texas Legislature to keep the original
75. names of the universities in the Texas State University
76. system.

Executive Department

165

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

3. Farmers and ranchers should be adequately
4. represented on all state boards or commissions which
5. relate to agriculture. Regulations or orders adopted by
6. such boards or commissions must be both practical and
7. workable. The Governor's office should appoint and
8. maintain an entity, composed of agricultural producers,
9. to coordinate activities among all state agencies involved
10. in agriculture within the State of Texas to prevent

11. duplicating and overlapping of services. We support
12. policy requiring governmental agencies and public
13. institutions, including public schools and state prisons,
14. to purchase Texas agricultural products whenever
15. possible.

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

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

36. Parties who have been injured by administrative
37. directives or regulatory decisions of governmental
38. agencies should have the right to an appeal and a trial
39. by jury, and legislation should be enacted to that end.
40. We support legislation stating that anyone who wishes
41. to sue a public entity must bear his own legal expense.

42. The State of Texas should have incentives to retain
43. competent attorneys and a statute prohibiting former
44. employees of the Attorney Generals office from working
45. on cases they worked on as employees of the Attorney
46. General.

Judiciary

166

1. The present judicial system should be retained and
2. judges of the Supreme Court, courts of civil and criminal
3. appeals, and district and county courts should be elected.
4. County and municipal judges and justices of the peace
5. should be elected by the people, but need not meet the
6. qualifications of an attorney. All fees received by
7. municipal judges and justices of the peace should be
8. turned over to the county or state for revenue rather
9. than being retained for personal income.

10. We favor requiring judges to limit themselves to
11. strictly interpreting laws.

12. The plaintiff should be required to pay legal fees for
13. the defendant when the court finds in favor of the
14. defendant in civil cases. In the case of frivolous civil
15. lawsuit, the plaintiff(s) and his lawyer(s) should be

16. required to pay all legal fees and court costs for the
17. defendant(s) when the court finds in favor of the
18. defendant(s). We favor disbaring lawyers who
19. continually bring frivolous lawsuits. We support the
20. legislature's definition and prohibition of frivolous
21. lawsuits.

Counties

167

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

7. We are opposed to any requirements for building
8. permits for any type of building or other construction of
9. improvements on farms and ranches in pursuit of
10. commercial agriculture in rural areas. We will support
11. legislation to give counties ordinance-making powers
12. over rural subdivisions whether or not they are sold by
13. plats or metes and bounds. The counties should have
14. the power through their commissioner's courts to require
15. developers and/or sub-dividers to provide proper
16. drainage, roads, water service, and provision for sewer
17. service.

18. We support legislation which would give the county
19. commissioners court ordinance-making authority to
20. control the sale and use of fireworks within rural areas
21. of the county.

22. We support a temporary process for counties to take
23. possession of roads the county has maintained since
24. before 1971. The process will expire two years after the
25. date the legislation becomes law. The process should
26. include proper notice to landowners, and the opportunity
27. to protest the county taking possession of the road.

28. We oppose sending funds that remain in a county's
29. mandated indigent health care account to the state at
30. the end of the year.

31. We oppose enactment of a countywide leash law, which
32. would require all dogs to be penned or tethered.

33. We support notifying adjacent landowners of any new
34. development plat approved by County Commissioners
35. Court.

Cities

168

1. We support legislation to repeal the law which gives
2. cities the right of extraterritorial jurisdiction. We
3. support legislation to provide that no unincorporated
4. area may be annexed unless the annexation is approved
5. by a two-thirds majority vote of electors in the area to
6. be annexed. Agricultural land that is annexed into the
7. city limits should be exempt from city code requirements
8. such as electrical standards for farm buildings and

9. permits or fees to burn brush. City standards should
10. not apply to farm and ranch activities and structures.
11. Cities must provide all normal city services to
12. annexed areas within two years of annexation, or de-
13. annex all of the area for which cities are unable to
14. provide normal services. We favor legislation restricting
15. cities from collecting city property taxes on the extension
16. of municipal boundaries until such time as full city
17. services are provided to the affected annexed areas. In
18. areas de-annexed because of city failure to provide
19. normal services, all taxes or other revenue collected from
20. the people must be returned to them. No further effort
21. may be made to again annex such areas for a period of
22. not less than four years from the date of de-annexation.
23. We oppose limited-purpose annexation. All land that
24. has been annexed under limited-purpose annexation
25. should be de-annexed. Cities should be prohibited from
26. annexing agricultural land not adjacent to developed
27. land within the city limits.
28. If cities own properties outside of their jurisdiction,
29. they should pay normal taxes.
30. No municipality should annex or extend their
31. extraterritorial jurisdiction onto agricultural land
32. without the written consent of the landowner.

Elections and Voting

169

1. We believe campaign reform can best be achieved by
2. strict enforcement of the current campaign laws, and
3. we oppose any change that will restrict or curtail the
4. right of an individual citizen or any group of citizens to
5. express themselves as guaranteed by the First
6. Amendment to the U.S. Constitution. We recommend
7. establishing a cap on funds expended toward election
8. to a political office, including “payment in kind”
9. contributions.
10. To preserve the electoral process, each voter should
11. be required to be able to read and write, understand the
12. English language, and furnish proof of U.S. citizenship,
13. photo I.D., and should be present during the actual
14. registration process, with exceptions permitting spouses
15. to register for each other and a provision exempting
16. members of the Armed Forces from this requirement.
17. College or university students should be required to
18. establish their voting residence and register to vote in
19. the same manner as all other citizens. Furthermore, in
20. community, state, or national elections, students who
21. receive part or all of their financial support from their
22. parents should be permitted to vote only in the voting
23. district of their parents.
24. We recommend that changes be made in the regular
25. absentee and absentee mail-in ballot and voting
26. procedure to eliminate fraud and excess cost. We favor
27. county clerks notifying the voter registration clerks in

28. their county of information received from death
29. certificates.

30. The county and/or state should bear the cost of all
31. primary elections, and candidates should be required
32. to pay a nominal filing fee. The first primary election in
33. an election year should be held in July, with the second
34. scheduled for August, at least 30 days later, with the
35. filing date deadline the first Monday in April. We
36. support the repeal of Section 162.015 of the Texas
37. Election Code that makes a person who voted in a
38. primary election ineligible for nomination by another
39. political party other than the party holding the primary
40. in which the person voted.

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

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

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

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

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

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

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

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

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

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

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

17. We recommend that any person who is delinquent in
18. payment of local property taxes be barred from holding
19. any public office.

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

24. Persons holding public elective office should resign
25. when they seek any other elective office.

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

33. Elected and appointed officials of state government
34. should be audited periodically. The Attorney General
35. should audit expense accounts on all state officials, and
36. charge back all expenses to individuals that are not on
37. official business. We recommend that elected officials
38. not spend tax dollars for promotion for a proposed
39. resolution or amendment.

40. Any elected or appointed government official who is
41. an attorney, who receives funds from a state agency or
42. subdivision of the state, should not be able to act as
43. plaintiffs attorney in any case where the defendant is a
44. state agency or subdivision of the state.

45. State Legislators should not be allowed to raise their
46. pay, benefits, or pension unless legislation is introduced
47. and passed in an independent bill that exclusively
48. addresses this issue.

49. We support a selection process for the Texas
50. Transportation Commission that will ensure their
51. accountability.

1. Legislators should be required to submit estimated
2. cost and source of revenue of any bill they introduce.
3. Any additional requests for appropriations should, if at
4. all possible, be accompanied by a suggested source of
5. revenue. The concept of “revenue sharing” should not be
6. implemented. No increases in budget should be
7. authorized by the Legislature unless rules and
8. regulations found in the Texas Constitution are complied
9. with by the Legislative Budget Board.
10. When programs or regulations are mandated by the
11. Texas Legislature, by a state agency or by executive
12. order, full funding should be provided by the state and
13. not local entities.
14. State agencies should be encouraged not to spend
15. their allotted money at the end of the year to avoid
16. funding year cuts. State agencies should be commended
17. for not spending their entire budget.
18. To restrict state indebtedness, we recommend
19. legislation limiting issuance of bonds to fund state
20. expenditures.
21. Money spent on advertising the lottery should be
22. reduced to the amount needed for the point of sale
23. material and the drawings.
24. We propose that local construction projects funded
25. by taxpayer money be contracted to U.S. owned
26. companies.
27. We oppose automatic pay raises for state employees.
28. All state employees should be required by law to pay
29. their share of social security tax.
30. We recommend implementation of the following goals,
31. intended to reduce and control welfare spending within
32. the State of Texas:
33. 1. Stopping the upward trend of state expenditures
34. for welfare.
35. 2. Prohibiting the use of state funds for soliciting
36. welfare recipients.
37. 3. Establishing a local citizens committee appointed
38. by commissioner’s court to determine eligibility and/or
39. need of welfare applicants.
40. 4. Charging all welfare costs to the Department of
41. Health and Human Services.
42. 5. Requiring all able-bodied recipients of welfare
43. assistance to work for local government units (city, county
44. and state) to the extent that their labor valued at
45. minimum prevailing wages for the local area earns the
46. value of the products or payments received.
47. 6. Requiring county clerks to keep a record of the
48. names of those recommending individuals for welfare
49. assistance.
50. 7. Maintaining the names of all those receiving public
51. welfare in the county clerks office as a matter of public

52. record.
53. 8. Prohibiting public welfare assistance, health care,
54. and free schooling to illegal residents.
55. 9. Providing public welfare to dependent children only
56. in ways which will discourage illegitimacy.
57. 10. Making persons ineligible for unemployment
58. compensation from any state if jobs are available at
59. the person's point of residence.
60. 11. Preventing recipients of old age assistance
61. payments from having their benefits reduced because
62. of their earnings from other sources.
63. 12. Requiring unemployment checks to be picked up
64. and signed for by recipient at the office nearest his legal
65. address, with no out of state mailings.
66. 13. Maintaining the level of assistance to the elderly,
67. the blind and the disabled.
68. 14. Prohibiting the use of tax monies for abortions.
69. 15. Prohibiting incentives for irresponsible family
70. planning. Requiring the father of a child born out of
71. wedlock to be identified for the purpose of financial
72. support of the child.
73. 16. Cutting off welfare and food stamps to families
74. with elementary school age children if the children do
75. not meet minimum state law attendance standards.

Banking and Credit 172

1. We oppose any legislation that would encourage
2. elimination of locally owned and controlled banking
3. institutions.
4. The State of Texas should adopt a resolution
5. requesting Congress to repeal the Federal Reserve Act
6. of 1913. This Act is a direct violation of Article 1, Section
7. 8, Paragraph 5, of the Constitution of the United States
8. which says "Congress shall have power to coin money
9. and regulate the value thereof."
10. We oppose any legislation that would allow any
11. banking institution to require the borrower to purchase
12. insurance from that institution or any other specified
13. agency or individual.
14. We are opposed to any further regulation of the credit
15. union banking industry.
16. Banks should be prohibited from requesting joint
17. payee checks to establish a line of credit when actual
18. borrowing will begin at a later date.
19. We oppose the laws that allow banks to legally claim
20. property that belongs to third parties while in the process
21. of foreclosing on their customers.
22. We support legislation to reform the bankruptcy laws.
23. We recommend laws that will prohibit bankruptcy
24. judges from using escrow accounts held for royalty owners
25. by banks for payment of any debts owed by the company.
26. The original owner of any commodity, natural or mineral
27. resource should have first priority for payment in

28. bankruptcy settlements or in other litigation.
29. We favor protection for all homesteads. This
30. protection should include prohibitions on cross-
31. collateralization of homestead property and
32. nonconsensual liens on homestead property. We oppose
33. any change in the homestead protections provided in
34. the state Constitution. We oppose any change in the
35. original Home Equity Lending provisions that would
36. weaken the protections and safeguards in the law
37. adopted by the state. Any change in the Homestead
38. Law should be approved by the voters of the state.
39. We propose legislation that would allow continuation
40. of agricultural valuation on land, part of which is used
41. as collateral to refinance a home by FNMA or FHA.
42. We recommend that the licensing and bonding
43. regulations be strengthened to protect farmers and
44. ranchers using accepted business practices in the sale
45. of agricultural products or in storage of such products in
46. private or public storage facilities.
47. Agricultural lien searches should be conducted at
48. the County Clerk s office instead of the Secretary of
49. States Uniform Commercial Code Division. We support
50. the current method of pre-notification of a farm lien or
51. mortgage on sellers products and oppose attempts to
52. change the current procedure. We urge legislation that
53. will require lenders to file a lien release with the
54. Secretary of State within 30 days. The UCC filing fee
55. should be paid by lending institutions and not by the
56. borrower.
57. We favor making the Young Farmer Loan Guarantee
58. Program available to young producers for the benefit of
59. Texas agriculture. We support legislative revisions to
60. broaden the program’s usefulness. We oppose funds
61. being diverted to other areas or programs.
62. The drafting of rules and regulations implementing
63. the Farm and Ranch Finance Program should contain
64. safeguards to ensure that only bona fide farmers and
65. ranchers be eligible to participate.
66. We favor an aggressive program for the collection of
67. student loans financed by the issuance of state bonds.
68. We oppose colleges and universities from providing
69. students names and addresses for credit card
70. solicitations.

Disaster Assistance Programs 173

1. We support legislation to reimburse agricultural
2. producers for loss of agricultural inputs caused by
3. natural disasters.

EDUCATION

Administration

174

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 through
8. 16 years of age. We support a system which permits
9. parents and students to determine if the student will
10. enter a career and technical education program or take
11. college readiness courses with reasonable options to
12. prepare for both contingencies, or to switch options when
13. necessary.
14. We are opposed to the move toward doing away with
15. the designation of the sexes in our schools, and the
16. differences should be respected.
17. We recommend that any student participating in a
18. riot or subversive action shall lose his right to any
19. government loan or grant-in-aid for the purpose of
20. education. Administrators should be required to report
21. any criminal activity by a student or employee to the
22. proper authorities in order to protect the student body
23. from such criminal acts. Schools and their
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 or
28. their representative groups to visit and monitor school
29. classes at any time without prior notice of such visit
30. after going through proper school administrative
31. channels. School administrations should actively
32. involve more parents in all aspects of the educational
33. system. This will open lines of communication between
34. the administration and parents, and result in better
35. education for the students.
36. We oppose legislation that gives any public school
37. employee the right to help obtain an abortion for a minor
38. child.
39. We recommend adoption of legislation which would
40. uphold the rights of parents to send their children to the
41. school of their choice, and which would maintain the
42. present status of private and parochial schools free from
43. control by state government. We support local control of
44. the Independent School District system in Texas
45. We support giving local school boards the authority
46. to develop curriculum that teaches vocational and
47. technical skills instead of current required basics to
48. students who are not college bound
49. We support efficient use of staff resources to promote
50. maximum utilization of property taxes.

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

54. Texas should opt out of the “No Child Left Behind”
55. Act of 2001.

56. All high schools in the state of Texas should be
57. equipped with a defibrillator to be available at all times
58. for use by trained personnel.

59. Rural multi-county school districts should be exempt
60. from election laws that prevent them from holding yearly
61. elections at one location within their district.

Finance

175

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

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

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

18. The State of Texas should not appropriate local
19. school districts monies from local districts tax base to
20. 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 districts
23. set their tax rate as high as the highest rate of a giving
24. district. Redistribution of school taxes should take into
25. account the percentage of taxes collected. Taxes from
26. districts with high percentage collection rate should not
27. be redistributed to districts with a lower percentage
28. collection rate. If an ad valorem tax system is used to
29. fund local school districts, we support the \$1.00 per
30. \$100 cap on the tax rate for maintenance and operation
31. of schools.

32. We support the permanent school fund being utilized
33. only for the original purpose of funding public schools.

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

37. We support an alternative source of revenue to fund
38. public school operations that would be more equitable
39. and spread the tax load across the entire population
40. rather than on property owners alone. We support

41. agricultural use valuation and sales tax exemptions for
42. all agricultural inputs and services, including feed, seed,
43. fertilizer and farm machinery.
44. We oppose the consolidation of any public school
45. district in this state with one or more other school
46. districts unless approved by a majority vote in each
47. district. We oppose the decrease of funds to small school
48. districts in order to force them to consolidate with larger
49. districts. We support the right of local citizens, by
50. petition, to secure an annual external audit of a state
51. funded school district.

Program

176

1. We pledge continued efforts to strengthen public and
2. private schools to improve educational opportunities
3. for all students. We support the best possible balance
4. of efficiency and economy in our school systems with
5. primary control in the hands of local school districts.
6. We support primary emphasis should be on teaching
7. academic skills and knowledge in the core subjects of
8. math, science, social studies, and language arts.
9. Required curriculum should include American history
10. and geography, the U.S. Constitution, Texas
11. Constitution, Bill of Rights, and economics, emphasizing
12. the free enterprise system. We support a minimum
13. requirement of 30 minutes of physical education for all
14. students, grades K-6th, to develop a stronger mind and
15. body. We support a no-pass, no-play policy. We support
16. the passing of competency tests for all high school seniors
17. as a requirement for graduation. We support local control
18. of student participation in non-school activities.
19. Strict discipline should be enforced and strong moral
20. and spiritual values should be stressed in every subject
21. and activity. In order to achieve this goal, our teachers
22. must have the authority to control their students and
23. be paid a fair salary. Teachers should be allowed to
24. paddle disruptive students before an adult witness.
25. Local school boards should retain authority in
26. determining curriculum, textbook selection, financing,
27. discipline, dress code and other matters which can be
28. dealt with most effectively at the local level. We support
29. the regular recitation in public schools of the "Pledge of
30. Allegiance" to the U.S. flag using the English language.
31. We oppose the teaching of homosexuality as an
32. alternative lifestyle, the legalization of same sex
33. marriages, homosexual adoption or child custodial rights
34. and special entitlements or privileges based on sexual
35. preference.
36. Rather than promoting safe sex in our schools, AIDS
37. education should emphasize the teaching of morality
38. and sexual restraint as the best safeguard against the
39. deadly disease AIDS. We support and encourage the
40. enforcement of Texas laws prohibiting sodomy. We

41. support legislation that prevents another committee
42. being formed such as the Adolescent Pregnancy and
43. Parenting Advisory Council (APPAC).

44. We recommend implementing anti-drug education
45. throughout the educational process in public and private
46. schools, beginning at the kindergarten level.

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

49. We favor voluntary student transfer from one school
50. district to another. We oppose compulsory bilingual
51. education. We are opposed to teaching ethnic grammar
52. and speech in our public school system.

53. All pre-school child development programs shall be
54. controlled by the private sector, at the local level, giving
55. parents freedom of choice over the physical and
56. philosophical environment of their children. Such
57. government mandated programs are expensive to
58. taxpayers, destructive of individual rights and local
59. control, and add little or nothing to excellence in public
60. school education.

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

64. We recommend that the Bible and God be put back
65. in our schools as the rightful heritage of children a nation
66. under God. We support the right of students to mention
67. God in school, give thanks to Him, tell of His influence
68. upon their life and to assemble on school grounds to
69. pray or read the Bible as long as it doesn't interfere with
70. scheduled classes.

71. We support a moment of silence or individual prayer
72. be allowed for all students.

73. We are opposed to any psychological tests and/or
74. questionnaires as approved by the Texas Education
75. Agency, which pry into private and personal family lives
76. under the guise of "progressive education." We will
77. support legislation prohibiting this program.

78. We encourage all public schools to stress the
79. importance of American agriculture since it is vital to a
80. sound economy, national security and food safety. We
81. support teaching of the proper care and handling of
82. animals in our public schools.

83. We recommend that the Texas Education Agency
84. support career and technology classes designed to
85. prepare students for employment.

86. We support expansion and modifications to career
87. and technical education campuses in the State of Texas.
88. We support state and national funding assistance for
89. these programs to include adult learners and free tuition
90. for high school age students who are legal citizens of the
91. United States and permanent residents of Texas.

92. We recommend that the Texas Education Agency

93. support career and technical education courses which
94. teach personal, employable, and workforce readiness
95. skills to all students to prepare them for college,
96. technical school, or the workforce after high school
97. graduation.
98. We recommend that the State Board of Education
99. and the Texas Education Agency develop and support
100. career and technical education curriculum that will count
101. for a math and/or science on a student's career plan of
102. study for graduation with the implementation of the
103. 4x4.
104. We commend and endorse public school teachers and
105. officials in the use of prayer in the school room and in
106. public functions where they are in charge.
107. We recommend that local school boards and
108. administrators recognize and oppose the use of tax
109. dollars for the teaching of humanism, an atheistic
110. ideology, including that which comes into the classroom
111. through the use of values clarification and grouping.
112. Non-English speaking children educated with
113. taxpayer money should be placed in the classroom
114. according to academic ability without jeopardizing the
115. quality of education of English speaking students.
116. We support state-funded scholarships being based
117. on individual merit and need.
118. The Texas TAKS testing system should not be the
119. only criteria for promoting students to the next grade
120. and/or graduation. Student's grades, classroom
121. performance, teacher evaluations and other criterion
122. should also be considered.
123. The Texas School system should reintroduce
124. penmanship and mental mathematical computation
125. in the beginning grades of public schools.
126. We support a uniform start and end date for schools
127. so students can participate in college level courses.

Teachers

177

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 support
8. the American way of life and the United States
9. Constitution.
10. We support the concept of home schooling and the
11. right of parents or legal guardians to school their
12. children at home with a structured curriculum and
13. appropriate testing to determine progress.
14. We support reduction of paperwork required of
15. teachers.
16. We support probationary contracts for public school

17. teachers, administration and coaches.
18. We support alternative certification programs for
19. teachers.
20. We support state funded drug testing of all
21. employees of tax-supported institutions and the test
22. results 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 group.
27. We support the standard that instructors at state-
28. supported educational institutions understand and
29. fluently speak the English language.

Textbooks **178**

1. We support continuation of the State Textbook
2. Advisory Committee.
3. We recommend that the Texas Farm Bureau continue
4. textbook studies in order that proper protests can be
5. made to those texts which contain content foreign to
6. Farm Bureau philosophy and this information be
7. supplied to county Farm Bureau offices. The State Board
8. of Education should have the authority to regulate the
9. content of textbooks to assure they are factual and based
10. on current scientific information.
11. We oppose any textbook that promotes the principles
12. of a one-world government, teaches that national
13. sovereignty is no longer important, the Bill of Rights is
14. outdated, and that all nations should be equal in the
15. new global community.
16. We support textbooks that teach basic moral values
17. upon which our country was founded. We recommend
18. that American history textbooks include accounts of our
19. forefather's strong belief in God and how it influenced
20. their ability to govern and form a nation.
21. We support accurate, unbiased, scientifically-based
22. textbooks and auxiliary materials. Information,
23. including environmental issues and animal care, should
24. be presented in a balanced, objective, unbiased manner.
25. Unproven theories should be designated as such. No
26. tax money should be used to institute or promote
27. programs that distort the facts about agriculture and
28. its good stewardship of the natural resources of this
29. state. We urge the State Board of Education and all
30. local school boards to reject any such material.

QUALITY OF LIFE

Health **179**

1. We support legislation designed to accomplish the
2. following:
 3. 1. Requiring each prescription label on prescribed

4. medicines to show the generic and trade name.

5. 2. Requiring all companies writing hospitalization
6. insurance policies to guarantee renewal except for
7. nonpayment of premium or perpetration of fraud by the
8. insured.

9. 3. Authorizing additional facilities for training
10. physicians and surgeons.

11. 4. Continuing study of malpractice insurance for the
12. medical professions.

13. 5. We support legislation requiring blood tests for
14. people getting married.

15. 6. All employees who work in a nursing care facility
16. shall be randomly tested for both drugs and alcohol.

17. 7. We recommend that all nursing care facilities be
18. inspected by certified inspectors.

19. We oppose a national health care plan.

20. Nursing home and assisted living rates should be
21. uniform and not based on an individual's financial
22. statement.

23. The Texas Medical Board should maintain a list of
24. sanctioned physicians which can be made available upon
25. request.

26. We recommend that health care provided under the
27. indigent health care program be for bona fide United
28. States citizens only.

29. We recommend that the policy of "No Smoking" in
30. designated areas be enforced.

31. We support legislation that gives a fetus the right to
32. life and protects the fetus in all cases except in case of
33. rape, incest, or to save the life of the mother.

34. The Peer Review Organization (PRO) of the Texas
35. Medical Foundation should be accountable to the Texas
36. Medical Board so that a doctor who is sanctioned would
37. have the right to appeal to the Texas Medical Board.

38. We favor payments to rural hospitals by Medicare
39. equal to payments at large hospitals for the same type
40. hospitalizations.

41. We encourage our state legislators to modify rules
42. and regulations that discriminate against rural medical
43. care. Emphasis should be on availability of quality
44. medical care in remote areas.

45. Any patient who has tested positive for the HIV/
46. AIDS virus, or has reason to believe that he or she may
47. have been exposed to the virus, should be required by
48. law to reveal this fact to health care workers prior to the
49. beginning of treatment. Health care workers who test
50. positive for the HIV/AIDS virus should be required, by
51. law, to reveal this fact to their patients. A person guilty
52. of rape should be required by law to take an AIDS test
53. and have the victim advised of the results.

54. We recommend that doctors, hospitals, and other
55. medical facilities send their bills for services rendered
56. and other charges to patients within 30 days.

57. We oppose legislation to legalize physician-assisted
58. suicide for anyone. We support the right of an individual
59. to refuse the use of life support machines.
60. We support the Organ Donor Program.

Rural Living

180

1. We support the new state agency, The Office of Rural
2. Community Affairs, in its effort to coordinate, focus and
3. enhance the economy and life of rural Texas.
4. We support a well organized and practical rural civil
5. defense program.
6. We oppose telemarketing.
7. We oppose obscenity and pornography wherever and
8. in whatever form it may appear.
9. We support safety requirements for carnival and
10. amusement park rides. We support proper licensing
11. and insuring of persons furnishing carnival rides to
12. ensure the safety and protection of those using their
13. services.
14. We encourage all public outlets of gasoline to furnish
15. restroom facilities and to supply air and water for their
16. customers.
17. We support legislation that would prohibit the
18. enforcement of flood-related building codes in non-flood
19. plain areas.
20. Monies collected for the purpose of funding 9-1-1
21. emergency programs in rural areas should immediately
22. be used for their originally intended purpose.
23. We support legislation that would make it unlawful
24. for any firm or organization to release names, addresses
25. or Social Security numbers of its members or subscribers
26. without that persons permission. We support legislation
27. which will preserve and restore the privacy rights of
28. individuals. The Department of Agriculture and other
29. state agencies should not release names of persons who
30. are registered in their systems under the open records
31. law.
32. We support volunteer fire departments in their efforts
33. to maintain their volunteer status.
34. We oppose local or state governments imposing a tax
35. or fee on the electronic transmission of information, i.e.,
36. e-mail or telephone.
37. We recommend that the Texas Farm Bureau support
38. the Texas Department of Agriculture Texas Family Land
39. Heritage Program. (This award is to honor Texas
40. families who have owned and worked the same land for
41. 100 years or more.)
42. We support increasing access to high speed internet
43. connections in rural areas through any source, including
44. wireless, by using a combination of tax incentives,
45. grants, and/or regulations to providers of the service.
46. We encourage local competition for retail access to
47. telecommunication services.

LAW ENFORCEMENT

General Law Enforcement 181

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 Criminal
5. Procedure tends to overprotect the offender and hinder
6. law enforcement. A new code should therefore be
7. adopted which will strengthen law enforcement rather
8. than weaken it.
9. We support establishing additional courts to expedite
10. trials. We oppose the use of cameras in a courtroom
11. during court proceedings.
12. We recommend common sense in proportioning the
13. rights of criminals, defendants and the general public.
14. 1. We support doing away with the defense of so-
15. called "diminished capacity" resulting from intoxication
16. or drug abuse;
17. 2. We oppose defendants being allowed to use
18. "temporary insanity" as a plea in cases where serious
19. crimes are committed;
20. The term "Terroristic Threat" should be redefined in
21. the criminal code to be more closely identified with
22. terrorists' attacks on our nation.
23. State and local laws should be fairly and equally
24. enforced without regard to race, sex, or age.
25. We support enforcement of the flag code.
26. Any search warrant regarding humane treatment of
27. animals must be issued by the local magistrate of the
28. district where the farm or kennel is located.

Prison System 182

1. Recent trends in criminal law have been toward
2. increased leniency for the criminal and less protection
3. for law abiding citizens. This trend must be reversed in
4. 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 of
9. 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 Texas
14. Department of Criminal Justice consider instituting
15. the shift system rotating between work, sleep and
16. relaxation, as our military personnel have done for years
17. in confined conditions. Control of the state prison system
18. should be by proper state authorities rather than by

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

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

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

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

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

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

49. 3. Current jail standards should be lowered.

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

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

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

Punishment

183

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

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

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

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

12. We support legislation establishing a mandatory fine

13. and full restitution for property damaged by individuals
14. found guilty of trespassing and/or vandalism.

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

18. We support legislation that holds authorities or
19. agencies responsible for collecting and paying full
20. damage restitution to private property owners when
21. damage to private property is a direct result of pursuing
22. criminals onto private property. We favor financial
23. restitution to victims by criminals. Anyone convicted of
24. a felony should automatically be liable for damages to
25. the injured party.

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

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

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

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

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

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

64. We oppose the rules that protect "right to privacy"

65. for convicted felons.
66. We support stiffer penalties for persons charged with
67. theft of anhydrous ammonia for the purpose of
68. manufacturing methamphetamines.

Drugs and Alcohol

184

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. The
4. problem is a serious one in all levels of our schools and
5. is a major threat to health and a stimulus to crime. The
6. State of Texas should actively search for credible drug
7. abuse programs and see that they are presented to
8. school age children, and the programs and material made
9. available to community leaders. Vigorous effort must
10. be expended to educate youth and parents in the hazards
11. of drug abuse and gang activities.
12. We support an all-out effort by county and city police
13. departments and school administrators to strictly
14. enforce laws pertaining to the use, sale, and possession
15. of illegal drugs.
16. We support stringent penalties for individuals
17. convicted of drug crimes, including crimes committed to
18. obtain ingredients for manufacturing controlled
19. substances.
20. We recommend consistent enforcement of the new
21. law concerning stiffer and more productive penalties for
22. drunken drivers, drug violators, and habitual offenders.
23. Marijuana should not be legalized. We favor
24. continued use of appropriate defoliant to control illegal
25. growing of marijuana.
26. We support capital punishment for convicted drug
27. kingpins. Any person or persons convicted of selling and/
28. or distributing a controlled substance should receive a
29. mandatory jail sentence. We recommend that drug
30. dealers reimburse the state for the cost of their arrest
31. and conviction before their parole is completed. We
32. recommend that purchase money used in the purchase
33. of illegal drugs be returned to the undercover agency.
34. The return should be made upon final conviction. We
35. favor increased funding for law enforcement agencies in
36. border areas that are the most involved in drug
37. interdiction. We recommend the correction and
38. clarification of both State and Federal drug policy to
39. allow confiscation of land used in illegal drug operations
40. only if the property was purchased with proceeds from
41. illegal drug operations.
42. We support the firing of any state government
43. employee who is proven to be an active drug addict.
44. We support keeping the legal drinking age at 21 years
45. of age. We support the continuation of a ban on open
46. containers of alcoholic beverages in motor vehicles.
47. We support the termination of any state government

48. employee who is found guilty of drug or substance abuse.

Juveniles **185**

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

Motor Vehicles **186**

1. The fines and fees from all traffic citations issued on
2. State or Federal highways should be retained by the
3. municipality collecting the fines and fees. Individual
4. law enforcement agencies should not, however, be funded
5. on the basis of fines assessed.
6. Registration of new vehicles should be for a full 12
7. months from month of purchase. We favor legislation
8. that would not require registration of vehicles on title
9. transfer. Re-registration of vehicles should be allowed
10. at any time without penalty. We favor a common
11. registration date for all vehicles owned by one person if
12. they so request.
13. Emergency lights should be mounted as high as
14. possible on emergency and law enforcement vehicles.
15. We support the use of video cameras in all law
16. enforcement vehicles.
17. We urge that a law be enacted in Texas that prohibits
18. vehicles from being removed from property that has been
19. damaged by that vehicle until the property owner has
20. been notified. In the event of this type of accident, we
21. support legislation requiring a public official stay at
22. the scene until the landowner or his agent arrives to
23. secure the property. A penalty should be assessed
24. against any one wrecker driver, etc. who fails to comply
25. with the law.
26. Formal driver's training should be required for all
27. first time driver license applicants.
28. We support the suspension of driver's license of
29. persons who are convicted of criminal mischief and stiffer
30. penalties for any person driving with either a suspended
31. license or with an expired license. The Texas Department
32. of Public Safety should invoke a processing period in
33. order to verify through the Social Security
34. Administration the validity of social security numbers
35. submitted by new driver's license applicants.
36. All motor vehicles, except vehicles with agricultural

37. seasonal registration, must have current license plates
38. and current liability insurance, including vehicles from
39. other countries or states. If license plate or insurance is
40. expired, the vehicle should be impounded until proper
41. plate and insurance is furnished.
42. We encourage all cities to program traffic lights to
43. keep traffic flowing at a safe speed, while at the same
44. time saving fuel.

Property

187

1. We support strong penalties and fines for theft of
2. agricultural commodities such as timber, livestock, feed,
3. grain, fertilizer, etc. We urge appointment of special
4. Texas Rangers to investigate agricultural thefts.
5. Vandalism of highway signs and mailboxes should
6. be a third degree felony rather than a misdemeanor.
7. Aggravated arson should be classified as a capital crime.
8. We urge stronger state laws to make it easier to
9. convict those who dump domesticated animals or trash
10. on county roads and private property. Current laws and
11. regulations governing the burning of stubble, rangeland,
12. or agricultural refuse should be amended to include an
13. extra penalty for anyone burning this refuse and not
14. maintaining a watch and physical presence at the site
15. to prevent damage to property.
16. We urge law enforcement agencies making
17. unnecessary searches of private residences be
18. accountable and forced to pay for destruction of
19. individuals personal property.
20. We support the right of an individual to protect his
21. livestock, including destroying domestic animals on his
22. property which are attacking or have attacked his
23. livestock.
24. Laws should be enacted to protect victims of theft
25. from being deprived of the use of their property when it
26. is used as evidence in court proceedings. Presentation
27. of evidence could be in the form of photographs, slides,
28. movies, or other suitable means. Receivers such as pawn
29. shops, wrecking yards, etc., which deal in resale of used
30. merchandise should be required to compile and keep
31. adequate identification records on merchandise and
32. persons offering it. This information should be made
33. available to law enforcement officers for investigation,
34. and noncompliance by the merchant should be
35. punishable as a misdemeanor with a fine of \$500.00.
36. We support developing the necessary cooperation
37. between Texas and Mexico law enforcement agencies to
38. facilitate the identification and return of stolen
39. equipment, machinery, livestock, produce and any other
40. personal property. A list of serial numbers of stolen
41. farm equipment should be compiled and circulated to
42. all equipment sales and service centers.
43. We support the implementation and enforcement of

44. a lemon law for new farm equipment.
45. We support legislation prohibiting unsolicited offers
46. to purchase property by letter, with check attached.
47. Property seized by administrative agencies should
48. be returned to owner with legal fees and damages unless
49. a final conviction for the alleged offense is obtained.

Weapons 188

1. We support the right of the individual to keep and
2. bear arms. We support amending the Texas Penal Code,
3. to define “traveling,” to allow law abiding citizens to
4. carry a firearm for defensive purposes while traveling.
5. We support the current “Concealed Handgun Law.” We
6. recommend that the fees be reduced and the renewal
7. process be shortened/streamlined to eliminate
8. redundant information already on file.
9. We support legislation at state and national levels
10. to impose increased penalties for persons convicted of
11. committing crimes with firearms. We oppose the sale
12. of firearms to persons who are mentally incompetent or
13. convicted felons.
14. We support the enactment of legislation that would
15. stipulate that any resident of the State of Texas could
16. use deadly force if they believe their life or another life
17. is in danger.
18. Crimes involving the use of firearms present serious
19. threats to property and human life. We support a
20. mandatory jail sentence of not less than ten years for
21. conviction for armed robbery. If death results, a convicted
22. person should receive a mandatory sentence of death or
23. life without parole.
24. We recommend that theft of firearms be made a
25. felony offense regardless of the value of the stolen
26. firearms.
27. We are opposed to any legislation restricting the
28. purchase, possession or sale of firearms and
29. ammunition by United States citizens. We are opposed
30. to the registration of firearms or the licensing and taxing
31. of the owners.

INSURANCE

Insurance Generally 189

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 mile
7. distance limit should be extended to 10 miles, if feasible.
8. We support the “dry hydrant concept.” State and local

9. governments should support programs to enhance fire suppression based on this concept.
- 10.
11. We recommend that the Texas Department of
12. Insurance require insurance companies to appraise crop
13. loss claims as quickly as possible.
14. A mortgagee or trustee should not be able to exercise
15. an option to use insurance proceeds on a standard fire
16. and extended coverage policy to reduce the indebtedness
17. of the insured's loan if it is economically feasible to
18. rebuild or restore the damaged property, provided the
19. insured's loan payments are current.
20. We support a limitation on liability judgments to
21. the cost of actual damages and a maximum of \$250,000
22. in punitive damages on pain and suffering. Legal fees
23. should be limited to 15 % of the settlement with the
24. attorneys paying a pro-rata share of all court costs.
25. Juries should not be made aware whether or not one
26. has insurance.
27. We support legislation setting limits of liability on
28. volunteer fire departments. These limits will reduce
29. insurance premiums for volunteer fire departments.
30. We support tort reform, including a limitation on
31. attorney fees and a cap on awards. We support
32. legislation requiring the losing party in a civil lawsuit
33. to pay all legal expenses and court costs.
34. We support legislation prohibiting a person convicted
35. 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 to
38. the accident and/or injury that exceeds the negligence of
39. the plaintiff.
40. We support legislation to ensure there will be a viable
41. insurance program available before and after disasters.
42. We encourage legislation to strengthen the Texas
43. Windstorm Insurance Association (TWIA) law to assure
44. future financial solvency.

Auto Insurance

190

1. Drivers under 25 who have satisfactorily completed
2. a driver's education course and have good driving records
3. should not be penalized by higher insurance rates.
4. Uninsured motorists should not be able to collect
5. medical benefits, auto repairs or any other compensation
6. for an accident involving an insured person, regardless
7. of who is at fault. Uninsured motorists should lose all
8. rights to sue another regardless of who is at fault in an
9. auto accident. We support seizure of the auto of an
10. uninsured motorist who is involved in an accident
11. resulting in damages, regardless who is at fault. The
12. third offense shall result in seizures of the auto and
13. revocation of driver's license for 90 days. The auto should
14. be sold to reimburse the insured motorist for damages.

15. We support tracking of, and stiff penalties for,
16. insurers and buyers who sell or purchase insurance on
17. monthly installments solely for the purpose of license
18. renewal or other documents that require proof of
19. insurance, and then cancel or stop premium payments.

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

24. The State should require that all vehicles with
25. foreign license plates have the states minimum liability
26. insurance upon entry into the State of Texas.

27. We oppose the lowering of insurance rates for Mexican
28. nationals needing liability insurance on U.S. highways.

29. We recommend that the State of Texas adopt no-
30. fault auto insurance.

31. We oppose increasing insurance rates on larger type
32. vehicles.

Health Insurance

191

1. We recommend changes in the insurance code to
2. prohibit companies selling accident and sickness policies
3. from adding exclusions after policies have been in effect
4. for one year.

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

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

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

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

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

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

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

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

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