2019 STATE POLICIES of the Texas Farm Bureau
Our Mission

Texas Farm Bureau's mission is to be the Voice of Texas Agriculture.
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FARM BUREAU PHILOSOPHY

Preamble 101

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

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

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

4. We believe that the present degree of centralization of power and authority and the trend toward further centralization of power and authority in the federal government and the apathy of American people to this trend are among the greatest dangers threatening our Republic and the American way of life. “Planned economy” concepts such as socialism and communism, fascism and other forms of totalitarianism must be opposed wherever and in whatever form they may be found.

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

6. It is wholly controlled by its members through majority decision and is financed by voluntary membership dues.

Concepts of Government 102

1. We believe in the American, capitalistic, private competitive enterprise system in which property is privately owned, privately managed and operated for profit and individual satisfaction. We believe in a competitive business environment in which supply and demand are the primary determinants of
market prices, the use of productive resources and
the distribution of output. We will work for less gov-
ernment control.

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

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

We believe government should focus on elimi-
nating waste, abuse and fraud in all tax-funded
programs.

We believe the government should view a vibrant
agricultural industry with the same level of impor-
tance as national security issues and make every
effort to ensure a profitable agricultural industry. A
nation without a safe, affordable, and abundant food
supply cannot prosper.

**Socialism and Communism 103**

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

8. We oppose one world government and any treaty
9. or pact that encourages a one world government. We
10. favor getting the United States out of the United Na-
tions and the United Nations out of the United States.
11. We are opposed to socialism and communism and
12. its attempt to destroy the property rights that have
13. served as a foundation for the American way of life.
14. We strongly oppose the socialistic movement’s at-
tempt to redistribute wealth, thereby threatening to
15. destroy the system of incentives that have built this
16. great nation. We support the basic principles behind
17. the founding of our country; namely, freedom and
18. dignity of the individual and his right to participate
19. in a free enterprise system. To strengthen our aware-
20. ness of our system of government, we recommend:
21. 1. American History and World History be taught
22. in all American schools and colleges.
23. 2. The true nature of communism and socialism
24. be taught in our schools and in the armed services
25. so that people can better recognize its character, un-
derstand 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
30. way of life.

31. We oppose any efforts of our government to es-
States’ Rights

1. We favor increased emphasis on the assumption of responsibility by states and local units of government for exercising their appropriate functions. Responsibility for performance of government functions should be assigned to that unit of government closest to the people who can administer such functions effectively.

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

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

4. We support increased efforts by the state of Texas to secure our borders with Mexico. Immigration laws should be enforced.

AGRICULTURAL AGENCIES

Texas A&M AgriLife Extension Service

1. Texas A&M AgriLife Extension Service should:

2. • continue its role of making available useful and practical information on subjects related to agriculture and home economics.

3. • continue to be a part of the Texas A&M University system.

4. • have a director who is separate from other parts of the agricultural complex, thereby allowing the agency to market itself and respond to the needs of agriculture.

5. • continue to work primarily with all farmers and ranchers as long as individuals and various farm groups seek and respond to this type service, but the service should abstain from educational activities on matters of political policy.

6. We support:

7. • funding for the Extension, Texas 4-H program and Wildlife Services that would be sufficient to at
We oppose:

- reducing the number of ag specialists in the Texas A&M University System.
- funding reductions for the Texas A&M AgriLife Extension Service. If funding reductions are necessary, we support maintaining, to the extent possible, the current programs and services to farm and ranch families.
- any legislation that would combine the Texas A&M AgriLife Extension Service and the Texas A&M AgriLife Research of the Texas A&M University System.
- new programs providing services to non-farm people at the expense of programs for farm and ranch families.
- the elimination of the position of county AgriLife Extension agents as a means of achieving cost reductions until all other options are considered.
- the combination of two or more counties into one AgriLife Extension unit without the approval of the counties involved.
- the funding of youth programs, such as 4-H, with user fees.

Texas A&M AgriLife Research 105B

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

Texas Department of Agriculture 106

The primary purpose of the Texas Department of Agriculture (TDA) should be to promote the advancement of agriculture and to educate the public on agriculture.

TDA should:

- be adequately staffed and funded.
- promote and support development of agricultural development districts.
- provide information and assistance in creating internet services for the sale of commodities.
- mirror United States Department of Agriculture (USDA) regulations for the inspections and licensing of kennels and only certified Department of Agriculture employees should be authorized to conduct inspections.
- work with Texas US congressional members to advance Texas Agriculture.

We support:

- legislation requiring the Weights and Measures Division of the Texas Department of Agriculture to
regulate all grain moisture testers used by commercial grain handlers and dealers and to levy appropriate penalties against offenders.

- existing laws be properly enforced with respect to weights and measures and seed laws.
- legislation giving the TDA regulatory authority over in-house inspectors of bonded grading facilities.
- reimplementation of Texas Department of Agriculture road inspection stations.
- the continued development of agribusiness and value-added processing of Texas products by the Texas Department of Agriculture.
- the Texas Department of Agriculture being charged with implementing the Federal Food Safety Modernization Act within the state of Texas and that all costs be paid for with federal funds.

We support repeal of the Agricultural Hazard Communications Act. Until repealed, modifications should be made to make the law more workable for farm employers. We urge the Texas Department of Agriculture to review worker protection standards and re-evaluate existing policies and ensure that new policies are feasible and workable with the least amount of paperwork required.

TDA should exempt a grain buyer or handler from warehouse regulation if they do not provide public storage or store delivered grain that has not been purchased.

We support to maintain the integrity of organic agriculture, keeping organic standards strictly organic–not allowing tolerances or percentages of non-organic crops, GMO plants or pesticide residue and still being able to retain the certified organic label. Organic growers should maintain appropriate buffer zones to protect their crops from pollen drift or other factors that affect the integrity of their crops.

We Support all fees set by the Texas Department of Agriculture be approved by the Texas Legislature.

**Texas Animal Health Commission 107**

We Support:

- legislation which would provide that the Texas Animal Health Commission be exempt from provisions of the Freedom of Information Act in matters related to animal health, animal identification and disease control to protect information related to individual producers, locations and animal health traceback from unnecessary harassment, invasion of privacy and to enhance the provision of homeland security in the agricultural sector.
- the TAHC guidelines for animal identification.
- the TAHC having the authority to determine whether to close the borders of Texas to the impor-
6. The right to use antibiotics for livestock and poultry in matters related to animal health care.
7. State revenues to fund the TAHC.
8. The rights and opportunities of small flock or urban poultry operations and encourage best management practices as recommended by TAHC for disease control.
9. Adequate funding for TAHC to monitor poultry disease at markets.

We oppose:
10. The TAHC being combined with any other state agency.
11. User fees being assessed to finance TAHC or any other agricultural regulatory agency; however, if the legislature requires that agricultural regulatory agencies assess user fees, we encourage the fees be assessed proportionally for all services provided and not exceed the cost of providing the service. Rather than requiring fee increases, we encourage agencies to review their existing services to determine which services may be ended or modified for cost savings.

Texas State Soil and Water Conservation Board

We encourage further development of the agency’s program and capabilities so that future responsibilities may be placed under its authority.

We support:
1. The Texas State Soil and Water Conservation Board and Conservation Districts continuing to govern the state’s conservation programs for renewable natural resources.
2. The Texas State Soil and Water Conservation Districts continuing to be independent, locally controlled bodies with directors elected by the local landowners and that the Texas State Soil and Water Conservation Board continue to be elected on an area basis by the directors of local soil and water conservation districts.
3. The present staffing of local soil and water conservation districts being maintained.
4. The state legislature appropriating matching funds to soil and water conservation districts on a per county basis. This allows multi-county districts funds to be based on the number of counties in the districts, relieving inequities now experienced by multi-county districts.
5. Any funding increase to the Texas State Soil and Water Conservation Board be directed for local use.
6. Local soil and water conservation districts’ ability to provide technical assistance and incentives for
voluntary soil and water conservation planning and implementation.

- the use of state funds for maintaining small watershed flood control structures, built under the USDA PL-566 program, that are listed as public safety concerns.

We oppose any appointees to the Texas State Soil and Water Conservation Board.

AGRICULTURAL COMMODITIES

Commodities-General

1. All commodities are interrelated, and any change in supply, demand or price of one affects the others.
2. Careful consideration should be given to the economic impact of a major change in one commodity's policy on other commodities before such policy is approved.

We support:

- country of origin labeling of all foreign products imported into Texas.
- requiring public institutions to buy domestic agricultural products when they are available.
- legislation granting producers a "Hold Harmless" position from any changes that occur after their production is sold and leaves their control.
- strengthening TDA's regulatory authority to audit and inspect storage facilities and records. The bonding amount required for storage facilities should be increased.
- licensing of grain dealers.
- small scale local farmers being allowed to sell low risk foods such as jams, jellies, raw honey, baked goods and dry herbs without being required to have a commercial kitchen.
- research, licensed cultivation, production, processing, commercialization and utilization of industrial hemp.

We oppose:

- all attempts by political subdivisions (cities or counties) to limit the production of, or the use of, genetically modified crops or animals.
- growing castor beans in Texas until adequate regulations are enacted and educational programs are available to address storage, handling and production concerns and low ricin varieties are available, so that the accidental adulteration of our food and feed supply is prevented.
- agricultural programs that adversely affect any agricultural commodity.
- non-compete clauses between equipment dealerships which do not allow competitive pricing between regions, thus creating a monopoly in the equipment market.
Aquaculture

We support:

1. all legislation that promotes freshwater aquaculture in Texas and allows producers to be competitive.
2. legal depredation efforts and roost dispersal of avian species that affect aquaculture production and loss of property to private and commercial fisheries.
3. the ability to obtain depredation permits of avian predators that negatively affect aquaculture production in private or commercial fisheries.

Citrus

We support:

1. strict enforcement of maturity, size and grade standards for all citrus shipped into Texas.
2. continuation of recent safeguards and the ban on shipments of citrus fruit and nursery stock into Texas due to the continuing spread of citrus canker and greening disease into additional nurseries and production areas.
3. Texas Department of Agriculture inspecting for diaprepes weevil and Asian citrus psyllid.

Cotton

We support:

1. the Cotton Promotion and Research Program.
2. a full-time statewide cotton specialist.
3. studies for feasibility of containment, suppression and/or eradication of pink bollworm.
4. charging for the exact amount of time the bale is stored in the warehouse.
5. specific cut-off date for application of 2,4-D Ester in counties where cotton is produced to coincide with uniform recommended planting dates for cotton in each county.
6. the registration of Propazine (Milo Pro) for use on cotton.
7. commodity (cotton) contracting as an essential component of the marketing system for all producers (sellers). In order to provide an effective and fair system for contracting (cotton), the following elements should be included:
   1. Clear identification of the type of contract that is being offered and the terms of the contract.
   2. Growers (sellers) not being subjected to supply cotton to a buyer based on crop estimates.
   3. A fair and equitable conflict resolution process that includes elements protecting sellers, such as mediation or dispute resolution conducted in the county where the crop was grown.
   4. A uniform, standard contract containing terms agreeable to both buyers and sellers (i.e., Texas Real Estate Contract) and governed by Texas law.

We oppose:

1. changes in the trade rules of cotton trading as-
associations that pass marketing and storage charges from buyer to seller.

- the present penalties on low micronaire cotton.

**Boll Weevil Eradication:**

We support:

- a mandatory statewide Boll Weevil Eradication Program and favor state funding assistance.
- a plow-up date being established for cotton to aid in the control of boll weevils in affected areas.
- use of controlled burning of CRP acreage prior to spring planting in the affected areas to assist in the boll weevil eradication program.
- stalk destruction dates for areas under pink bollworm or boll weevil regulation continuing to be set by the Commissioner of Agriculture following a public hearing for the area affected. The cotton stalk destruction deadline should be strictly enforced.
- the Texas Department of Agriculture and the Texas Boll Weevil Eradication Foundation developing procedures to ensure that cotton harvesting equipment and raw cotton products being transported are certified boll weevil-free. No equipment should cross any zone boundary without being certified boll weevil-free.
- allowing producers harvesting cotton near, on or after the stalk destruction deadline to have ten days after harvest to destroy stalks without incurring a penalty or fine.
- TDA in its effort to control non-commercial cotton (not located in a crop field) by making the users of gin by-products aware they are responsible for the destruction of any regrowth resulting in hostable cotton from the use of such products.
- chemical as well as mechanical means as an approved method by the TDA for cotton stalk destruction.
- the TBWEF using prudent spending practices and striving to reduce overhead.
- TBWEF personnel staying on existing turnrows and designated roads.
- removal of the 10-day application period for cotton stalk destruction, with a 24-hour notification for extension enforced. TBWEF and TDA should coordinate efforts to accomplish this task.
- work with Mexico to control boll weevil populations along the Texas-Mexico border.
- development of an efficient funding mechanism for producer assessments to fund the TBWEF that will not exceed current producer cost.
- a beltwide (multi-state) program to assist producers on the Mexican border with control of boll weevils, which will serve as a buffer for the entire cotton industry.
- transferring funds between zones in the state to provide extra funds to areas that experience an
unexpected outbreak and to assist producers along the Rio Grande River in maintaining a buffer zone.
• Federal and state cost share monies for TBWEF as long as there are active zones in the state.
We oppose a mandatory referendum for boll weevil eradication and support a referendum upon request by 10 percent of producers.

Dairy
1. Only a qualified Texas Department of Health sanitarian should be permitted to degrade a “Grade A” dairy based on a sample of milk. The sample should be in possession of a qualified sanitarian at all times until delivered to a state laboratory. The department, at producer’s request, should retest a producer’s milk as promptly as possible following an unacceptable test.
2. Imitation dairy products should be labeled as such. Any products labeled as milk should refer to products originating from lactating animals, not plant based products.
3. The minimum requirements for consumer grade milk should be increased to 12 percent solids. Component standards should comply with state regulations and be printed on the product labels.
4. We support:
   • an inspection service that will emphasize milk quality rather than physical requirements and appearance of facilities.
   • an annual state inspection, unless a milk sample fails to meet the state requirements for quality. A failing sample should result in an immediate visit by the state inspection service.
   • the dairy promotion and advertisement program.
   • the concept of regional compacts to price Class 1 milk and legislation to create a Texas state milk marketing order.
5. We oppose:
   • any legislation to allow changes to the sale of raw milk anywhere other than on the farm.

Feral Hogs
1. We support:
   • TAHC being granted enforcement authority of existing laws to restrict the movement of feral hogs on public roads.
   • classifying feral hogs as an invasive species and not as exotic animals.
   • programs of cost-share approaches to control feral hog damage to crops and/or property.
   • all legal methods and legalizing new methods to assist in controlling feral hogs.
   • the purchase of items used for the removal of feral hogs being tax exempt with a Texas Agriculture
13. Timer Registration number.
14. • the use of chemical baits for the purpose of
15. controlling feral hogs.
16. • state funding for any research or program in-
17. cluding the use of a bounty to control and/or eliminate
18. feral hogs.
19. • the State of Texas developing a comprehensive,
20. multi-agency plan to fight the growing number of
21. feral hogs in Texas.
22. • the Texas Department of Agriculture working
23. with chemical companies to obtain a chemical labeled
24. to control feral hogs.
25. • legislation making it a crime and a civil tort to
26. release hogs.
27. **We oppose:**
28. • regulations that require landowners to have a
29. hunting license to kill feral hogs.
30. • legislation or regulation establishing the clas-
31. sification of feral hogs as “game.”
32. • legislation that would prohibit or restrict the
33. use of dogs as a means of trailing, hunting and/or
34. elimination of feral hogs, provided the permission
35. of the landowner or landowners agent has been
36. obtained.

**Forestry**

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

Fruits and Vegetables

We support:
1. uniformity of state and federal standards and
2. inspections for fruits and vegetables produced in and
3. imported into Texas and the United States.
4. Land Grant Colleges to research genetic en-
geineering to develop new varieties of fruit trees
and vegetables for disease, nematode and insect
resistance.

Hay and Forage

We recommend the Texas Department of Agri-
culture coordinate with the USDA in establishing
standards for hay testing.

We support:
1. the development of a federal crop insurance
2. program for hay producers.
3. government assistance for building private hay
4. storage facilities.

Honey

We support:
1. Texas A&M investigating the adequacy of the
2. honeybee inspection service to ensure proper inspec-
tion and supervision to better serve the beekeeper.
3. Texas honey standards being set at 100 per-
cent of the definition of honey—sweet, viscous fluid
4. elaborated by bees from nectar obtained from plant
5. nectaries, chiefly floral.
6. appropriate officials taking effective legal action
to end the deliberate adulteration of honey by using
7. corn syrup and similar substances.
8. honey labeled as honey being pure honey with
9. no additives. Any additives should be labeled as such.
10. Texas A&M and the USDA continuing to moni-
tor the expansion of novel honey bee pests, exotic
11. species of honey bees, and the Varroa Mite, while ob-
taining the necessary funding to limit this expansion.
12. priority being given to the rapid development of
13. Varroa Mite control methods that will be economically
14. useful to beekeepers.
15. the beekeeping industry and the American Farm
16. Bureau Research Foundation supporting research to
17. find sustainable solutions for improving the overall
18. health of honey bees and other pollinators.
19. legislation allowing private property owners
20. or their agents to control wild swarms or colonies of
honeybees or Africanized Bees on their own property.

• legislation allowing beekeepers registered with the Texas Apiary Inspection Service to remove bees without regulation from the Texas Structural Pest Control Board.

• Texas A&M AgriLife Extension Service and the school lunch nutritionists encouraging use of pure quality honey in the school lunch program.

• a cooperative program among commercial beekeepers, farmers, ranchers and other land managers to develop bee habitat where feasible and possible.

• the Texas Master Beekeeper Program.

• simplifying statutory regulations for beekeepers, without hindering the agency's mission to safeguard the apiary industry.

• Texas A&M's continuing direct oversight of the Apiary Inspection Service and the Chief Apiary Inspector.

• small scale beekeepers being allowed to extract, package and sell pure honey that the beekeeper produces without being required to have a commercial kitchen.

• labeling and enforcement provisions of Chapter 131 of the Texas Agricultural Code being applicable to the sale of all honey and honey products.

• an Extension Apiculturist at Texas A&M and funding for the position.

**Horses**

Processing and exportation of equine meat should be legal when performed in compliance with USDA Humane Slaughter of Livestock regulations. We recognize a healthy horse racing industry is beneficial to Texas horse breeders.

**We support:**

• all horses sold by private treaty or through auction markets being tested for Equine Infectious Anemia (EIA).

• continuing the classification of horses as livestock and personal property.

• legislation authorizing Texas & Southwestern Cattle Raisers Association brand inspectors to inspect horses for brands and identifying marks at all posted markets and slaughter plants in the state.

• changes in the current Texas Transportation Code regarding vehicle and trailer registration to include, as farm use, transportation of horses between farms and veterinarians, breeding facilities, training facilities, and for demonstration, sale, pick up and delivery in trailers, with or without temporary personal accommodations, designed with intended purpose to haul livestock.

• changes in the current Texas pari-mutuel law designed to increase revenue to race tracks, resulting in larger purses, breeders' awards and other industry...
incentive programs.
• legislation allowing the placement of VLTs (Video Lottery Terminal) at all race tracks in Texas.
• equine owners/producers making the decision on who performs the floating of equine teeth and chiropractic care.
• a humane horse processing facility in Texas.
• the establishment of a Texas Bred program to promote the horse industry in Texas. We support equine promotion of education, and development of funds for the Texas Bred program.
We oppose horses being classified as companion animals.

Livestock

We urge that the brand inspection law be extended to cover all slaughter plants. We oppose compulsory statewide branding, but we support district or regional brand laws when established on a local option basis. However, we recommend that each cattleman adopt an individual permanent method of identifying his cattle. County clerks should be required to notify animal brand owners, by mail, concerning the reregistration of animal brands.

We support:
• state funding for a brucellosis testing program as needed.
• an eradication program of the horn fly.
• implementation and funding for the National Strategic Plan for the Cattle Fever Tick Program developed in 2006. Immediate funding should be made available to eliminate fever ticks from livestock and wildlife in the temporary preventive quarantine areas of Texas. An awareness program should be implemented to educate and to assist Texas ranchers in identifying this pest.
• any bull 18 months or older sold through a commissioned livestock sale to be for slaughter purposes only, unless accompanied by a current, negative trichomoniasis test.
• a voluntary animal identification program that is dual purpose, which provides disease traceability and individual identification needed to expand the export market where our trading partners are demanding traceability. The program should have the following guidelines:
  1. The program should be as simple and cost-effective as possible for producers.
  2. The federal government should provide metal ID tags at no cost and cost-sharing for radio frequency ID tags.
  3. Confidentiality of producer information must be respected and changes in the Freedom of Information Act must be made to further ensure that confidentiality.
4. The Texas Animal Health Commission will maintain the state animal ID database.
5. Livestock markets will continue recording owner addresses with USDA back tags.
6. ID is mandatory at the stocker operator/order buyer level for cattle going out of state.
7. Information shall be made available only to the proper animal health authorities in the event of an animal disease incident and must not be used for any other purpose or by any other governmental authority.
8. Identification of animals will not be required before movement from the original registered premise.
9. Responds to the specific needs of each species rather than an identical program being required for all species.
10. Uses the current brucellosis eradication ID system as one method of cattle identification.
11. Producer must be protected from liability for acts of others after livestock have left their control.
12. Support the flexibility of using currently established and evolving official identification methods.
13. Any animal ID system should have compatible interfacing – same universal protocol for all.

- Livestock, poultry, fish and wildlife that are born, raised and harvested for food be considered as meat products. The products that are produced during the processing and considered to be food should be the only products allowed to use the traditional meat labels. Lab produced protein products cannot be mixed, in any proportion, with actual live animal produced protein to circumvent labeling rules requiring total disclosure of products being artificially produced and marketed. Only 100% live animal produced protein can be labeled and marketed as a meat product.
- that all packaged meat substitutes be labeling “not a meat product.”
- under Country of Origin Labeling, only animals that are born, raised and processed in the U.S. are eligible for a “Product of USA” or similar label.
- expanded facilities and increased personnel working at the Texas Department of Agriculture export pens along the Texas-Mexico border. We encourage the Texas Department of Agriculture to cooperate with Mexican authorities at all levels to create ways to reduce the large volume of livestock awaiting approval for passage into Mexico at these facilities.
- a concerted joint Texas-Mexico effort to control/eradicate bovine tuberculosis and brucellosis.
- the work of the U.S.-Mexico Bi-National Tuberculosis and Brucellosis Committee.
- the Texas Cattle and Deer Tuberculosis Management Plan using regionalization approach to controlling movement of cattle exposed to infected herds with TB.
- continued research of bovine growth hormones
97. with special emphasis on human health and the effects on carcass quality.
98. • measures to hold owners of dogs liable for damage to livestock and property.
99. • legislation that would prohibit dogs that are known to worry or kill goats, sheep, poultry, calves or other livestock from running at large.
100. • the humane treatment of all domestic animals and wildlife. We recognize that livestock and wildlife are part of the human food chain, they are not equal to humans nor do they have human rights.
101. • continuation of the Texas Veterinary Medical Diagnostic Lab and the Texas Animal Health Commission Lab as separate entities, each with its own distinct mission.
102. • minimum guidelines of the National Research Council’s recommendation for phosphorus levels in feed rations.
103. • livestock assistance programs for natural disasters.
104. • revenue assurance programs. The producer should have the option to participate in government-assisted insurance.
105. • state funding of the Rural Veterinarian Incentive Program.
106. • financial or other incentives to increase the number of large animal veterinarians.
107. • the expansion of the current veterinary college and/or the establishment of additional Colleges of Veterinary Medicine in the state of Texas.
108. • surveillance for screwworms on a state and national level, and continued eradication efforts on the international level.
109. • uniform guidelines for control of the fever tick in Texas.
110. • soliciting Mexico’s assistance in increasing the width of the Mexican “border barrier zone.” Inspections should continue for brands, marks and other identifying characteristics at posted markets in Texas.
111. • the open range doctrine.
112. • legislation requiring penalties for the owner of livestock which are habitually allowed to run at large with reckless disregard to the welfare and property of others.
113. • Texas estray laws being amended to require that the proceeds of the sheriff’s sale of impounded estrays be used for compensation of property damages caused by the estrays. The damages should be determined by a panel of disinterested landowners.
114. • a State law be passed that clarifies and states as a principle of law that due to the unpredictable nature of any livestock and livestock activities, those who participate in these activities have to accept the inherent danger and responsibility of their actions.
115. • livestock and poultry manure being classified with special emphasis on human health and the effects on carcass quality.
and promoted as reusable by-products or organic fertilizer.

- auction and commission companies be required to furnish a copy of the weight ticket to the seller of all livestock sold on a weight basis.
- the regulation of livestock imports to protect domestic livestock from foreign animal diseases.
- the development of agricultural information and education programs that will give the public a clear, realistic and technically accurate perspective of animal rights issues relative to producer responsibilities.
- the selection committee of the College of Veterinary Medicine at Texas A&M University to place greater emphasis on selecting new students who will pursue food animal practices.
- the Texas Animal Health Commission and the Texas A&M AgriLife Extension Service to continue to work together to educate producers on the rules and regulations of the Trichomoniasis Program.
- all live cattle entering the U.S. from Mexico to be identified with a firebrand indicating import.
- all imported live cattle from other countries destined for commercial feedlots to be spayed or castrated and S branded.
- efforts to extend to bison producers the same legal status and protection afforded to other livestock producers.
- adequate funding for research and control of the lone star tick.

**We oppose:**

- bison from Yellowstone Park being transported to Texas.
- restrictions on the sale and/or administration of antibiotics and other drugs for animal health by producers or their agents, unless such use is adequately proven detrimental to human health.
- any attempt to impose regulations on palpation of livestock.
- any changes to the current animal cruelty laws that adversely impact the normally accepted practices of handling livestock.
- any methane or greenhouse gas tax levied on livestock and/or wildlife because of normal biological bodily functions.
- cultured tissue and plant based protein products labeled as meat.
- stem cells from animals and plant based cell tissue that is grown in a laboratory to produce a protein product using the traditional meat labels.

**Nursery and Greenhouse**

**We support:**

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

Peanuts
We support:
1. a voluntary checkoff program administered by the Texas Peanut Producers Board.
2. Texas peanut growers’ efforts to develop a program to promote peanut consumption.
3. research to increase production and guarantee crop integrity and any other activities which would be beneficial to Texas peanut producers.
4. legislation authorizing the Texas Commissioner of Agriculture to establish uniform grades and sizes of peanut seed and to enforce proper labeling of such grades and sizes.

Pecans
We support:
1. state legislation to establish grades and standards on thin-shell fancy pecans, specifying the approximate kernel content of pecans sold to consumers by dealers or handlers of such pecans.
2. genetic engineering to develop new varieties of pecans for disease and insect resistance.

Poultry
We support:
1. updating the Texas Egg Labeling and Grading Law to assure consumers a quality product and eliminate the present inspection fee now assessed.
2. continuous inspection of out-of-state eggs by the Texas Department of Agriculture at retail outlets so that they will meet the requirements of the Texas egg laws.
3. improving relationships between companies and producers.
4. requiring length of contracts to adequately protect growers’ investment in buildings and equipment.

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

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

Sheep and Goats

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

Soybeans

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

Wheat and Feed Grains

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

Wildlife

1. **We support:**
2. • legal sports hunting.
3. • the right of landowners, within legal limits, to control hunting and fishing on their land, both
• unfenced and fenced property.
• research, law enforcement and educational activities designed to improve hunting and fishing for this and future generations.
• laws and regulations that make it illegal for a person to use a spotlight from a public road, other than onto his own property, except in cases of emergency.
• the arrest and removal of all people who disrupt the rights of hunters who hold a valid Texas hunting license and/or permit.
• Texas Parks and Wildlife Department leasing rather than acquisition of property to provide public hunting opportunities.
• classifying exotic game as personal property and that it not be regulated.
• classifying farmed elk in Texas as exotic livestock.
• Texas Legislature’s efforts to reverse the quail decline in Texas.
• legislation that prohibits public hunting in Texas public streams and riverbeds.
• legislation that would exempt all property owners from liability for damages or injuries caused by wildlife, including Africanized Bees, on private property.
• clarifying hunter harassment laws so that normal agricultural activities cannot be construed as harassment by a hunter on adjoining property.
• an exemption from the Endangered Species Act for those exotic species located in Texas that, although endangered in their native country, are thriving in Texas under private management and ownership.
• additional state funding for animal damage and depredation control.
• programs of cost-share approaches to control deer damage to crops and/or property.
• Texas Animal Health Commission regulations regarding Chronic Wasting Disease for native and non-native susceptible cervid species.
• a 3 percent maximum limitation on the number of deer that have to be sacrificed for the testing of this disease prior to intrastate relocation.
• a 3 head maximum limitation to the number of non-native CWD susceptible species to be tested as per the rule put forth by the TAHC.
• legislation to repeal the law that requires landowners to purchase hunting and/or fishing licenses to hunt or fish on one’s own property.
• all money received from fish and game license fees and park entrance fees to go to the Parks and Wildlife Department with proper legislative oversight.
• rights of private property owners to be recognized and respected by the Texas Parks and Wildlife
Department by giving greater attention and follow-up on citizens' input concerning game laws at county public hearings.

- laws and regulations pertaining to hunting, fishing and trapping seasons, bag limits, license fees and damages to agricultural properties by hunters and fishermen, trespassers and wildlife to be compatible with normal agricultural practices and private property rights.
- local landowners notification prior to any trapping and translocating of game species.
- law enforcement officers protecting the rights of hunters on public land.
- fine for illegal hunting be increased, and repeat offenders be charged with a felony and automatic fine including full restitution when it applies to damaged or destroyed property.
- the Texas Parks and Wildlife Department using land acquisition funds for operating, rather than buying more park land, while at the same time closing existing parks.
- the hunting season for all game species begin on a Saturday or other first holiday morning and end on a Sunday or other last holiday evening.
- the governor appointing bona fide ranchers and landowners from the white-tailed deer areas of Texas to the Texas Parks and Wildlife Commission.
- Texas Parks and Wildlife Commission designating the spring turkey hunting season “shotgun or archery only” for safety reasons.
- Texas Parks and Wildlife Department and the Texas Animal Health Commission addressing disease problems associated with interstate and intrastate shipment of native wildlife, particularly those related to the hunting economy in Texas.
- Texas Parks & Wildlife Department regulations requiring visible and permanent deer tags on all pen raised deer.
- cooperation between landowners to ensure deer blinds, feed, feed plots and feeders are more than 100 yards from boundary fences for safety purposes without encouraging any new laws.
- the closing of the Managed Lands Deer Permit (MLD) season the first weekend in February.
- actions to stop the spread of wart hogs in Texas.

**We oppose:**
- any designation of exotic livestock animals as an invasive species.
- normal agricultural practices, such as top seeding, being considered “baiting.”
- regulations that require a landowner to pay for a lease license to be able to lease their land for hunting.
- regulations that require landowners to have a hunting license to kill coyotes and other non-game animals.
killing of “trophy” deer on Managed Lands Deer Permit (MLD) land with a firearm outside of the dates of the general firearm season set by TPWD.

any efforts that result in conversion of Texas’ wildlife to private ownership.

AGRICULTURAL PROMOTION

Information 131
1. We recognize the vital importance of accurate crop and livestock reports, market price reports and county agricultural statistics in the marketing of farm and ranch products.
2. We support:
3. programs and appropriations that provide accurate and up-to-date marketing information for farmers and ranchers.
4. an educational program being implemented to educate the general public that we have the safest food supply in the world, and that our economical food supply is a partial result of government farm programs.
5. programs to educate the public on GMOs and the positive effects on their lives.
6. TDA including hay quotations with their 800 telephone service grain quotes.
7. public television programs that are devoted to agriculture on a regular basis.
8. the creation of a statewide Ag Day for schools to recognize the importance of agriculture. This should be in conjunction with National Agriculture Day.
9. the local water districts, land grant universities and agricultural Extension agencies continuing their roles as educators.

Marketing 132
1. We will work to develop foreign and domestic markets for our agricultural products.
2. We support:
3. the development of a producers protection act to cover agricultural production contracts and legislation clarifying producers’ ownership of commodities delivered to a facility and kept in open storage.
4. legislation to protect agricultural producers’ funds that are being held by a facility in the form of a deferred payment.
5. farmers’ ability to choose arbitration, mediation or a civil trial in any and all disputes between farmers and agribusinesses. We therefore support legislation that prohibits clauses in agricultural marketing or production contracts that require farmers to submit to arbitration and give up rights to mediation or a civil trial.
6. regulations that provide for prompt payment
and/or payment on demand by grain dealers.

• adequately bonding all posted markets, meat packers, processors and farm commodity commission sales offices to protect the consignor and buyer.

• checkoffs voted by producers for commodity promotion.

• a state beef checkoff program in an amount to be determined by producers. The Beef Promotion and Research Council of Texas would have the authority to retain all collections in the state or send a percentage to national programs, according to the following guidelines:

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

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

  3. Any funds in excess of in-state and export needs shall be sent to the Cattlemen’s Beef Board for funding of national programs;

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

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

• the National Beef Promotion and Research program.

• separation of the Federation of State Beef Councils from the National Cattlemen’s Beef Association by the appointment of an administrator to oversee the Federation of State Beef Councils.

• a corresponding increase for imported boxed beef.

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

• market agencies, processors and retailers reflecting the value of quality products through price differentials.

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

• Accurate product labeling of all dairy and meat products. This is to ensure that these products are neither derived from plants nor synthetically produced.

• the Texas A&M AgriLife Extension Service in its educational program of improved livestock marketing procedures, to include revised feeder and stocker grades of cattle.

• the TDA requiring individuals who buy commodities and check them for aflatoxin be required to take a second sample when it is requested by the farmers selling the commodities.
• the use of Texas-grown fruits, vegetables and other products in the federal WIC program.
• a producer cooperative beef packing facility in Texas.
• tax-free bonds to enable agricultural producers to develop facilities for value-added products.
• the TDA “Go Texan” campaign.
• wine makers being allowed to market their products at their production sites.
• agritourism as an important potential for agricultural growth.
• allowing electronic food stamp benefits to be accepted at farmers markets.

We oppose:
• any monopolistic practice that would have a detrimental effect on the free market.
• programs that are used by organizations whose goal is to eliminate or control commercial agricultural practices.
• any checkoff system when the funds are not controlled by the producers of that commodity.
• farmers market vendors being required to purchase a vendor’s license from city or county governments.

Research

We support:
• continuation and intensification of agricultural research programs, including mechanical, chemical, biological, organic and other methods, to solve current and anticipated problems in agriculture.
• efforts to ensure that research done is appropriate, necessary and non-repetitive, and that data be used to do comparative analysis between the different methods for cost effectiveness and practicality.
• funds be made available for all agricultural research.
• intensive research to improve soil and soil testing methods for Texas.
• Texas A&M or TDA developing and operating a state of the art soil testing facility.
• increased efforts through biotechnology to increase the marketability of our products, solve environmental concerns and increase net farm income by decreasing input costs and improving product quality.
• biotechnology research, labeling and product development.
• traditional agricultural research programs.
• market research for the use of U.S. guar.
• research being conducted at Texas A&M AgriLife Research facilities throughout the state that is directed towards beneficial commercial agriculture production in the region where the centers are located.
• an active advisory committee comprised of lo-
We support:

• educational programs that teach agricultural producers and laborers safe chemical handling practices according to label directions.

• continued research and experimentation relative to the use of farm chemicals to promote a viable and productive agriculture.

• the safe use and promotion of biotechnology and genetically modified plants which reduce our reliance on chemicals.

• the use of sound, reproducible science for the basis of any restrictions, bans, or legal judgement on the use of agricultural chemicals.

• requiring any group that challenges a previously approved as safe chemical to pay for the new test unless they prove the safety issue to be true.

• legislation which provides pesticide authority be placed in state government rather than in other political subdivisions.

• lifting of state restrictions on current pest control products used in other states.

• the Texas Department of Agriculture issuing

AGRICULTURAL REGULATORY PROGRAMS

Agricultural Chemicals

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• legislation which provides pesticide authority be placed in state government rather than in other political subdivisions.

• lifting of state restrictions on current pest control products used in other states.

• the Texas Department of Agriculture issuing
23. a temporary applicator’s license immediately upon
24. completion of all requirements. No fee or tax should
25. be charged for a private applicator’s license.
26. • regulations governing application of agricultural
27. chemicals to be workable, effective and should always
28. be accompanied by an economic impact statement.
29. • state restrictions on farm chemicals not to exceed
30. EPA labels.
31. • requiring commercial applicators to carry reason-
32. able, risk- based liability insurance coverage.
33. • reviewing the use of herbicides and chemicals by
34. area, rather than nationwide.
35. • requiring regulations and an applicator’s license
36. for the use of “restricted use” chemicals in urban areas,
37. households and yards.
38. • continued research for methods to control weed
39. species that have developed herbicide resistance.
40. • farm chemical manufacturers and dealers provid-
41. ing farmers with a place to dispose of empty chemical
42. containers.
43. • TDA recalling, collecting and disposing of all
44. outdated farm pesticides, with no penalty for posses-
45. sion of these chemicals.
46. • state funding for annual agricultural waste
47. pesticide collection events through TDA or TCEQ
48. throughout the state on a rotational basis at no cost
49. to participants on a strict no-questions-asked basis.
50. • farm chemical manufacturers packaging chemi-
51. cals in returnable, reusable, refundable containers
52. that are permanently marked as to product content.
53. • the creation of a clearinghouse for chemical
54. problems so producers can call in to pinpoint chemicals
55. that are not working.
56. • consistent state and federal recordkeeping re-
57. quirements.
58. • continued use of 2, 4-D where it can be safely
59. applied and strict enforcement of chemical laws
60. pertaining to the Butyl Ester form of 2, 4-D after a
61. county’s cut-off date.
62. • resistant genetics are imperative to the produc-
63. tion of cotton in Texas and other growing regions in
64. the US. We support the continued use of resistant
65. technology according to label restrictions.
66. • Lorsban chemical being approved for the control
67. of Russian Wheat Aphid.
68. • Reflex chemical being approved for West Texas.
69. • the use of Atrazine for commercial and agricul-
70. tural use only.
71. • the registration of carbofuran granular and liq-
72. uid formulation for the control of wireworms in grain
73. sorghum and corn and for aphids in cotton.
74. • subjecting imported agricultural commodities to
75. the same agricultural chemical restrictions as applied
76. to domestically produced commodities.
77. • a state requirement that all anhydrous ammonia
78.
tow vehicles be equipped with a fully functional water storage container for first-aid purposes.

expanded biological pest control research.

biological pest control programs that are usable, practical and feasible substitutes for chemical controls.

the use and funding of Integrated Pest Management programs in the Texas A&M AgriLife Extension Service.

legislation to prevent towns, communities or cities from regulating or limiting the use of agricultural pesticides.

making available new and “proven safe” pesticides by:

1. allowing more use of Fast Track full registration;
2. giving the Texas Department of Agriculture more authority to authorize use of “proven safe” pesticides in emergency situations without waiting for EPA approval; and,
3. making Section 18 authorization good for 18 or 30 months so that the farmer can use it if the same problem occurs the next year.

the revision of current pesticide application laws to be more producer-friendly.

TDA obtaining authority to use a combination of Arsenal and Roundup for the control of salt cedar.

requiring an applicator to be licensed or certified when applying any aquatic pesticides.

restitution for those who have false claims filed against them for misapplying agricultural chemicals.

any person or entity filing a false claim be held accountable for TDA’s cost of testing.

We oppose:

the EPA or TDA being the main source of information for restricting or banning pesticides.

the right of TDA to have unrestricted access to private property of farmers and ranchers using the 1080 collar and/or M-44 devices. (Confidentiality of the users should be protected.)

the TDA regulations that are responsible for the rising cost of liability insurance for commercial applicators of agricultural products (chemicals).

farmers and ranchers being held liable for damages arising from the use of any chemical that has been applied according to label instructions.

charging a fee or tax for a private applicator’s license.

any regulation that would require a permit to apply a chemical for crop protection.

politically mandated buffer zones.

Feed and Fertilizer Law

We support:

a feed and fertilizer control law, with adequate funds, personnel and enforcement authority to cover all regulations related to ingredients and weights.
and measures for commercial feeds and fertilizers

- the sale of high aflatoxin corn, cottonseed and
other commodities that have been detoxified within
the state as long as the buyer is informed.
- the toxicity levels of aflatoxin needing to be
reviewed and reevaluated.
- science based research to determining action-
able thresholds for fumonisin contamination in the
corn supply chain. Funding should be allocated for
this purpose.
- the statewide standardization of testing for
fumonisin in grain corn.
- increased oversight and accountability of the
state chemist and the Texas Feed and Fertilizer
Control Service.
- the Feed and Fertilizer Control Service Advisory
Committee consisting of farmers and ranchers who
represent 50 percent of the committee; feed proces-
sors who process for their own purposes should not
be permitted to represent end users because they
neither pay tonnage fees nor are under the jurisdic-
tion of the feed law.
- Texas Feed and Fertilizer Control Service
regulations that require feed tags to clearly label
ingredients so that kinds of grains, sources of protein,
TDN and kinds of roughage will be placed in order of
percentage and not labeled by a generic description.
- the Fertilizer Control Act provisions for the
labeling of fertilizer showing minimum guaranteed
analysis, including percentage of water soluble nu-
trients, chemical source, elements derived from and
if it is a blended fertilizer.
- analysis being made at least quarterly and
penalty for violations should be severe enough to
ensure compliance.
- the state Feed and Fertilizer Control Service
dealing more effectively with repeat violators.
- tolerances should not be relaxed.
- regulations requiring the calcium content and
solubility of agriculture lime be guaranteed to the
consumer.

We oppose:
- cities and counties enacting more restrictive
regulations on fertilizer facilities than state law.
- fertilizer falling under the same regulatory
guidelines as pesticides and other chemicals.

Ammonium Nitrate:

We support:
- regulations implemented by the Office of the
Texas State Chemist being reasonable and reducing
risks associated with ammonium nitrate storage
while preserving availability.
- regulations that do not limit the availability
and affordability of ammonium nitrate fertilizer for
agricultural use as determined through a comprehensive cost-benefit analysis and are promulgated using negotiated rulemaking.

- training programs for fire departments in areas where ammonium nitrate is stored.
- Tier Two reporting for the storage of ammonium nitrate to the proper authorities.
- the Office of the Texas State Chemist being the preferred regulatory authority for fertilizer storage and handling.
- increased research on stabilizing agents for nitrogen fertilizers.

Plant Diseases and Insects

We support:

1. all efforts to eradicate the fire ant and Rasberry crazy ant.
2. controlling fire ants on all government-owned lands.
3. state- and federal-funded research for a control program for insects and diseases of plants and animals.
4. quarantine regulations that control the quarantined plant as well as any host plant.
5. a systematic method of reviewing quarantine parameters and communicating any updates to producers in a timely fashion.
6. control and eradication of the citrus black fly, Mediterranean fruit fly, horn fly, white fly and aphid, Sugar Cane Aphid, Bermuda grass stem maggot and Hessian fly.
7. an effective grasshopper control program in Texas.
8. adequate funding for research of the biological control or eradication of the southern pine bark beetle.
9. the efforts of the U.S. Forest Service to control the southern pine beetle by the cut and leave and/or salvage methods on wilderness areas and on all other national forest land in Texas.
10. increased state and federal research on the control or eradication of the Africanized bee and the Japanese beetle and dissemination of resulting information to the general public.
11. research on Phynatotricul Omnivorum (root rot).
12. prescribed burning of CRP land without penalty to the landowner and/or tenant when due to overwintering of insects in Conservation Reserve Program lands.
13. the Feed and Fertilizer Control Service measures to assure a more uniform and equitable system of testing for aflatoxin.
14. increased research on genetics and culture practices to reduce aflatoxin and support the approval of
Novacil for use on corn intended for livestock feed.

- funding for ergot control in grain sorghum.
- adequate funding for research, control and eradication of armyworms in Texas.

**Karnal Bunt:**

USDA should:
- work cooperatively with the wheat industry to designate Karnal bunt as a minor plant pest/disease.
- set tolerance levels, based on sound science, that are appropriate to each segment of the wheat industry.
- sponsor an international meeting of scientists to evaluate the status and strategies for management of the smut and bunt diseases of cereals worldwide, with particular attention to Karnal bunt.
- take a leading role in reevaluation of international policies on the use of quarantines to prevent the movement of cereal smut and bunt fungi, and maintain a research effort on smut and bunt diseases of cereals, including Karnal bunt.
- deregulate Karnal bunt and handle it as a quality issue.
- continue compensation discussions with the minimum compensation level the same as 1996 and should include harvesters and transporters establish consistent regulations for sanitizing equipment to limit the movement of Karnal bunt or any other disease.

**Seed Law**

1. We support revisions of the Texas Seed Law to reflect the following:
2. stronger enforcement and increased penalties for violators.
3. the Commissioner of Agriculture be required to publish quarterly a list of violators.
4. information on the registration or analysis tag should show the year grown and the actual germination, uniformity and vigor of the seed.
5. prohibiting the shipment of vegetable plants identified as grown from hybrid seed when the plant is grown from non-hybrid seed.
6. requiring seed companies to include the results of annual cold germination and vigor tests on the seed tag of cotton and grain sorghum.
7. protected seed varieties being allowed to be sold, variety stated, between farmers as long as one of the parties is involved in the production of said seed.
8. farmers being allowed to use, or to sell to other farmers, cottonseed grown on their own farm.
9. regulating the quality and varieties of wildflower seeds in order to prevent the unwanted spread of noxious weeds through seed sales.
10. requiring all certified peanut seed sold for planting purposes in Texas to meet zero noxious...
Weed seed tolerance.

• require germplasm and variety names of seed
be stated on the bag and certification tag.

• require germplasm and variety names of seed
be stated in advertising of seed varieties.

• allow the sale of Bin Run seed for cover crops
(non-harvest use) and livestock grazing.

• technology seed fees being prorated based on
yield per acre with a cap.

• supports the privatization of Texas seed and
plant certification services through a non-profit crop
improvement association sanctioned by the Association
of Official Seed Certifying Agencies through a
memorandum of understanding with the United
States Department of Agriculture.

We support:

• legislation requiring state and/or county
governments to use either mechanical or chemical
means, following TDA rules and regulations, to con-
trol brush and noxious weeds before they mature on
rights-of-way, or allowing adjacent landowners and
operators to control weeds and brush when necessary.

• legislation requiring state and/or county govern-
ments to work with farmers or ranchers who have
property adjoining roads allowing them to manage
and hay the rights-of-way under contract with the
state and/or county governments with guidelines to
be followed by the farmer or rancher. If these guide-
lines are followed, there should not be any liability
incurred by the farmer or rancher.

• enactment of legislation detailing the respon-
sibility of each governmental agency concerned with
enforcement of such controls. This legislation should
provide for severe penalties for failure of control and
for recourse by damaged landowners.

• the Texas Noxious Weed Control District Law
(VTCA, Agriculture Code, Chapter 78); noxious weeds
should include Johnson grass, cocklebur, sunflower,
blueweed, thistle and sandbur.

• expansion of the field bindweed program to
include all affected counties in Texas.

• programs to control or eradicate invasive spe-
cies, including salt cedar.

We oppose:

• Texas Department of Transportation planting
any grass which may be detrimental to adjoining
land.

• the inclusion of invasive weed species such as
thistles in wild bird feed.
LABOR

General Labor 139

1. We support:
   • enforcement of the Texas “right to work” law and recommend that it be added to the state Constitution.
   • the Texas Workforce Commission (TWC) canceling its cooperative agreement with the U.S. Labor Department and operating as an independent state agency.
   • an increase in the minimum number of employees that fall under Texas Workforce Commission jurisdiction.
   • raising the payroll thresholds used for workers’ compensation and the Texas Workforce Commission as the minimum wage increases.
   • replacement of any employee of a state entity or school district as soon as the employee strikes or uses any of the other commonly known weapons of labor unions, such as slowdown or call-in-sick techniques.
   • legislation making unions responsible for their actions in violating their contracts.
   • true reform of workers’ compensation insurance laws in Texas, including the elimination of Trial de Novo and unnecessary litigation which makes workers’ compensation insurance costs prohibitive for employers.
   • multiple business entities under one ownership which file separate federal employers tax returns, also file separate Texas Workforce Commission quarterly reports.
   • any agricultural operator working a non-agricultural job be eligible for full unemployment benefits.
   • mandating the Texas Workforce Commission to allow 30 days for an employer that is under their investigation to set a date for them to audit their records at the employer’s place of business.
   • allowing employers 12-14 days upon receipt of certified mail from the Texas Workforce Commission to appeal an unemployment claim filed against them.
   • increasing the screening of unemployment applicants by the TWC to prevent collection of unemployment benefits without just cause.
   • clarification of just cause for termination in which an employer could justifiably terminate an employee and that employee be denied benefits.
   • restricting any unemployed from filing for unemployment claims for 5 years when that employee files a false claim.

2. We oppose:
   • the creation of a state labor department.
   • any changes in the present state picketing laws.
   • mandatory deduction of any tax or membership dues from an individual’s pay.
   • use of union dues or corporation funds for the
Farm Labor

1. We defend the right of farm workers to organize and bargain collectively without the assistance of federal or state government.

2. We support state laws and regulations concerning farm labor that contain the following principles:
   - secret ballot elections.
   - prohibition against harvest-time strikes.
   - unbiased arbitration of labor disputes, using the concept that the arbitrator shall choose one of the final proposals, or a compromise, of the two parties involved to ensure speedy settlement of the dispute.
   - prohibition against secondary boycott.
   - legal recourse for injured third parties.
   - prohibition against the use of compulsory dues for political purposes.
   - denial of tax-exempt status to any organization using compulsory dues for political purposes.
   - prohibition against the Texas Workforce Commission's solicitation of labor for out-of-state jobs.
   - workers' compensation on a voluntary basis by employers.
   - a bonding requirement for commercial labor recruiters and their sub-agents with a penalty for violation of any labor recruiting law of $1,000 or three months in jail for each offense.
   - provisions for school-aged minor employment when employment does not interfere with school program.
   - a requirement that parents and employers share the responsibility of fulfilling child labor law requirements.
   - prohibition against licensing crew leaders.
   - prohibition against any group of laborers gathering on a producer's property for any reason without producer's consent.

3. We support:
   - legislation to develop a definition of contract labor to include all employees hired for specific, short-term jobs not normally done by permanent employees.
   - penalties for fraudulent suits or harassment of farm employers or farm employees by the Legal Services Corporation and/or its agents.
   - expenses for lawsuits found to be brought for frivolous reasons be paid by the attorney filing the
suit.

- the use of legally documented agricultural labor from foreign countries when local labor cannot be secured.

- the exemption of seasonal agricultural employees from the state unemployment compensation law.

- an unemployment compensation tax rate for seasonal employees at the lowest Texas Workforce Commission rate if unemployment compensation tax is required.

- the retention of the current agricultural exemptions from unemployment compensation.

- lowering of workers’ compensation rates for custom harvesters.

- laws that would prevent the Texas Rural Legal Aid from producing and distributing material designed to promote lawsuits against farm employers.

- exemption of agricultural wages from state minimum wage laws.

- a change from calendar to annual reporting requirements for state unemployment taxes.

- a change from quarterly threshold levels to annual threshold levels.

- increasing these threshold levels to reflect wage inflation that has occurred since the enactment of agricultural coverage, and that it be indexed for inflation.

- excluding farm and ranch workers from workers’ compensation insurance. Until accomplished, we favor:

  1. lower rates with a deductible clause for agriculture.

  2. laws being clarified and simplified for agricultural workers.

  3. exemption of employers with 5 or fewer employees.

  4. agricultural employers having the option of either private insurance or workers’ compensation insurance.

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

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

We oppose:
- the formation of a state labor relations board.
- legislation which requires employers to determine the citizenship or legal immigration status of employees, or which penalizes employers for hiring illegal aliens.
- the classification of migrant workers as a separate class of labor.
- a state minimum wage law; however, as long as a state law is in effect, its provisions should not be more burdensome than the provisions found in federal wage laws.
- allowing temporary or seasonal workers hired in agricultural-related industries to file for unemployment benefits.

TAXES

Tax Structure Generally

We support:
- a more equitable tax structure that requires all the people to share in the responsibility of supporting governmental entities.
- the secretary of state to work with the attorney general and county tax collectors to utilize the statewide voter registration roll to locate and collect from delinquent property tax violators.
- abolishing the Heavy Equipment Inventory Tax on equipment for agricultural use.
- a constitutional amendment prohibiting a state income tax. If the state of Texas adopts an income tax, all ad valorem taxes should be abolished.
- retaining all agricultural sales tax exemptions, including current exemptions for food, medical expenses and industry.
- a balanced budget with no increase in taxes or fees and additional cuts in state spending before considering increased taxation.
- members of the Texas congressional delegation co-sponsoring a federal retail sales tax as a complete replacement for all forms of income, inheritance, Social Security and Medicare taxation.

We oppose:
- retroactive taxes
We support:

- a legislative review of Section 23.55 of the Texas Tax Code, regarding rollback taxes, to define the intent of the law and evaluate potential impacts to agriculture. Depending on review, we support a reduction in rollback taxes for ag valuation that will avoid any negative impacts on agriculture.
- repealing, or reducing and constitutionally capping, all property taxes and lowering the current appraisal cap. All increases above the cap should be approved by countywide election. Any new tax should be accompanied by a pro-rata reduction in property taxes.
- legislation for property tax relief that allows for the implementation of a voter approved sales tax to help finance voter approved bond issues at the county level. The sales tax would exist for the life of the bonds or until voters recalled in a proper election. This sales tax will be in addition to any existing sales tax.
- property tax relief efforts in the State of Texas.
- the state constitution retaining, as a permanent provision, assessing for tax purposes agricultural land according to its productive value. Legislation should mandate compliance with agricultural use value provisions by all agencies which levy and collect property taxes.
- legislation that would deny the power of eminent domain and taxing authority to development districts until a district referendum has passed.
- appraised values reflecting any decreased use and/or value as a result of power lines, pipelines, oil/gas field roads, oil/gas field locations, pipeline facilities, and wind turbines.
- taxation of property and assets of public and private utilities by appropriate taxing jurisdiction.
- legislation that reduces taxable value and/or tax rate (primarily school taxes) on idled agriculture facilities to a level where the facility can be maintained with the intent of the facility restarting in the future.
- apiary be recognized as an agricultural enterprise and receiving ag valuation on related real property.
- all structures and facilities used for producing agricultural income not being valued separately when income method is used to value farms and ranches.
- legislation exempting buildings used for the storage or protection of farm equipment, tools, feed, livestock, poultry, animal and poultry waste, and other agricultural supplies from property taxes.
- legislation to exempt dairy barn equipment from property taxation and that the dairy barns be taxed at the same rate as other agricultural buildings.
- all implements of husbandry remaining exempt from property taxes.
• legislation to prevent taxing authorities from applying penalty taxation surcharges whenever rollback taxation applies to the sale or change of use of agricultural land.
• reducing the years of rollback tax penalty assessed on property that does not change ownership from 5 years to 3 years, or less.
• no waiting period for property to qualify for ag valuation when it is taken out of ag use and then returned to ag use.
• Open-Space (1-d-1 forms) for Agricultural Use Appraisal should only be required to be updated when the property has change of ownership or a change of use from agricultural land.
• Article 8, Section 19 of the state constitution, relating to exemptions for farm products and family supplies, be retained. Orchards should qualify for this exemption.
• incorporated cities being prohibited from collecting city taxes from any area designated as farm and ranch, as long as such land is operated as a farm or ranch.
• continued ag value designation when agricultural use land is annexed into cities while production exists.
• the present law, as passed by the Legislature in 1983 (SB 969), pertaining to the authority of certain counties should be amended to exempt farm and ranch property.
• increasing and applying the homestead exemption on all ad valorem taxes. All property taxes on homesteads should be frozen at the age of 65. Due to inflation, these exemptions should be indexed using the local appraisal district calculated inflation index for rising property values. A homestead should be defined as being up to 200 acres, and classed as agricultural land at the owners option, for taxation purposes in this state.
• legislation to freeze all property taxes for individuals 65 years of age or older on land valued for agricultural use.
• a uniform tax code for all two-year educational institutions and all other taxing entities that includes a standard $25,000 homestead exemption and freezing of ad valorem taxes for individuals 65 years of age or older and requirements that constituents of a new taxing districts vote to remain a taxing district of the institution every 5 years.
• election of appraisal districts' boards of directors and oppose a state appraisal system controlled from Austin. Appraisal districts should be allowed to do only those jobs intended by the Texas Legislature. There should be no statewide or area wide methods of property valuation. Section 5.10 of the Property Tax Code entitled "Ratio Studies," should be repealed and we oppose any effort to require mandatory re-
valuation in an appraisal district. The Property Tax Assistance Division should continue to serve only as an advisory board to county tax offices. We support legislation eliminating expensive requirements of the Property Tax Assistance Division that affect appraisal districts and favor the 3/4 jurisdiction rule assuring rural areas adequate representation. We support imposing a spending limit on appraisal to 1/2 of 1 percent of the total tax collected from all taxing entities in the district the previous year. Legislation should be passed to place the Central Appraisal Districts under budgetary control of the county commissioner's court. The Central Appraisal District should provide a worksheet reflecting changes in valuation any time a taxpayer receives a notice of value increase.

- elimination of the current unelected position of County Chief Appraisal Officer and support the shifting of the duties of the Chief Appraiser to the County Tax Assessor/Collector which is an elected position.
- amending existing legislation to provide for the public election of at least one member of each Appraisal Review Board in each appraisal district.
- legislation that would require any taxing entity to be subject to a rollback if, by either raising the tax rate or raising property values, or a combination of the two, the amount increased exceeds 8 percent. We support lowering the current rollback rate of 8 percent.

- Timber Price Trends publication used by county appraisal districts for property tax calculations contain figures representing at least fifty percent (50 percent) of all timber sales, including gatewood prices.
- modifying the methodology used in calculating the annual growth of timber to reflect a value that is a more reasonable projected rate of growth.
- the legislation that holds timber land appraisal to no more than the projected growth of timber. For property tax purposes, areas that have been converted to pine plantations and replanted timberland should be valued as unimproved open pasture land for the first 15 years.
- legislation that would prohibit local taxing agencies and appraisal districts from assessing the market value of property on the basis of speculative and theoretical values for subdivision or resort property, and taxing agencies and appraisal districts should be required to use a lower realistic value. Taxing entities and appraisal districts should provide a list of improvements and/or attributes of the properties used for establishing comparative value. If there are no like properties for comparison in close proximity, the valuation could only be increased by the percentage of the CPI Index or the Bank Prime Lending Rate whichever is the lesser.

- any charitable organization having income
producing property to be taxed for that property. Any governmental entity or any other tax-free organization, except houses of worship, as defined by the U.S. Tax Code, acquiring land or property should not be allowed to remove it from its tax roll. The places of worship of churches should be tax-exempt, but all other church-owned revenue-producing properties should be taxed.

- state law which allows tax free housing be amended to provide for taxes to be paid to local taxing entities on those projects.
- volunteer fire departments being exempt from taxes.
- only real property owners should be eligible to vote in bond or property tax elections. These property owners should be permitted to vote in bond or property tax elections in the voting district in which their property is located, even though this location is not the location of their residence.
- legislation which precludes election, appointment, or incumbency to any public office of any individual who is delinquent in property tax payments.
- reappraising property every three years instead of annually.
- exempting agricultural land from the higher productive value appraisal at which land registered with TPWD is taxed.
- legislation which clearly defines “Ecological Laboratories” in the tax code in order to provide meaningful guidelines to judge the legitimacy of applications for this status. Until guidelines are established, such land should not receive open space designation.
- appraisal districts refunding mistakes in assessments that run for multiple years up to a maximum of five years, and the removal of judgment error immunities from statutes.
- an appraisal system which values minerals based on actual value and that is more responsive to movements in the market and that new minerals should have an equal standing with improvements in the compilation of the property tax rate.
- the Texas Legislature efforts to amend the Property Tax Code in order to close the loopholes in the Tax Code that provides an unfair advantage to oil and gas operators and mineral owners.
- an amendment to 23.175 a, b, c, tax statute that delays the initial ad valorem property tax of the mineral gas pool values for 12 months and also provides a methodology to adjust incorrect valuations, overpayments and refunds.
- appraisal districts with mineral valuations to inform royalty owners of the appraisal methodology utilized on gas wells prior to the owners meeting with the appraisal staff.
- improvement valuations to farm or ranch acre-
age such as wind turbines, mineral development or other commercial development to revert to ag valuation if the development is abandoned.

- reduction of time required for attaining agriculture or open space valuation on land acquired for agriculture use purposes.
- tightening requirements to include regular verification of a legitimate active management plan to qualify for and retain wildlife management valuation.
- the Texas Parks and Wildlife working with the Wildlife Co-ops/Wildlife Management Associations.
- appraisal districts’ policies that assess stocking rates required for an agriculture valuation being determined by the productivity of the property not acreage alone.
- land purchased or managed solely for environmental conservation, water stewardship, or water production purposes being assessed on current market value.
- monitoring and working closely with the State Comptroller’s Office to assure that more accurate data is used in determining hunting lease income and expense factors as well as cash lease values, rather than the information presently gathered from sources such as Parks and Wildlife, FSA, NRCS and the Extension. Such data can be obtained at the local level by the Chief Appraiser and the County Agricultural Advisory Committee.
- the comptroller's office accepting local actual agricultural production data (income and expense from producing crops and livestock) from each appraisal district when valuating agricultural land, especially when the data can be substantiated.
- all production expenses being considered in valuation formulas using a ten year average.
- persons evaluating farm property having knowledge and experience in agricultural land valuation.
- appraisal boards appointing appraisal review boards with equal rural representation.
- appraisers meeting the following standards:
  1. All Appraisers in an appraisal district shall be licensed by the State of Texas.
  2. A person seeking certification shall take classes at any college offering the appropriate classes.
  3. Passing the State exam shall certify the appraiser.
  4. No internship shall be required.
- property that has not changed ownership or type of ag usage only requiring the owners signature for recertification for ag valuation with the Central Appraisal District.
- Farm Services Agency (FSA) certification report being accepted for ag use certification when property has changed ownership or type of ag use.
- appraisal districts valuing water wells and
• appraisal district employees entering private property to make accurate appraisals but, we oppose the practice of appraisal district employees making appraisals without the landowner’s actual knowledge. Employees of appraisal districts will obey the Texas trespass law. Any taxing authority that enters any property should have properly identified vehicles and name badges and notify owners of property prior to entering.

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

• cities buying property for municipal use or for lakes outside their own county being required to pay all taxes that would have gone to the county where the property is located.

• cities building reservoirs to provide a water supply being forced to pay county and school taxes on land inundated where such land, at the time acquired, was covered by bonded indebtedness to the extent necessary to retire their proportionate share of the bonded indebtedness.

• any property held solely for investment or speculation by any political subdivision of the state or state agency, being required to pay a fee equal to all applicable property taxes.

• the appraisal district posting in the local paper the average increase in value if the county’s property values have gone up, to show a real increase in taxes.

• a property owner that prevails in court against a taxing entity in a property valuation dispute being entitled to recover all expenses incurred in association with the lawsuit, plus compensatory damages, if applicable.

• the Texas Property Tax Assistance Division of the Comptroller developing more precise appraisal guidelines for the valuation of manufactured homes for property tax purposes.

• legislation that would require taxing and tax collecting entities to send receipts by mail to those who pay by mail. Taxing entities which do not send receipts for taxes paid through the mail should be prohibited by law from foreclosing on property for non-payment of taxes.

• Texas Property Tax Exemption for Surviving Spouses of Disabled Veterans.

We oppose:

• the inclusion of crop insurance payments when calculating ag value.

• two tier tax for homes and other property.

• any tax on personal property.

• mandatory listing on county tax rolls of any personal property used in the production of agricultural commodities.
• taxation of unmined or unproduced coal and other minerals.
• subjective and/or unrealistically high values (such as views, possible building sites/development, etc.) being used to set the appraised value of property.
• clearing of cedar, ashe juniper, and removing dead oak wilt, or the installation of a rainwater collection system being the basis for increasing the appraised values of land by appraisal districts.
• the Property Tax Assistance Division setting out hunting lease income as a separate line item in determining agriculture income.
• farms that border public roads or highways being taxed from the center of the roadway. In some cases, easements to widen rights-of-way were given by owners without compensation. The farm tax boundary should be at the road or highway right-of-way and mineral rights should go with the farm from the center of the road.
• the state or appraisal districts being allowed to increase value on property with agriculture or open space land valuation, including property under wildlife management, by changing the calculation methods or caps. All property should be individually assessed to ensure equal valuation. Adjoining properties should be compared to like properties and should not be assumed to have the identical value of a neighboring property.
• any state agency setting property tax values higher than a school district’s local values if the district is in a uniform county valuation unit, as this results in lowering the state funding of the school district.
• all river authorities having the powers of taxation.
• any tax being imposed on the seventeen (17) counties in the Trinity River Basin for the purpose of construction or maintenance of the Trinity Canal.
• the taxing entities being allowed to foreclose on property because of nonpayment of minimum taxes, if the entity fails to send tax statements. For taxing districts and entities, if it is the entities fault for not notifying the landowner of record that taxes are due, then any penalties, collection fees, and interest should be waived.

During a declared drought or other natural disaster, selling of livestock, or discontinuance of hay, grain, fiber or nut production, or receipt of crop insurance payments shall not result in the loss or change of ag valuation status for a period of five (5) years following the end of the declared drought, or other natural disaster.

The intent of the open space legislation is being abused by granting open space valuation to unqualified tracts of land. In order to qualify for agriculture
valuation, Wildlife Management acreage must meet 4 of 7 management objectives.

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

- legislature placing roll back decreases or caps on property tax increases, across all taxing entities including school districts.

**Other Taxes**

We support:

1. the Legislature exempting from state sales tax material used in construction of new agricultural barns or material used for remodeling or repairing of such existing barns used for storage of feed or machinery.
2. the State Sales Tax Exemption of agricultural precision services, subscriptions and agriculture equipment when used exclusively for agricultural purposes. All exemptions should require a Texas Agriculture or Timber Registration number.
3. exempting from sales tax recreational income on agricultural land.
4. those claiming agricultural exemptions be issued a number from the Comptroller's office to be placed on purchase invoices. The Comptroller's office should take action against businesses which refuse to honor sales tax exemptions for items purchased for agricultural use.
5. exempting the tax on the resale of a vehicle on which the state sales tax was paid when purchased new.
6. all exempting taxes on fuels and lubricants used for agricultural purposes.
7. up to one cent per gallon sales tax on fuels to be returned to the respective counties for county road improvement. The present motor fuel tax refund for non-highway uses should be maintained. We support a tax exemption for clear diesel purchased for off-road use. All fuel tax money should be spent on roads rather than being put in a general fund for other purposes. There should be no tax on vehicle miles traveled as a means of funding new road construction.
8. repeal of the state inheritance tax. If the estate tax is not repealed, we support the use of Ag Use/Open Space valuation in calculating the estate tax.
9. In order to preserve private property rights and to facilitate transfer of estates to legal heirs without unreasonable expenses, we favor amending Texas probate laws to simplify the probate process and to reduce the excessive legal fees involved. We recommend the value of agricultural property be valued at the ag valuation used to calculate ad valorem taxes.
10. the Texas Legislature allocating the Severance Tax collected on every barrel of oil or condensate produced and/or sold in Texas as follows: Available

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Funds to be used by TxDOT and the counties to repair the roads being destroyed by the drilling and production activity.

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

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

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

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

• the use of sales tax receipts by community economic development corporations to develop and encourage businesses that will process or add value to agricultural products.

• a reasonable increase or indexing of dedicated fuel taxes for construction and improvement of non-toll roads.

• Volunteer Fire Departments receiving a tax rebate on fuel.

• tax rebates and/or payments to school districts and/or counties for land taken off of the tax rolls by government mandate.

• any increase in the state gasoline tax being at least partially allocated to county commissioners courts for the purchase of rights-of-way for roads, because of the importance of farm-to-market roads to rural residents and to agriculture in general. Cities needing additional funds for roads, highways, or other similar improvements should not be permitted to utilize revenues generated by increased motor vehicle fuel taxes for these purposes. Such funds should come instead from city vehicle taxes imposed within the city limits.

• a proportional share of the tax on aviation fuel being used to repair airports in counties where the tax is paid.

• payments to municipalities or entities benefiting from construction of water infrastructure being paid for through sales tax or fees on water and wastewater service.

• an increase in local sales tax to finance water projects and for incentives to mitigate harm to endangered species.

• all public entities handling tax money being required to publish their annual budget requests in column form in their local newspapers.

• a public referendum being permitted to roll back any tax increase by any entity.

• the people’s right to an election by roll back
petition when property tax rate increases exceed 8%.

- voters having the right of “recall vote” when the
  Texas Legislature increases our tax burden.
- a resolution preventing a taxing entity from issuing any type of indebted instruments that would extend beyond the current operating year without a public referendum.
- legislation allowing a property owner to vote on bond and tax issues in every political subdivision where he/she owns taxed property.
- exempting rural cemeteries from mineral taxation.

We oppose:

- a punitive tax or any consumption restrictions on carbonated sweetened beverages, food, or consumables containing agricultural products regardless of size.
- a medical tax on hospital bills to go to a state fund for allocation to hospitals to defray indigent care costs.
- the collection of exempt taxes and the subsequent application of taxes for refund of bonding, in order to bypass the refund application.
- legislation that would eliminate any of the counties portions of funds from road use, such as road assumption, vehicle registration fee and school funds.
- any taxing entity using tax dollars dedicated to a specific purpose for any other purpose without a public referendum.
- taxation being used as a method of regulating energy use or of implementing EPA standards.
- Legislature allowing taxing entities in the State to grant tax abatements.
- sales tax on the sale of seeds and annual plants, the products of which constitute food for human consumption.

The Subchapter S Corporation is a tool for estate planning and should not have to carry the burden of a franchise tax, since all assets and profits of the Subchapter S Corporation are taxed as individual proprietorships. We propose that all family corporations which derive more than 50% of their earned income from agricultural production be exempt from any franchise and margins tax because farm or agriculture production income is unable to pass on any tax expense. Retained earnings, also referred to as earned surplus, should be deleted for franchise tax purposes. We oppose any unemployment taxation on an owner-manager of a Subchapter S corporation.

We oppose the establishment of Tax Reinvestment Zones (TRZ) unless it is approved through a majority vote of all property owners located within the taxing entity. Prior to a vote, all property owners within the taxing entity should be given advanced written notification by mail of proposed TRZ and its purpose as well as dates of all related hearings and meetings.
We oppose any municipalities being able to impose a tax on fuel sales in their jurisdiction without a local election in addition to state and federal taxes already in place. The current exemption for off-road fuel should apply to municipal fuel taxes.

**NATURAL RESOURCES**

**Energy and Fuels**

1. **We support:**
   - the use of nuclear energy as a dependable, economical and safe source of power.
   - fully developing fusion nuclear power.
   - reinstitution of the nuclear breeder reactor program to provide energy from nuclear waste.
   - efforts to establish the infrastructure to provide natural gas to all motorized vehicles.
   - appropriate agencies of state government establishing a high priority for agricultural use of fossil fuels to ensure necessary production of agricultural commodities.
   - trash and garbage be recycled or used as energy where possible.
   - the repeal of the regulation against a second liquid draw line on LP gas motor fuel tanks.

2. **We oppose:**
   - the processing, reprocessing and the production of mixed oxide fuel (MOX) in areas where there is possibility or risk of pollution and contamination of agricultural land, air and groundwater.
   - any mandatory regulations or fees with the registration or monitoring of above ground fuel storage for farm use.

**Renewable Energy**

1. **We support:**
   - legislation encouraging renewable energy.
   - exempting fuel alcohol from state taxes.
   - eliminating the fuel alcohol percentage requirements in gasoline.
   - increased research and development of alternative fuels using agricultural products and byproducts.
   - farm-based renewable energy from wind, solar, geothermal, and biomass sources.
   - photosynthesis research to help better understand how solar energy can be converted into electrical energy.
   - legislation and interpretation of present environmental law that would classify biofuels (biodiesel, ethanol, and biomass electrical generation) as "green fuel."
   - better incentives for the production of renewable energy use.
• exempting fuel or energy derived from agricultural products and by-products from taxation.
• legislation requiring ethanol blends to be used where air quality violations exist.
• the creation of a renewable fuel producer assessment fund (assessed on each gallon of ethanol or biodiesel produced) to be matched with funds from the State of Texas fuel, ethanol and biodiesel production account.
• the establishment of self-help programs with oversight and administration by the TDA or the Texas A&M AgriLife Extension Service.
• legislation that would give landowners in the State of Texas all geothermal energy rights.
• new transmission infrastructure for electricity generated from renewable energy sources.
• lighting requirements for all temporary test towers for wind generation of electrical power.
• allowing landowners to lease and reserve wind interests.
• the Public Utility Commission having oversight and bonding authority for the siting and decommissioning of wind turbines.
• electric companies’ efforts to assist with information and source contracts for construction and installation of sun or wind energy units that will provide excess energy to be transmitted back to the electric company.
• the standardization of net metering for businesses and homes that produce excess renewable energy across the state.

We oppose:
• requiring fuel alcohol to be denatured if it is contaminated during manufacture to the extent that it is unfit for human consumption.
• classifying carbon released from energy generation by biofuels as a pollutant.

Utilities

We support:
• the Public Utilities Commission (PUC) members be initially appointed by the Governor for a term of four years and subsequently required to run for election after one term.
• a constitutional amendment prohibiting a public utility from passing on to consumers and landowners the costs of expansions and improvements, within reasonable limits.
• the following areas of the PUC policies that are currently administrative be enacted by the Texas Legislature to become law:
  1. The only hearings held in Austin should be the hearings before the PUC.
  2. All public meetings mandated by law for new or increased capacity of any facilities or lines be subject to the Open Meetings Act. The County Judge of the
affected county should act as the presiding officer.

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

4. Distances of transmission lines to inhabited structures.

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

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

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

8. Utility companies “take or pay” provision should be prohibited.

- expansion of the acceptable uses of the Texas Universal Service Fee to include expanding and improving broadband internet service in rural areas of Texas.


- allowing any deregulation of public utilities only if access to affordable and reliable service by rural users is maintained.

- exempting from regulation transporting companies who sell natural gas for agricultural purposes only, and who do not sell or deliver natural gas to urban areas.

- action being taken by the Texas Public Utilities Commission to investigate and work toward a resolution of the problems of rural telephone service and rural electric service.

- revocation of any service area granted to a telephone company if the entire area is not supplied telephone service within two years, or allowing other telephone companies to cross area boundaries to provide the needed service.

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

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

- efforts being made to lower intrastate long distance telephone rates to make them more compatible with interstate rates.

- the Communications Act of 1934.

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

- amending the Texas statutes under which the electric cooperatives and rural utilities operate to provide:
1. That an electric cooperative and/or rural utility cannot sell all or a major segment of its property without the approval of a majority of its members.

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

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

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

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

• legislation which holds a utility company liable for any damage caused by the company or its contractor entering private property.

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

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

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

• requiring TV cable providers to provide the same safety requirements in rural areas that electric cooperatives and/or rural utilities are required to provide, including safety shields on guide wires on poles with anchors.

• legislation requiring removal of abandoned cable TV and telephone cables in rural areas.

• enforcement of the uniform minimum height code (22 feet) of all overhead wires over all roadways to allow movement of farm machinery.

• installation of all new telephone lines underground where feasible.

• labeling of any electrical devices containing any toxic substance and being near any home site in such a manner that the individuals near the devices are aware of their contents or the landowner should be notified of their contents.

• requiring utility companies to follow all state and pesticide laws when using chemicals on rights-of-way.

• legislation giving authority to the Agriculture and Consumer Protection Division of the Texas Department of Agriculture to check the accuracy of the natural gas master meters (agricultural use) within the State of Texas as well as the BTU rating of the
natural gas so that all consumers within the state can be assured of quantity and quality of the natural gas for which they are paying.

- an interim study committee of legislators and agricultural producers using natural gas for irrigation to study the inconsistencies of natural gas prices, billing procedures, and methods to notify natural gas users of price prior to use.
- a tax on natural gas that leaves the State of Texas.
- legislation giving agricultural producers who use natural gas in their production the right to appeal a rate increase.
- regulation of electrical energy to control the cost.
- requiring utility companies to maintain their rights-of-way.
- requiring utility and construction companies to stay within their easements during their work.
- giving agriculture producers the right to appeal classifications of electrical meters as residential or commercial.

**We oppose:**

- exporting natural gas and oil out of the State of Texas for less than it is selling for in Texas.
- any deregulation plan that infringes upon the responsibility of electric cooperatives to provide metering, billing and other services to their members.
- Any deregulation plan must be consistent with state and federal policies that encourage and support rural economic development.
- public utilities declaring their gifts to charities as an expense when testifying before the PUC for rate increases.
- rural users having to pay higher utility fees than comparable urban users.
- “add-ons” and other assessments to utility bills.

**Environmental Issues**

**We support:**

- Texas Commission on Environmental Quality (TCEQ) being independent of the Environmental Protection Agency (EPA) in regulating environmental issues in Texas.
- the Public Utility Commission and TCEQ adopting incentives that would encourage utilities to use advanced clean coal technologies.
- monitoring of ambient air quality in unclassified areas to determine a baseline before any coal-fired power plants are permitted by TCEQ.
- the rights of all citizens to complain to their regulatory agencies; however, we vigorously oppose the complainant’s abuse of privilege.
- legislation to limit on-site inspections of the same nature by regulatory agencies to one complaint per annum. Thereafter, the complainant should pay
for inspection costs incurred by the defendant and
agencies for the same type complaint, unless the
complaint proves to be a permit violation.
• false accusation penalties for persons making
a false complaint about chemical drift.
• legislation that restricts environmental agency
powers preventing unnecessary discrimination to-
ward individuals and communities.
• the confidentiality of all environmental audits
requested by non-governmental institutions of real
property. These audits should remain privileged
information between the buyer, seller and lender.
• Texas anti-littering laws.
• a deposit on aluminum can and glass bottles
to reduce litter.
• the use of recycled and recyclable products
whenever financially feasible.
• the use of agricultural products in the produc-
tion of biodegradable products.
• legislation limiting TCEQ's ability to enforce,
restrict, and/or fine an entity for spilling, dropping,
or losing small amounts of petroleum products into
the environment during the normal everyday use of
agriculture equipment, tools, and lubricants.
• the use of prescribed burning as a valuable
agricultural management tool to manage vegetation
in Texas.
• a state-sponsored training program for pre-
scribed burning.
• the Texas program for Certification of Pre-
scribed Burn Managers.
• the use of prescribed burning during the county
burn bans provided the burn is conducted by a certi-
ﬁed prescribed burn manager or other individual ap-
proved by the commissioners' court who has adequate
prescribed fire training.
• the involvement of NRCS, Texas AgriLife Ex-
tension Service, Texas Forest Service or other quali-
fied entities with prescribed burning, which includes
the education and physical assistance with helping
landowners implement the practice.
• research and actions to provide accurate
weather forecasting and storm detection as a vital
aid to farming and ranching activities.
• the setting of a maximum acceptable level of
salt water in the land as a result of oil and gas pro-
duction. This maximum level should not take into
consideration naturally occurring salt water levels.
• TCEQ replacing the Texas Railroad Commission
as having authority to investigate, remediate, and
take enforcement action against a person or entity
that exceeds the maximum acceptable level of salt
water due to oil and gas production.
• requiring mitigation land to be managed at the
highest practicable level.
• legislation requiring land controlled or moni-
stored by Texas Parks and Wildlife or any environmen-
tal/conservation group be maintained in a manner
which improves water conservation and diminishes
fire risks by reducing or removing excess under-
growth and thinning forest to an acceptable number
of trees per acre. Methods to accomplish these goals
may include prescribed burns, livestock grazing,
mechanical and chemical control.

- adequate protection for land owners who own
  the surface rights without mineral rights.
- an in-depth agriculture impact study concerning
  nuclear weapons assembly plants expansion.
- agriculture being exempt from laws or regula-
tions that restrict the burning of fencing material.

**We oppose:**

- greenhouse gas emissions from energy usage or
  from livestock being considered pollutants.
- TCEQ issuing permits for new coal-fired power
  plants unless they consider incorporating Integrated
  Gasification Combined Cycle (IGCC) or advanced
  combustion technologies along with latest pollu-
tion control technologies that meet or exceed EPA
  requirements.
- a coal-fired power plant disposing pollutants in
  areas that could harm ground or surface water even
  if the plant is permitted with latest technology and
  meets clean air standards.
- passage of legislation that would give any indi-
  vidual or group the right to sue farmers, ranchers or
  others in cases of claimed environmental pollution
  where the person or persons bringing the suit are
  not directly affected.
- an individual or entity moving into a farming or
  agriculture production area having the right to sue
  an agricultural producer because of dust, noise, odor,
  or drift, so long as the property has been in produc-
tion prior to the new resident, individual or entity
  moving in to the area.
- legislation, regulating or taxing “dust” in any
  open-air agricultural operation.
- TCEQ’s Citizen Watch Program.
- any environmental assessments of rural rights-
of-way performed by or for public or private utility
  companies, and the release of these assessments for
  public review without the landowner’s prior written
  consent.
- legislation limiting the handling, use and stor-
age of oils, oil filters, air filters, gas, diesel or any other
  items needed to operate an agricultural enterprise.
- weather modification activities and research
  being conducted with full public understanding and
  recognition of possible effects to property in the area.

We recommend that before any weather modification
activities take place over any region, landowners of
that region be given the right to vote on this issue.
Uranium Mining:  
**We support:**  
- TCEQ being the entity responsible for regulating uranium exploration, mining, and restoration.  
- due process permit proceedings and approval by local commissioners court and groundwater conservation districts before any permit is granted.  
- groundwater baseline testing being required before any significant exploration is allowed.  
- confirmation of the suitability of an aquifer to allow safe mining without the potential of harming the groundwater prior to the issuance of any exploration permits for in-situ uranium mining.  
- continued monitoring of the aquifer until there is no longer a danger of radioactivity.  
- early warning detection wells placed no more than 100 feet from the mine in addition to the already mandated monitoring wells set at 200 feet.  
- third party monitoring of the wells  
- monitoring reports being sent to the local groundwater conservation districts.  
- indemnity funds being made available for use by surrounding landowners outside the permit area when such landowners are affected.  
**We oppose:**  
- in-situ uranium mining in a drinking water or stock water aquifer.

Animal Species Generally

**We support:**  
- farmers, ranchers, and appropriate state employees being able to use all effective methods of predator control, including the use of steel traps, aerial hunting, chemical toxicants, and M-44s, to protect livestock, wildlife, poultry and crops.  
- a concerted statewide effort to retain present laws allowing the taking of furbearing and other non-game animals whose pelts may be of value, and the shipment and sale of their pelts.  
- classifying the mountain lion as a predator rather than a game animal.  
- efforts of state and federal agencies to improve and practice control measures for destructive species of predators, rodents, and pests.  
- continued adequate funding for predator control, which includes bounties for predators of perishable crops.  
- federal funding for the USDA Animal Damage Control program and request that more of the ADC funds be utilized at the field level to reduce some of the burdensome administration.  
- the state and federal government taking action to prevent public lands, parks, military bases, and other government-controlled land from becoming safe havens for predators or any other agricultural pest from which they can stage raids on nearby farms.
28. and ranches.
29. • legislation making it a crime and a civil tort to
30. release destructive animals into the wild.
31. • research on the adverse economic impact of
32. blackbirds, grackles, and other avian pests that leads
33. to their control and/or elimination in both agricul-
34. tural and non-agricultural areas.
35. • the Texas Department of Agriculture working
36. with chemical companies to obtain a chemical labeled
37. to control the “prairie crayfish.”
38. • any recovery program for endangered species
39. including but not limited to The Edwards Aquifer
40. Recovery Implementation Program which includes
41. landowner and/or producer incentives and avoids
42. any restrictions and punishment that would have
43. a financial impact on the private property owner,
44. including any fees or taxes.
45. • a landowner and/or producer operating private
46. property that is declared habitat for endangered spe-
47. cies should receive adequate annual reimbursement
48. for restrictions placed on the land.
49. • an economic impact study being made and its
50. results considered before declaring any endangered
51. species.
52. • requiring multiple agencies to be involved in any
53. scientific studies, planning, or permitting involving
54. candidate or listed endangered species.
55. • the right of landowners and/or producers or ten-
56. ants to protect themselves, their families, livestock
57. and properties from all predators, or invasive species,
59. • removal of all poisonous reptiles from any list
60. of threatened or endangered species.
61. • removal of the Black Vulture “Coragyps atra-
62. tatus,” from the protected status of the Texas Parks
63. and Wildlife Department.
64. • the right of producers to protect their livestock
65. from vultures without reprisal from state or federal
66. regulatory agencies.
67. • legislation to save the Texas oyster industry and
68. to protect public health.
69. • legislation allowing pet owners to buy the vac-
70. cine and vaccinate their own pets for rabies.
71. • best management practices of evaluating the
72. populations of endangered species or candidate spe-
73. cies.
74. **We oppose:**
75. • confiscation of air vehicles of coyote hunters for
76. minor violations.
77. • the introduction of any species into any area
78. that could cause detriment to agriculture.
79. • Texas Parks and Wildlife Department being al-
80. lowed to request listing of any species as endangered
81. species.
Animal Welfare 149

We support:

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

Real Property Rights 150

We support:

1. stronger action through legislation, regulation or otherwise to provide maximum protection for land and water property rights of farmers and ranchers and other landowners in Texas.
2. the requirement that utility companies or other entities holding an easement must return a landowner's property to the condition it was in prior to installing or replacing infrastructure.
3. legislation to deny public access to navigable in statute rivers, creeks, and streams located within the boundaries of privately held lands. We oppose public use of streambeds located within the boundaries of privately held lands that are navigable by statute, but not navigable in fact.
4. the right of landowners to sell the development rights, including conservation easements.
5. a landowner having the option of selling development rights or an easement versus the loss of title through eminent domain for mitigation purposes.
6. fair compensation for an agricultural producer if that agricultural producer loses income, productivity and/or the right to own or use property, or property value due to these activities or regulation.
7. the right of property owners to erect and maintain billboards.
8. the current law protecting the right-to-farm and any reasonable changes which strengthen it.
9. statutory and constitutional protection of farming and ranching practices used in production agriculture in Texas.
10. the immediate cessation of state government agencies purchasing real estate from non-profit organizations at a profit to those organizations.
11. the removal of tax exempt status for non-profit organizations and require payment of taxes at the appropriate rate when real estate purchased by these groups with tax-exempt dollars is transferred or sold to a government body rather than being donated.
12. no net loss in private land ownership.
13. legislation that would grant ownership to the current owner or adjacent owner of abandoned state.
and county rights-of-way, or abandoned railroad
rights-of-way.

- the requirement that any governmental agency,
or other entity, which establishes a hike and bike
trail, ensures protection of adjoining landowners
through construction and maintenance of adequate
fences and protection from liability issues related to
the use of such facilities.

- allowing all landowners in Texas to have the
option of maintaining a fireguard within boundaries
of highway rights-of-way and railroad rights-of-way
next to their property.

- limitations on rights-of-way permits and ease-
ments requiring that the right be exercised within
5 years.

- requiring public utility companies to use exist-
ing rights-of-way where possible.

- strict enforcement to prevent trespassing on
private property.

- relief from liability for property owners and
lessees for injuries to trespassers on their property,
whether their property is posted or not.

- classifying the unauthorized landing of hot air
balloons on private property as illegal.

- the FAA applying regulations (FAA CFR 91.119)
that apply to other civil aircraft to recreational
motorized manned ultralight, paraglider, parachute
operators and abolish FAA part 103 that was created
for these operators.

- holding all aircraft operators, including military,
liable for all damage to livestock and property caused
by over flight of the aircraft.

- establishing a minimum flight altitude to ensure
safety of livestock.

- landowners being able to forcefully remove non-
military drones in flight over an owner’s land without
notice to the operator if the drone is endangering
livestock or property.

- legislation that makes trespassing below the
surface of land as well as on the surface of land illegal.

- legislation that would exempt all property own-
ers from liability for damages or injuries from wildlife,
including Africanized Bees, on private property.

- legislation to reduce, limit or eliminate the li-
ability on agricultural and/or agritourism operations
due to the inherent risks of those operations.

- agritourism which includes, but is not limited
to: corn mazes, educational farm tours, choose-and-
cut Christmas trees, farm animal exhibits or petting
corral, hay rides, bed and breakfasts, on-farm event
hosting, on-farm retail markets, pick-your-own fruits
and vegetables, winery tours and wine tasting.

- a landowner’s right of ownership to artifacts
associated with archeological and historic sites, when
they occur on private land.

- the right of property owners to use their prop-
the right of property owners to sell, lease, or donate all or any part of their property.

• requiring any buffer around the perimeter of military bases, designed to keep land in production agriculture, be clearly focused on that purpose alone.

• any agreements between the military, or its agents, and landowners to be by lease or contract rather than easement, and in terms of years, not perpetuity.

• amending Texas probate laws to simplify the probate and to reduce the excessive legal fees involved to preserve private property rights and facilitate transfer of estates to legal heirs without unreasonable expense.

• legislation that will provide a remedy for property owners who have been victimized by erroneous or improper appraisals in inheritance tax and land condemnation cases that will include a course of action within civil law against such appraisers, including the awarding of compensatory and punitive damages.

• state tenancy laws that provide lessees rights of fair treatment but that maintain the property rights of landowners.

• legislation which would prevent foreign ownership of agricultural land, production units, processing plants and/or warehouses which would result in unequal and unfair foreign trade advantages.

• a requirement for foreign landowners to pay the same taxes required of citizens.

• landowners being able to own property to the center of a creek if they hold an appropriate deed.

• limiting the Texas Parks and Wildlife Department’s authority for acquisition of agricultural land to voluntary purchases without the use of condemnation, and with authorization from the Legislature.

• a property owner’s right to utilize resources to preserve environmentally sensitive ecosystems from development.

• encouraging the use of Texas Parks and Wildlife and/or U.S. Fish and Wildlife expertise, but it should not be required.

• current law that provides landowners with safeguards under the development of regional habitat conservation plans.

• any reasonable changes to strengthen the current law to benefit private property rights.

• Increased liability protections for landowners and livestock owners along Texas roadways due to damaged fences from motorists.

• requiring highway departments, utility companies, local, state and federal governments that damage property to notify property owners within 24 hours, post a guard on all fence damage until repairs can be accomplished, and to settle claims within 30 days of occurrence.
• legislation giving the Texas Legislature authority to clear up land vacancy issues relieving the property owner from the burden of proof of ownership.
• requiring vacancy applicants to assume all expenses related to proving a vacancy, including expenses of all parties in an unsuccessful application.
• legislation that a vacancy be awarded to the party(s) without charge and no compensation to the “discoverer/finder” in cases where there is “Vacant Land” (unsurveyed, unsold public school land) and the land is held by a “good-faith” party.
• divesting occupied land and unoccupied land without title as required by the Texas General Land Office.
• landowners, who as good-faith claimants have purchased title and paid taxes on land, having priority standing in ownership disputes between parties, including state or federal governments.
• the establishment of reasonable property line setbacks for industrial wind farms by the Public Utilities Commission, utilizing input from accredited organizations and approval by property owners’ coalition.
• require the entity requesting a dig test, as well as Dig Tess (Texas 811) to notify the landowner/operator at least 48 hours prior to digging/excavation and obtain landowners permission or all clear.
• greater protection and access to information for the landowner/operator under the Dig Law.
• We oppose:
• the recreational use of motor driven land conveyance vehicles on or in any public stream or public stream bed in the State of Texas.
• any waters of the State of Texas being designated for any purpose that would adversely affect a landowner, including the American Heritage Rivers Initiative.
• any state or federal money being spent on the American Heritage Rivers Initiative.
• State and Federal Government efforts to expand the San Bernard Bottom Lands Project on farm and ranch land located in Brazoria, Matagorda, Wharton, and Fort Bend counties.
• any activity or regulation by governmental or non-governmental entities that will interfere with the rights and control of private property.
• any legislation that assesses adjacent landowners for cost of any road construction.
• the use of inactive rail beds as hike and bike trails.
• public access to private land, including historic or archeological sites, except when specific permission is granted by the landowner.
• the use of advanced technologies to collect surface and subsurface data without landowner consent, including all aircraft and drones.
• burdensome and unnecessary state and/or fed-
eral agency regulation of privately owned unmanned
aerial vehicles (UAVs) while being used as an aid for
agricultural purposes with landowner, and/or tenant
authorization.
• the use of drones over private property without
permission from the land owner, or tenant, except in
the case of a public emergency or court order.

Eminent Domain

We support:
• landowners being compensated for the value of
the natural resources, if the property is being con-
demned to acquire those natural resources.
• a constitutional amendment prohibiting the
use of eminent domain to take private property for
economic development purposes, unless it contains
unacceptable provisions.
• additional protection for the private property
rights of landowners when eminent domain is used
to acquire property.
• legislation requiring those exercising eminent
domain to make a good faith offer.
• requiring the condemning authority to pay at-
torney fees, appraisal fees, and related costs when-
ever the offer is challenged and the amount awarded
exceeds the initial offer.
• adequate time being given to a landowner to
allow a satisfactory relocation.
• a governmental review to determine the number
and kinds of entities that have the right to exercise
ewminent domain and this review be made available to
the public. We encourage the Legislature to consider
limiting the number of entities with these powers.
• state legislation that would require proper and
sufficient notice when legislation is filed that could
conceivably grant eminent domain powers.
• mandating that condemners notify and serve
in a timely manner all paperwork of any kind to a
landowner and their legal counsel in connection with
any potential eminent domain proceeding.
• entities that have eminent domain authority
being required to go under sunset review.
• having at least two owners of agricultural or
open-space land represented on all condemnation
courts when agricultural or open-space land is being
condemned.
• legislation that would provide more adequate
compensation to owners of property condemned and
taken, including the option of participation or royalty
payments and for property rendered less valuable
as a result of property being divided, or adjacent
property taken in condemnation.
• additional annual compensation for a land-
owner based on its potential revenue produced from
additional use of an easement.
• an entitlement to landowners that would share
in the revenue produced on property lost by condemnation or easement.

- actions requiring that pipeline or utility easements have a minimum content of landowner protections in the initial offer.

- property owners receiving property right protections in easement terms throughout the process—whether the property is acquired from the property owner voluntarily, or if the property is taken through condemnation, and even if the property owner prevails at a commissioners hearing or court. The condemning entities being liable and bound to restore the land to its original condition, if abandoned.

- the landowner having the option of a lump sum payment and/or annual lease throughout the production period.

- appraisals on condemned land being made public information, so the people involved can be assured of obtaining fair and equitable prices for their land.

- property being acquired through condemnation for a stated purpose but not used for that purpose within a two (2) year period, or property which ceases to be used for the specified purpose, being returned to private ownership.

- giving the last owner or heirs the first option to buy back condemned property at the original sale price.

- legislation requiring complete satisfaction of all financial responsibilities before any construction commences on property or easements taken under eminent domain.

- amendment of the existing Texas-enabling process to require review and approval by the county commissioner’s court for all federal or state government land purchases or exchanges.

- the reduction of state-owned land.

- requiring by law, that any entity acquiring land by condemnation to replace in kind based on actual replacement cost, subject to approval by the property owner.

- limiting condemnation to only the surface estate when the public purpose can be accomplished by only acquiring the surface, with the minerals and water rights remaining in the possession of the owner.

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

- Texas Railroad Commission (RRC) establishing and strictly following a meaningful review process of approving Common Carrier Permit applications (currently known as T-4 Form).

- Texas Railroad Commission (RRC) verifying information submitted by applicants to ensure those entities accurately meet the legal standards for common carrier status.
• a landowner whose property may be or will be affected by a pipeline or utility project receiving notice by certified mail from any company with the power of eminent domain when their land is identified as a proposed route.

• a landowner whose property may be or will be affected by a pipeline project having an opportunity to challenge the common carrier status of any company with the power of eminent domain in a local trial court of jurisdiction and local intermediate appellate court.

• legislation that would require all entities with the power to obtain property by the right of eminent domain to have all required state and local permits before the acquisition of property can begin.

• Legislation to add a fee on all products transported through intrastate pipelines established using eminent domain and all revenues generated be directed to state highway repairs and education.

We oppose:

• any agency of government using its power of eminent domain without establishing positive proof that there is an urgent and overriding public need for the land that is more important than future production of food and fiber, and that there is no alternative to taking the land.

• using the power of eminent domain for recreational, environmental or private business, or any non-governmental purposes.

• the granting of power of eminent domain to any companies or entities without a meaningful review process establishing common carrier status or legitimate public use.

• statewide legislation which would grant the power of eminent domain to any additional groups or agencies.

• any unit of government holding an election affecting the acquisition of rural property by condemnation prior to it having permitted voting by rural and absentee property owner of voting age, if their rural property may be acquired.

• easements being used for any purpose other than the purpose for which it was originally agreed.

• the use of eminent domain to acquire land for mitigation.

• the use of eminent domain to acquire agricultural land for lakes from which the water is allocated for municipal and industrial use only.

Minerals

We support:

• measures which protect an owner's right to the fullest development, production and benefits of minerals consistent with sound conservation practices.

• the Texas Railroad Commission regulating state natural mineral resources, other than sand...
and gravel.
• TCEQ having authority over all environmental
issues regarding extraction of mineral sand and
gravel.
• legislation requiring state agencies to adopt new
practices to assure that land and mineral owners are
fully informed regarding hearings and orders on oil
and gas field rules, directives regarding pollution, and
other actions which directly affect mineral or surface
rights. These hearings should be held in the area
where the minerals in question are located, and that
appeals be heard in the nearest court of jurisdiction.
• requiring the Texas General Land Office to fol-
low Texas Railroad Commission rules and regulations
and Texas Commission on Environmental Quality
recommendations concerning the oil and gas explora-
tions and production on state lands.
• the Texas Railroad Commission being respon-
sible for periodic inspection of casings on all produc-
ing wells, oil and gas pipelines, and waste disposal
and injection wells.
• pipeline carriers being required to adhere to
strict policies for checking and repairing leaks in
lines and valves as well as in replacing old lines and
installing new lines.
• the development of mineral and energy re-
sources on federal lands by private enterprises.
• legislation to provide the Texas Railroad Com-
mission Well I.D. Number as the one identifying
number for reference in all jurisdictional agencies
inclusive of the ad valorem taxing entities.
• legislation reducing the minimum withhold
payment from $25.00 to $10.00 in a calendar year.
• the Texas Railroad Commission Informal Com-
plaint Process as the FIRST ATTEMPT in resolving
any claim before hiring legal assistance for litigation.
We support legislation that allows the mineral owner,
when forced into litigation, to recover all reasonable
lawyer fees and court costs whenever a well operator
and payer are found in violation of Railroad Commis-
sion rules and the Texas Natural Resources Code.
• legislation that would provide the prevailing
litigant treble the award from Small Claims or J.P.
Court and treble reasonable lawyer fees and court
costs in a case where a mineral owner has prevailed
by favorable decision in Small Claims Court or J.P.
Court, then, having such favorable decision appealed
to a higher court.
• legislation that helps protect mineral owners
from fraudulent operators, by removing the statute
of limitations in the case of fraudulent activities.
• price information being plainly exhibited on any
payment detail and must accompany the payment.
• legislation requiring oil and gas production
royalty checks be paid on time in accordance with
the terms of respective leases.
• legislation providing a minimum damage payment to surface owners where a well may be drilled or a pipeline installed, inclusive of any required surface production equipment for the well and pipeline. Such minimum damage payment should be paid within five (5) working days of commencement of any excavation.

• minimum damage payments being made on a per acre basis for the area excavated for a drilling rig and on a by-the-foot basis for pipeline installation(s). Where such minimum payment cannot be agreed upon, then binding arbitration is preferred over litigation; the parties sharing equally in the costs of arbitration.

• legislation ensuring that mineral rights separated from the surface rights return to the current surface owner after 10 years unless the mineral owner is known.

• all mineral and royalty rights withheld when land is sold reverting to the surface owner if not claimed within a specified amount of time after being recorded.

• all new land sales having a specified time limit on withholding of minerals. After due process of law has been executed to find mineral and royalty owners who have executive rights with their minerals and royalty, at this time the executive rights through court hearing should be returned to the current landowner and the unknown heirs share of proceeds be put in escrow for them to claim.

• efforts to clear mineral ownership for certain university fund land held in good faith under color of title for at least 50 years.

• regulations from the Texas Department of Insurance which make exclusions in title policies regarding mineral rights more conspicuous in order to better inform the land purchaser of this exception to coverage.

• legislation allowing title insurance coverage be made available as an option for mineral rights on land title insurance policies.

• a requirement that producers with one or more active oil leases have a minimum of $1,000,000 in liability insurance prior to drilling and maintain coverage until production ceases.

• requiring proof of insurance to secure a drilling permit and to sell oil with no grandfathering of leases.

• requiring the lessee to obtain a damage release from the surface owner that includes provisions to reimburse the surface owner for:

  1. Damage to livestock.
  2. Damage to the surface.
  3. Damage sustained because of reduced production of the land.
  4. Damage incurred because of devaluation of the property.
5. Damage resulting from the use of any natural resources other than those for which the lease is executed.

6. Damage resulting from the inability of the surface owner to carry on farming or ranching operations as previously conducted.

- the following restrictions for seismographic operations:
  1. No seismographic permits should be granted without consulting all landowners in the survey area.
  2. All seismographic holes should be recorded.
  3. All seismographic holes should be either cemented, filled with mud or gel before surface capping.
  4. All exploration work from aircraft should be stopped.

5. The seismographic operations should be assigned to the jurisdiction of the Texas Commission on Environmental Quality.

6. Seismic companies should be responsible for damages to the land owner and surface tenant by any company with which they subcontract.

- legislation protecting royalty owners in the event of the financial failure of the crude oil gathering or purchasing company.

- legislation preventing any oil operator or oil company in violation of Railroad Commission regulations from securing any drilling permits by changing the name of the company or by other questionable practices.

- legislation granting counties the statutory authority to execute a valid oil and gas lease on a county road right of way where it owns a fee simple interest including the mineral estate.

- enforcement of the strip mining law and regulations to provide full protection for surface property rights and to minimize damages resulting from extraction of subsurface minerals.

- regulations requiring sulfur bearing sand should be placed back in the pit near the depth from which it was extracted and surface damage created by strip mining or other mineral and/or sand extraction practices be repaired to restore the land surface to a condition acceptable to the surface owner.

- the establishment of safety standards for all oil field equipment to safeguard against natural disasters.

**We oppose:**

- efforts of federal authorities to regulate our state resources.

- any compulsory unitization or pooling of gas or oil acreage.

- legislation that would change existing agreements between the surface owner and the lessee.

- oil and gas exploration, surface pipe lines and seismographic testing from county roads and rights-of-way without consent of adjacent property owners.
We believe that under common law, landowners own the groundwater in place beneath their land. And, this common law ownership provides the landowner with a vested property right to a fair chance to capture a fair share of groundwater under their land for beneficial use. But, this common law ownership does not give the landowner the right a to specific quantity of water under their land.

We also believe in reasonable regulation of this vested property right in groundwater based on valid scientific information to prevent waste, conserve and preserve groundwater, prevent subsidence, and protect the property rights of all landowners.

We support:
- landowners having an ownership interest in all groundwater beneath the surface of their land, including brackish groundwater.
- this ownership interest giving the landowner a vested or “constitutionally protected” right to drill a well and produce groundwater; however, we do not believe the ownership interest in groundwater gives the landowner a vested right to a specific quantity of groundwater under their land.
- the reasonable regulation of the ownership interest in groundwater beneath the surface and the vested right to produce groundwater while protecting the groundwater resources of the area.
- landowners lawfully owning and controlling the groundwater captured on their land.
- the common law doctrine rule of capture in areas of the state without a groundwater conservation district.
- the creation of locally controlled groundwater conservation districts to manage groundwater where management is needed to ensure the viability of agriculture and rural communities.
- allowing districts to adopt rules to manage an aquifer based on local conditions, to prevent waste, to preserve and protect the aquifer, to preserve existing and historic uses, to prevent subsidence, and to achieve desired future conditions.
- districts adopting rules to manage an aquifer under the correlative rights principle where practical and feasible.
- groundwater districts being required to follow established procedures when considering rules or permits to provide landowners a fair opportunity to be involved in the process.
- groundwater conservation districts rules that: - are based on the best science available,
- promote good stewardship of available water supplies.
- allow landowners to exercise their constitutionally protected private property right to use or market groundwater resources.

We believe in the fair opportunity to capture a fair share of groundwater under their land for beneficial use while protecting the groundwater resources of the area.
groundwater and respects a landowner’s right to a fair share.
- We support the right of the landowner, user, or groundwater rights owner to petition a groundwater conservation district to initiate a change in the rules.
- Define brackish water.
- Apply the same rules and procedures to all groundwater, including brackish groundwater, regulated by a groundwater conservation district.
- The authority of districts to prohibit the export of groundwater when the amount to be exported exceeds the amount of groundwater needed for future use in the local area.
- Prohibiting the exportation of groundwater from a local groundwater conservation district until the district has obtained or developed reliable scientific information about the stored supply and recharge characteristics of the district aquifers, and has adopted a management plan and rules.
- Districts being granted specific authority to prohibit pumping of groundwater into "vanity ponds" for appearance purposes, and districts being required to prohibit such pumping in a critical groundwater area.
- Groundwater conservation districts evaluating and considering the impact on the rights of all groundwater users and landowners in a manner consistent with the right to a fair share when adopting rules or issuing permits.
- Groundwater wells for domestic and livestock purposes with a maximum capacity of 25,000 gallons per day located on real property of ten acres or more being exempt from regulation by a district.
- All state lands located within a groundwater conservation district being subject to all rules and regulations of the groundwater district.
- Any person capturing groundwater from any aquifer against which a tax has been levied, being required to pay taxes on groundwater transported from the district.
- The authority of locally controlled groundwater conservation districts to assess a fee on groundwater captured by a governmental entity who owns the property on which the groundwater is captured, but is exempt from being assessed property taxes by the district.
- The state assisting districts with the legal and data resources necessary to manage groundwater.
- The authority of districts to require a permit to export groundwater outside the boundaries of the district.
- The inclusion of a fee under export permits when needed to mitigate harm caused by the export of groundwater or finance the operation of a district.
- Groundwater conservation districts being allowed to set their own fees for water leaving the district.
• a streamlined petition process for the creation of a district through the TCEQ.
• strong agricultural representation on the governing bodies of groundwater conservation districts.
• the directors of a groundwater conservation district being elected to office by the residents of that district. Board members of a groundwater conservation district should keep residence within the precinct of the district they represent. A vacancy should be declared if he or she moves from that precinct before the term is up. The board should only be appointed when it is clear agricultural interests will not otherwise be represented on the board.
• groundwater conservation districts managing a common area of an aquifer meeting annually and having a cooperative management plan where the management practices of the districts can directly impact one another.
• allowing groundwater districts the authority to ensure other districts within the same groundwater management area do not deplete the aquifer.
• districts considering the following when adopting rules limiting the production of groundwater:
  - the groundwater available in all aquifers under the district’s jurisdiction;
  - the amount of groundwater available to be produced under the majority of the district; and
  - the input of the owners or lessees of the groundwater that will be impacted by the rules.
• a meaningful appeals process that allows a property owner to challenge a rule, permit, or the establishment of a Desired Future Condition of the aquifer that will result in unreasonable restrictions on a property owner’s right to produce groundwater or harm investment-backed expectations.
• Texas Farm Bureau educating members on the benefits of creating a groundwater conservation district in certain areas of the state as an option to the rule of capture.
• the following regarding the Edwards Aquifer Authority Act:
  - changes to better reflect the needs of agriculture and landowners.
  - protection of the two acre foot minimum for irrigation and the two dollar acre fee cap for agriculture in the Edwards Aquifer authority.
  - amending the EAA Act to give irrigation permit holders the right to lease or transfer their full permit to another person for any use.
  - any feasible methods to aid in the recharging of water aquifers.
• State and Federal agencies bearing full financial responsibility to remediate any action(s) that contaminate groundwater supplies. They offending agency should also bear the cost of providing neutral
representation and technical expertise for affected parties.

- exempting hand dug wells less than 50 feet deep from registration.
- water districts using observation wells, nozzle packages, hour readings, center pivots, electric and/or gas consumption, or meters to determine historical water usage. All methods should be formulated allowing for an efficiency decline of at least 10%.
- all “water users” abiding by the rules of the groundwater conservation district, including state agencies, governmental entities, municipalities, and the oil and gas industry.
- all groundwater pumped for use in drilling or hydraulic fracturing of gas or oil wells:
  - be metered at the pump and reported to the Groundwater Conservation District;
  - have a working check valve at the well head to prevent any water flowing back into the aquifer; and
  - be properly contained.
- the privacy of all information obtained by water districts on specific individuals or farm entities and support that said information be kept confidential and not available for public information release.
- all data information being de-identified and aggregated before release to any entity or State agency. Producer information should remain confidential and exempted from disclosure from the Freedom of Information Act (FOIA).
- groundwater conservation districts receiving notice of and having standing to protest injection wells that may have a detrimental impact on the groundwater resources in the district.
- Aquifer Storage and Recovery (ASR) projects that will provide needed water supplies, while protecting the property rights of landowners.
- TCEQ permitting ASR projects, but groundwater conservation districts having the authority to monitor ASR projects to ensure there are no detrimental impacts to the existing groundwater supplies or private property rights.
- all landowners being compensated for drainage of their brackish groundwater in regulated areas.

We oppose:
- any state or federal control, oversight or management of groundwater including brackish groundwater.
- the exportation of groundwater out of an arid region.
- mandatory consolidation of groundwater conservation districts.
- districts should not be required to issue permits for uses outside the boundaries of a district that are of longer term than are issued for in-district uses.
- the statute requiring a separate process for
permitting and regulating brackish groundwater.

• assessing landowners a fee or tax for capturing groundwater on their own property, except when necessary to fund the operations of a locally controlled groundwater conservation district or for exporting groundwater outside the boundaries of the district.

• the classification of any aquifer as an underground river that would be regulated by the state.

• permitting pumping of groundwater into any water course for the purposes of transporting groundwater downstream.

• the use of groundwater to maintain a certain level for amenity lakes.

• water meters being required on irrigation equipment by TCEQ, taxing entities, or other agencies.

• any entity being granted sovereign immunity from the rules and fees of a groundwater conservation district.

• any changes to the Edwards Aquifer Authority Act that will harm agriculture or landowners.

• districts allowing permit holders to retain full right to historical use of the water changes to some other use.

• regulations that attempt to prioritize the beneficial uses of groundwater between groundwater users, whether fresh or brackish.

Surface Water

We support:

• diffuse surface water and wetlands being the lawful property of the surface owners of the land.

• actions to limit non-essential domestic uses during times of drought.

• the right of landowners to utilize the rainfall that occurs or flows on their land for impoundment, irrigation, or other use regardless of prior claims downstream.

• agricultural producers and landowners rights to impound a reasonable amount of surface water, up to 200 acre feet, without permit for domestic, livestock and wildlife management use based upon the climate in the geographic location of the impoundment, the degree of intensity of the operation, and the tract size where the impoundment will be located.

• the construction of retention ponds to store runoff water to help control flooding and to allow for greater recharge of the underlying aquifers. These facilities should be built through cooperative agreements between willing landowners and governmental entities.

• a study on the sale of allocated water rights.

• state and regional water planning that takes into consideration future needs for water for agricultural uses, and protects established rights of prior beneficial users of water as well as the riparian rights.
of landowners.

• water for agricultural purposes should be clas-
sified as an essential use of water.

• actions that assure agricultural producers that
their right to water use is guaranteed and that no in-
dustrial user be allowed to infringe upon these rights.

• agricultural use being given priority over water
for recreation, pleasure, environmental and other
less beneficial uses, and having the same priority as
industrial use.

• regulations requiring river authorities and
other publicly owned water management entities
to manage water in such a way as to maximize the
beneficial use of water.

• rules which would require the use and sale of
interruptible water by a river authority or public
entity be considered an allocation of state water and
made in accordance with Texas Water Code section
11.024, referring to preferences of use.

• TCEQ having the ability to require municipali-
ties and industries to have a conservation plan and
implement drought contingency plans when Emer-
gency Orders are issued suspending agricultural
water rights due to a senior or Priority Call for water.

• a water banking system or TCEQ creating an
emergency water banking system or fund to ensure
that senior water rights are fairly compensated as
required by law when the state must temporarily re-
allocate senior water rights for emergency purposes.

• changing the definition of domestic and mu-
nicipal use in the Administrative Code to delete
recreational and industrial use since they are already
listed in statute.

• regulations that would require that when reser-
voirs are constructed a predetermined percentage of
the impounded water should remain in state control
to help maintain natural flow history.

• local control of use planning for rivers, streams,
and the land bordering them.

• a standard for classification of “navigable wa-
ters” so that the classification has the least impact
on private property rights.

• defining navigable waters as continuously mov-
ing water with a depth of 24 inches or more.

• an administrative process to challenge the des-
ignation of a river or stream as “navigable water,” and
a process to reevaluate this designation periodically.

• small economically efficient dams and reservoirs
located closer to the point of utilization or off-channel
reservoirs that scalp excess flow during flood events
and storing that water either on the surface or in
an aquifer.

• construction of reservoirs along streams for
urban use if the cost of the reservoir is paid for by
the users of the water.
83. more landowner protection when land is condemned for public reservoirs.
84. Texas Commission on Environmental Quality and the U.S. Corps of Engineers to consulting with landowners bordering rivers and streams below dams and reservoirs regarding release of water. Water discharge should maintain historic normal flow. Excess of flood discharge should be gradual and managed to prevent downstream flooding and erosion.
85. rules which would require that environmental impact studies on the impact of discharges from dams or reservoirs in excess of 3,000 cubic feet per second on the bed, banks, and streams below the dams or reservoirs. These studies should be done and reported to the riparian stream owners at least every five years.
86. capturing excess river flow in off-channel reservoirs to be stored and used provided that:
   - the off channel reservoirs are filled only when the river basin is deemed by its governing authority to have excess flow,
   - to the extent possible any land used in construction of the off channel reservoirs and other facilities needed be purchased from willing sellers with the seller having the right to request a cash payment or other property in exchange for the land purchased.
87. voluntary water rights marketing systems that provide maximum protection and compensation to landowners. The Texas Water Bank should remain a voluntary program.
88. changes to simplify TCEQ's irrigation permit procedures and standardize expiration and renewal dates.
89. TCEQ initiating the development of a system of irrigation allotment for the middle section of the Rio Grande River which will provide a minimum percent of the yearly amount of water available to irrigate.
90. legislation which would prohibit water rights that have been canceled or forfeited, from being re-permitted for use outside of the county where the water right was originally appropriated.
91. compensation or reimbursement for landowners for flood damages caused by an over storage of water in reservoirs controlled by state river authorities, the Corps of Engineers, or others.
92. the expedited construction of the Allens Creek reservoir project.
93. legislation that provides funds for the repair and maintenance of current and future levees and flood control structures by federal or state entities. Levees should be constructed, maintained, and repaired to ensure the maximum amount of agricultural land is available to producers. However, we oppose requirements for surveys of aquatic resources and the development of relocation plans.
We oppose:

• any legislation or action which would take away the riparian rights of landowners to use water from streams adjacent to or on their property, for essential domestic or livestock uses regardless of the use of such rights in the past.

• activities such as irrigation of lawns and water for aesthetics being considered essential domestic uses of water.

• modification or canceling of current beneficial users water rights to maintain “instream flow” on segments of Texas rivers and streams.

• subjecting current diverters to further test and requirements not currently required by law.

• state or federal control of runoff water into non-navigable streams, roadside ditches, or depressions that temporarily hold water.

• any legislation that would hinder agricultural producers in obtaining water for their crops and livestock or that would make the water more expensive.

• condemnation of surface water rights, except for domestic, essential municipal, or livestock use necessary to sustain life.

• reclassification of state water from recreational or instream use to industrial use.

• instream flows being served strictly for bays and estuaries, recreation, pleasure or other uses, other than water for livestock, not presently designated as beneficial uses under current water law.

• any effort by the state to expand the interpreted definition of the term “navigable water.”

• TCEQ assessing individuals an administrative penalty, without due process, for dams constructed on rivers, creeks, or streams the agency later determines to be navigable.

• the construction and funding of large reservoirs, dams, channelization and channel realignment projects that create a large loss of tax base, destroy enormous agricultural acreage for the advantage of cities, recreation, or other uses of state water detrimental to agriculture, unless the water project would have less of an impact on agriculture and rural Texas than other potential water projects in addressing those water needs.

• the forced release of any water from river authorities or reservoirs without remuneration.

• the planning and further consideration of the CUERO I and SANDIES reservoirs in DeWitt and Gonzales counties and the Goliad Dam on the San Antonio River in Goliad County and the Marvin Nichols Reservoir in Northeast Texas due to the loss of tax base for the taxing entities in each county and because the intended end-users have not considered all alternative means of additional water sources.

• river authorities or other publicly owned water
management entities intentionally or unintentionally changing historic water use to solely benefit recreational users at the expense of other higher priority water users; however, in the event this happens the water management entity so other alternative water supplies can be developed or conservation measures can be implemented to satisfy the unmet demands of the higher priority water users that have been impacted.

- maintaining reservoir levels for recreational purposes instead of flood control or consumptive use.
- any inter-basin transfer that would leave the basin of origin with unmet future water needs.
- inter-basin transfers unless:
  - a surcharge is required on the transfer to provide monies to assist agricultural producers with satisfying their demand for water;
  - the receiving basin has implemented a water conservation plan;
  - the receiving basin has exhausted all other reasonable means of providing their water needs;
  - the receiving basin agree to assist with conservation efforts in the basin of origin;
  - an impact study is conducted and shows that the transfer will benefit both the receiving basin and the basin of origin and will not negatively impact agricultural production, local or regional economies or the environment of the basin of origin;
  - the water being transferred is given a junior priority date for any inter-basin transfer that would harm existing water right holders or third party surface water users in the basin of origin.
- the Rio Grande Water Master failing to designate flood flows in the Rio Grande below Falcon Reservoir as “No Charge” water when no stored water is being released from Falcon Reservoir.

**Water Masters:**

- Water Master programs that:
  - are initiated by water right holders to address specific water availability concerns, such as shortages or drought.
  - are limited in scope to encompass the smallest geographical area practicable to ensure effective management in accordance with the Texas Water Code.
  - establishes an oversight body that is representative of the water rights held in the program area.
  - the appointment of temporary water masters in areas of the state where normal conditions and water use do not merit the need for a water master.
  - the termination of a water master program upon submittal of a petition signed by a majority of the water permit holders in the program area.
We oppose:

- permanent, basin-wide water master programs without the explicit consent of a majority of water right holders in a given river basin.
- any added, basin-wide fees on water right permits to support a water master program that only benefits a small portion of a given river basin.
- any action(s) by a water master that would effectively exempt junior water rights from the doctrine of prior appropriation.

Water Management

We support:

1. regional water planning that is balanced between surface water and groundwater and provide the greatest benefit to all the citizens of the State of Texas. Prohibiting inter-basin transfers while allowing the exporting of groundwater will not provide that balance, and will harm those dependent on groundwater while benefiting those who use surface water.
2. the appointment of at least one owner of an agricultural production enterprise as a commissioner to the Texas Commission on Environmental Quality (TCEQ).
3. the Texas Legislature specifying the Texas Commission on Environmental Quality as the lead agency for water, water quality and wetlands; however, the TCEQ should recommend rather than formulate policy.
4. the establishment of an agricultural division within the TCEQ.
5. state fundings for a “state of the art” water laboratory, available to run water samples for individuals on a cost basis.
6. a dedicated source of revenue to fund the state’s share of projects in the state water plan, including an appropriation of general revenue or Rainy Day Funds into a dedicated revolving fund for water infrastructure. This source of revenue should be broad-based and low-cost with minimal effect on agricultural producers.
7. the election of all directors of river authorities.
8. legislation to divide river basins into geographical voting districts, with the directors being elected by the people they serve.
9. all state river authorities being placed under the state’s Sunset Review process for accountability and oversight.
10. all municipalities and water supply districts, in need of water, look into the feasibility of desalination.
11. state and federal assistance for the development of desalination projects.
12. water for agricultural purposes being classified as an essential use of water.
13. expeditious development of brackish and sea...
water desalination projects to meet the growing
demands of municipalities.
• state and federal resources being allocated with
a high priority to assure a timely availability of this
new water supply.
• state funding of mandatory water programs
since regulation and enforcement of state water law
accomplishes a public purpose and is in the public
interest.
• rainwater collection for domestic use and to
courage state and county governments to promote
incentives for the use of rainwater.
• legislative funding of low interest loans and
tax incentives to promote water conservation and
efficiency in both urban and rural environments,
thus preventing waste.
• reinstating the provisions in the U.S. Tax Code
that would allow the Agricultural Water Conserva-
tion Equipment Loan Program administered through
the Texas Water Development Board to be utilized.
• legislation that encourages and supports vol-
untary water and land stewardship by providing
assistance and incentives to landowners for activities
which benefit both urban and rural Texas.
• using the most practical water conservation
measures available for all above ground sprinkler
systems that utilize groundwater as their source.
• the concept of importing water into Texas for
domestic, municipal, agricultural, commercial and
industrial purposes. Imported water should be paid
for by the users.
• the construction of pipelines or reservoirs being
financed by the beneficiaries of the project.
• more aggressive programs to improve water
conservation and water quality, by increasing both
research and investment in removal and control of
non-beneficial/non-productive, invasive plant and
animal species that consume or impede water flow
in our streams, ponds, lakes and estuaries.
• continued funding of the Water Supply En-
hancement program.
• the continued programs of brush removal and
riparian management that aids in flood control.
• intense research on beneficial plant species,
animal species and agricultural practices that will
conserve water and more efficient methods of apply-
ing water, as well as developing crops with low water
requirements and creating more efficient methods of
dry land farming.
• brush control programs that are positive for
range, wildlife and livestock management and ben-
efits endangered species and water conservation.
• Texas and United States government efforts to
solve the problem of Mexico not delivering water to
Rio Grande reservoirs as specified in the 1944 water
• efforts to ensure that water deliveries to the Rio Grande River and allocations are strictly honored by U.S. and Mexico as stipulated by the 1944 treaty.
• federal and state programs designed to alleviate hardships to Texas agribusinesses as a result of Mexico’s treaty non-compliance, including crop insurance APHs (Actual Production History).
• financing of improvements to water delivery systems along the Rio Grande River.
• the construction of channel dams to prevent loss of water into the Gulf of Mexico.
• changes to the Texas Department of Licensing and Regulations rule to enable persons who work on submersible pumps, pump jacks and windmills to operate under a single license instead of three separate licenses.
• TCEQ providing statistical information about water rates to the water utilities that they regulate and assist in establishing and defending water tariffs.
• requiring that all new or amended water right permits, reuse authorizations, or certificates of adjudication be subject to conservation requirements.
• requiring municipalities and water utilities that have taxing authority or collect fees for water imposing water conservation measures.
• legislation which would require restriction for environmental flows to be considered in re-permitting an existing water right for a new use.
• public water utilities restructuring their water rates to promote water conservation.
• voluntary soil and water conservation programs.
• the use of best management landscape principles to promote water conservation.
• legislation requiring “smart controllers” with rain sensors or moisture sensors on all landscape irrigation systems.
• Texas Water Development Board in its responsibility to develop and implement a process for state and regional water planning.
• a requirement that all developers assure an adequate water supply for all properties to be sold within their development.
• the Board of Directors of local conservation, water, and water control and improvement districts having a voice in retaining qualified personnel at the local level.
• reclamation and reuse of water used in hydraulic fracturing in gas and oil drilling and completions.
• regulations of water restrictions implemented by municipalities being regulated and enforced to assure the economic stability of production agriculture and agribusinesses.
• agriculture having priority over businesses that can sustain mechanical production under water use restrictions.
• enabling the Texas Railroad Commission to regulate the amount of fresh water from aquifers utilized in oil and gas well drilling and hydraulic fracturing.
• the Railroad Commission suspending the use of aquifer water, if aquifer levels show critical decline, until normal levels return.
• conjunctive use of surface water reservoirs and groundwater resources if a utilization plan is established that:
  - demonstrates that the aquifers can sustain pumping to meet local needs as well as additional needs of the project;
  - prohibits ground water from being used to fill a reservoir.
- compiles with the rules and regulations of any local groundwater conservation district(s).
- contains provisions to terminate or temporarily suspend operations if during the term of the project significant drawdown of the aquifers occurs.
• irrigation districts improving their system to be efficient and prevent waste of water.
• municipal re-use and water recycling technologies that do not negatively impact downstream water right holders or the environment.

We oppose:
• municipalities taking over an operating irrigation.
• legislation that would give municipalities water that is required to sustain agriculture.
• any efforts to amend reclamation laws that would negatively affect the priority of water allocation for agricultural use and would reduce the Secretary of Interiors authority to direct water usage.
• unfunded mandates for conservation measures for existing (historic) water use.
• restrictions on any existing water right holders (historic use) to ensure instream flows.
• the release of raw municipal water into bays and estuaries during critical drought periods for any environmental or industrial reason.
• compulsory soil and water conservation programs and practices.
• any impact fees on lands that drain into a watershed.
• the use of fresh water to flood or frac oil-bearing formations if other options are available.
• efforts to tax agriculture interests and rural communities not directly benefiting from the development of municipal water resources.

Water Quality

We support:
1. stricter enforcement of laws that will protect surface, underground irrigation and domestic water
supplies from pollution, contamination, and deple-
tion by nuclear waste dumps, solid waste dumps,
toxic waste, wastewater sources, strip mining and
other mining operations and oil field production and
exploration.

- reasonable legislation and regulations designed
to clean up existing polluted surface water.
- a “use attainability analysis” process on all
water bodies to determine the appropriate use clas-
sification.
- legislation which would require state and mu-
cipal government entities to abide by the same wa-
ter quality standards required of the general public in
regard to pollution of surface and underground water.
- rules which would require municipalities to
draw their water for domestic use no more than five
miles downstream from their waste disposal outlet.
- well-head protection of all wells to prevent
groundwater contamination.
- plugging of all abandoned non-producing water
wells and capping of all abandoned producing water
wells.
- plugging temporarily abandoned wells if they
are not returned to production within a five-year
period.
- the Texas Railroad Commission strengthen-
ing regulations that provide for proper plugging of
abandoned oil and gas wells.
- maintaining the Texas Railroad Commission’s
well plugging fund solely for the purpose of plugging
abandoned oil and gas wells.
- efforts to protect and detect chemical and bacte-
rial contamination of all water aquifers.
- the Texas Commission on Environmental
Quality should prove that contamination is harmful
through proven tolerance levels.
- the Texas State Soil and Water Conservation
Board administering the state’s agricultural non-
point source pollution programs.
- the Texas State Soil and Water Conservation
Board being the permitting agency for non-contested
agricultural air and water permits.
- the evaluation and use of constructed wetlands
as a water purification method and TCEQ to consider
these systems as an alternative to “no discharge”
permits.
- the collection of water quality drainage fees by
municipalities to retrofitting existing developments
with water quality control structures that meet the
standards required in new developments. In areas
being retrofitted, no listing of any aquatic species
should be listed for protected status for a minimum of
three (3) years following the completion of the project.
- property owners not being liable for the content,
quality, and quantity of water injected or stored un-
derground by a third party when it is injected below
or adjacent to the owner's property.

adopting water well drilling, regulations pro-
hibiting commingling of water in the same well bore,
unless allowed by the local groundwater district.

We oppose:

- chemical or nuclear waste injection wells in the
State of Texas.
- regulations that unfairly target nutrient runoff
from agricultural operations but ignore non-agricul-
tural contributors.
- the use of fresh water for water flood aspects
of oil production.
- designation of any body of water as Outstanding
National Resource Water (ONRW).
- the Coastal Coordination Council usurping local
and state agency rule-making authority or directly
or indirectly infringe on personal property rights.

Waste Disposal

We support:

- state research to develop safe methods of dispos-
ing of any hazardous materials.
- legislation to prohibit locating hazardous and/
or chemical waste facilities in unsuitable areas.
- a comprehensive revision of legislation dealing
with radioactive wastes and toxic chemical wastes
subject to state control. The legislation should include
understandable language and definitions of chemical/
toxic wastes, with comparisons of exposure to market
available products. Such revision should include:
  - Provisions for permanent disposal of low level
radioactive and toxic chemical wastes.
  - Strict regulation of transportation of hazardous
waste by truck on Texas highways.
  - Strict regulation of transportation of hazardous
wastes by train on Texas railways.
  - Specific parameters of acceptable sites for facili-
ties based on geology, climate and population.
  - Provisions for maximum local control in the
establishment of sites for such facilities.
- each state assuming complete responsibility for
its own radioactive waste disposal.
- requiring a public hearing prior to the estab-
ishment of a hazardous material disposal site in
the county of the proposed site. All property owners
within 10 miles of the site should be notified of the
hearing.
- public hearings being advertised in all county
or city publications, radio and electronic media in
the county for a minimum of 3 consecutive weeks
immediately prior to the hearing.
- legislation to limit the amount of radioactive
waste that could be stored on the generating plant
site. No additional sites should be approved by the
36. state until legislation is revised.
37. • legislation that would prevent radioactive and
38. toxic waste dumps from being placed on or beneath
39. productive agricultural land and in areas with large
40. underground water reservoirs.
41. • financial compensation being paid when a
42. farmer or ranch is adversely impacted by an entity
43. operating a facility that processes, manufactures,
44. stores or disposes of hazardous, toxic, or radioactive
45. waste, or any other material that may pose an adverse
46. impact on the economic well-being of agriculture.
47. • county governments having the authority to
48. limit the disposal of toxic and industrial wastes
49. within the geographical boundaries of the county.
50. The citizens of the county should decide the limit of
51. such disposal.
52. • making the generators of waste responsible for
53. its proper disposition.
54. • a method for solid waste management services
55. that would benefit all persons in the state. These
56. services should be cost effective, environmentally
57. sound and locally accessible.
58. • coordination between local governmental sub-
59. divisions to develop plans to minimize the amount
60. of solid waste to be disposed.
61. • regional solid waste management facilities
62. when the operation of a local waste management
63. facility is not economically feasible.
64. • recycling of waste products over other means of
65. solid waste management.
66. • phasing out the landfill disposal of toxic chemi-
67. cal wastes and providing incentives for industries to
68. implement resource recovery projects.
69. • regulations requiring substantial bonding for
70. toxic disposal sites.
71. • the Texas Commission on Environmental Qual-
72. ity moving expeditiously to hold hearings for “Part
73. B” operating permits.
74. • required monitoring for any hazardous waste
75. facility that handles material proven to be harmful
76. to human health, air, water, or agricultural land.
77. • incentives for industry to reduce the disposal
78. of toxic or hazardous wastes, including recycling,
79. biological, chemical, or physical treatment, or force
80. decomposition, so as to immobilize, detoxify, or de-
81. stroy a material’s hazardous state.
82. • manufacturing processes and rewarding al-
83. ternative technologies that reduce hazardous waste
84. production at their source.
85. • an annual per ton fee on the incineration, injec-
86. tion, and landfill disposal of hazardous waste that
87. is no lower than similar fees charged by contiguous
88. states. These fees should be placed in an interest
89. bearing “superfund” for the sole use of monitoring
90. and cleanup of abandoned or disposal sites.
• legislation that exempts from liability individuals or farm and ranch corporations who become owners of real estate found to be contaminated with toxic substances if pollution took place prior to their ownership.

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

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

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

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

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

• rules and regulations concerning the application of municipal sludge on agricultural land that are based on sound science and environmental testing. Agricultural land values and surface or underground water must not be adversely impacted by these practices.

• establishing an on-going research program to evaluate and verify the relative safety of applying municipal sludge to agricultural lands for beneficial use, and to include agronomic value in the beneficial use determination.

• site-specific buffer zone requirements for lands receiving municipal sludge that take into account rainfall potential, topography, hydrology, leaching potential and other factors such as proximity to residences or public areas. The TCEQ should ensure that Land Application Sites do not have abandoned or uncapped water wells on application sites.

• the development of a more efficient method of supervising water flood, injection and salt water sites by the Texas Railroad Commission.

• the Oil and Gas division of the Texas Railroad Commission giving equal consideration to landowners and oil companies in carrying out the laws and regulations of Texas.

• vigorous prosecution of all firms, especially vacuum truck service companies, which dispose of salt water on land, in public road ditches, or in any manner other than that prescribed by law. All fluid wastes derived from oil and gas production, including salt water, brine, and other injectable wastes, should be disposed of in a disposal well.

• the Texas Railroad Commission increasing the fees on salt water disposal wells in order to more
closely inspect and police these wells.

- Texas Railroad Commission increasing the one-fourth mile radius check for domestic water wells or oil and gas wells at proposed locations of injection and disposal wells.

- the following regarding oil and gas waste disposal wells:
  - appropriate limitations on the injection pressure;
  - dams constructed around salt water storage tanks;
  - watchmen 24 hours a day;
  - limitation on injection to depths below any water formation which will artesian to the surface;
  - gauges in well to detect drops in pressure, warning of possible seepage; and,
  - casing placed and cemented to the depth of disposal (for greater protection, the injection pipe should be cemented within the casing and cemented entirely when abandoned).
  - casing of temporarily abandoned wells and plugged wells that will be used as water injection wells or disposal wells, should have mandatory mechanical integrity tests performed and witnessed by the Railroad Commission before the well is put into production, and tested annually thereafter on active wells.
  - regardless of the regulatory hydrologic separation requirements, disposal wells should not be placed within five miles of a city limit.
  - the Texas Railroad Commission requiring the operator of an injection or disposal well to notify the landowner should any casing test result in a failure.
  - water disposal wells, commercial disposal wells be tested at least twice a year and make it mandatory for the proper representative from the Railroad Commission to be present.
  - notification of property owners within 5 miles of a proposed disposal well (fluid wastes from oil and gas drilling and production) by certified mail of permit hearings. Notice of hearings should also be published in the appropriate newspapers in the area of the county of the proposed well sites, and the permit hearings should be located in the county of the proposed disposal well location.
  - “disposal units” being established for disposal wells based on the type and shape of the injection formation. If the acres exceed the primary landowner or owner’s surface, the unit shall require a pool unit.
  - property owners with acreage in an oil and gas production unit being compensated when depleted strata are utilized as disposal wells. Compensation should be based on unit disposal and the units should be comparable to those established for production.
  - reinstituting the used tire disposal program in Texas.
  - the “Ag Chemical Waste Collection and Recy-
We oppose:
- the storing of out-of-state radioactive waste or other out-of-state radioactive by-products in Texas.
- electric utility dump sites being financed with public funds.
- condemnation of private lands for the disposal of radioactive wastes.
- issuing permits to hazardous and/or chemical waste companies in flood plain areas.
- the location of commercial hazardous and toxic waste disposal sites in areas where a threat exists to the quality of groundwater and/or nearby surface waters.
- the landowners being held responsible for the cleanup expense or fines levied on trash that was not generated by the landowner.
- the Texas Commission on Environmental Quality being the benefactor of proceeds from sanitary landfills while at the same time approving applications. This is a conflict of interest.
- out-of-state waste materials coming into the state.
- property owners being held accountable for contamination of disposal pits where a hazardous waste was deposited prior to a chemical being classified a hazardous waste. No fines should be levied against property owners and the state should pay all cleanup costs.
- grease and grit trap waste being land applied under a “beneficial use determination,” or being mixed or blended with other sludge unless it is capable of meeting Class A or Class AB requirements for beneficial use as per TAC 312.
- being charged a disposal fee for tires or batteries if a dealer is not in possession of tires and batteries that are in need of disposal.

We support:
- the use of sound science by state agencies in evaluating methods to best manage agricultural by-products. Solutions must be workable and practical.
- allowing private landowners to utilize sludge and animal waste as fertilizer.
requiring all livestock and poultry operations permitted by the Texas Commission on Environmental Quality, be inspected periodically to assure compliance with, and understanding of, laws and regulations.

any newly planned facilities requiring such permits should have site selections and engineering plans drawn and approved before construction begins, and all work completed and approved before the facilities are placed into use.

packing plants being required to dispose of animal wastes and by-products in a manner that is not offensive in the neighboring area.

the reasonable and consistent regulation of animal feeding operations and the wastes generated on those facilities in a manner that is protective of the state’s water resources and economically feasible for operators.

new regulations for animal feeding operations being phased-in to allow livestock and poultry operations to address their individual situations over time.

state/federal cost-sharing, low interest loans, grants, and tax incentives to help animal feeding operations comply with new or changing regulations.

local innovation and ideas to meet or exceed published guidelines for animal waste management.

the TCEQ setting reasonable standards for the land application of livestock and poultry manure on permitted facilities that are regulated by the agency.

We oppose:

arbitrarily defining agricultural wastes and by-products as hazardous waste.

national standards for pollution control. Pollution control standards should be developed at the state and local level.

TRANSPORTATION

Farm-to-Market Roads

We support:

a significant increase in the state road building and maintenance program of farm-to-market roads, including shoulders, rights-of-way, and rural highways. Any increase in gasoline tax should result in a proportional increase in farm-to-market system allocation.

using available funds from the Economic Stabilization Fund (Rainy Day Fund), composed of oil and gas severance taxes, to be added to the highway fund for maintenance of roads affected by energy production activities.

all signs, safety rails and mail boxes placed in the rights-of-way should allow room for passage of farm machinery without creating hazardous conditions.
• farm-to-market roads in urban areas should be redesignated as state highways and not receive money allocated for farm-to-market roads. TxDOT should repair bridges and road shoulders in a timelier manner. Farm-to-market roads converted to state highway status should retain their intended purpose, the movement of farm products and equipment.

• roads listed on the state transportation infrastructure system should be maintained by TxDOT.

• a decision by TxDOT to downgrade any paved roads should not be made prior to a public hearing and involving local community officials and weekly local public notices at least three weeks prior to the hearing.

• the Texas Legislature to adopt laws that allow all farm-to-market and ranch roads to have free crossovers on concepts like the Trans-Texas Corridor.

We oppose:

• TxDOT converting roads from asphalt pavement to gravel or emulsified (high-end gravel mixture, oil and rock combination or caliche) surface.

• depleting FM road funds by matching federal funds to be used only on U. S. highways.

• shifting maintenance of farm-to-market roads from the state to counties.

Highways

1. We believe that the primary responsibilities for the construction, maintenance, locating and policing of highways should remain with the state and the following steps should be taken to improve the states travel system:

2. A blank space for blood type information should be provided on drivers’ licenses.

3. Fire guards should be maintained where needed on highway rights-of-way.

4. We support mowing the entire right of way to ensure the safety of drivers and minimize fire hazards and wildlife hazards by control of vegetation and appropriate use of herbicides to control undesirable vegetation, providing there are not herbicide sensitive crops in adjacent fields.

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

6. The TxDOT should be required to notify all abutting landowners by registered mail of a hearing for acquiring more rights-of-way for existing highway or for the construction of new roads.

7. For new highway construction, any property designated as a Heritage Farm or Ranch by Texas Department of Agriculture should be treated in the same manner as other protected historical, archeological or cemetery sites.

8. When federal, state, or county highways, with
restricted or controlled access are constructed, we
support legislation requiring underpasses sufficient
for moving livestock between the divided property. If
this is not economically feasible, the landowner shall
be fairly compensated for damages. We also urge
the legislature to require TxDOT to plan adequate
turn-arounds for agricultural producers to cross these
restricted highways.
8. New highway construction should protect
landowners from drainage problems created by
construction.
9. Off-road agricultural equipment should not be
licensed.
We support:
• repealing or amending the TxDOT rule punish-
ing landowners for controlling vegetation on adjacent
state rights-of-way.
• legislation that will require the design of by-
passes to include easy access of motorists to the
communities being bypassed.
• TxDOT maintaining the right to set interstate
highway speed limits.
• all navigable streams and county or state roads
which pass through any national preserve, wilder-
ness, or other federal public lands remain open and
under the jurisdiction of the county or state respec-
tively.
• TxDOT’s efforts to redesignate and transfer
maintenance of city streets which were once a part
of the Texas transportation system but have been
bypassed to the point that they are primarily or
exclusively used for city traffic and are no longer a
reasonable part of our cross country highway system
or Farm-to-Market Road system.
• any county containing a tollway project should
have representation on the governing body of the
tollway authority.
• our state legislature passing a resolution call-
ing upon the U.S. Congress and the president to stop
all efforts toward a North American Union (NAU) or
North American Community by way of the Security
and Prosperity Partnership (SPP), to stop the Con-
struction of a North American Super Corridor (also
referred to as the NAFTA Super Highway).
• a referendum being held if a Super Corridor is
built and any part of the corridor is to be tolled before
this tax could be implemented. All efforts should be
made to award contracts to Texas and U.S. companies.
• Security for all parts of the corridor should be planned
and hired before construction starts.
• authorization of the Attorney General as the
ombudsman to oversee all Texas toll road contracts
to protect the public interest.
• legislation that would provide for some confor-
mity in toll road contracts to protect the public.
• TxDOT’s first priority should be maintenance of
existing roads and not on new projects such as new
rest stops, the median cable system, the security
lighting at FM and interstate intersections, and/or
the grant funding or new funding for municipal and
regional airports.

• directional signage on public roadways and new
directional signs for “AGRI-TOURS.”
• the Freight Shuttle (a private company) using
existing TxDOT rights-of-way without the power of
eminent domain.
• all interstate highways provide frontage roads
on both sides of the highway for farm machinery.
• We feel it would be appropriate to improve exist-
ing state and federal transportation rights-of-way to
help move the Texas transportation system forward.

We prefer no new rights-of-way for transportation
corridors; however, if new rights-of-way are abso-
lutely necessary, we would prefer additional space for
corridors be located adjacent to existing rights-of-way.
• the Texas Legislature to adopt laws that require
private companies to reimburse Texas taxpayers for
all costs associated with existing roadways (land
acquisition, construction and maintenance)

We oppose:

• TxDOT having the authority to close county
roads.
• concepts like the Trans Texas Corridor. Con-
cepts that acquire additional farm and ranch lands
through the state powers of eminent domain for the
construction of such concepts. Additional division
of Texas farms, ranches, and rural communities by
such projects would put undue burdens on the rural
economies, such as: additional cost and time related
to moving equipment and animals from one side of
a farm or ranch to another because of a division in
farm or ranch by the corridor; the lack of adequate
exits to small Texas towns and their economies; and
the additional tax burden passed on to the local tax-
payers for property removed from the tax base. The
addition of new rights-of-way will negatively affect
wildlife and hunting in many areas of the state in
which hunting has become a major part of farm and
ranch income.
• TxDOT using taxpayer dollars to advertise in
favor of toll road concepts.
• non-compete clauses in contracts authorizing
construction of tolled highways in the State of Texas.
• the state or TxDOT imposing minimum traffic
requirements before a company can build and/or
operate a toll road in the State of Texas.
• TxDOT spending enormous amounts of funds on
overpass and highway beautification projects involv-
ing landscaping (planting of trees, shrubs, and flower
beds with the installation of irrigation systems which
require ongoing landscape maintenance) when funds
are tight for road construction and maintenance, and water resources are in limited supply for production agriculture and municipalities.

- vehicular mileage fees as a means of raising funds for road improvement.
- multiple speed limits for different classes of vehicles on both state and federal highways.

Highway Safety

We support:

1. all stop signs indicate whether it is a two, three or four way stop at an intersection.
2. the prohibiting of cell phone use by bus drivers when transporting children or customers while the bus is in motion.
3. prohibiting the use of signs or other objects that obstruct the view for motorists of roadways. We support continued funding for advanced road signs on state roadways including highways, Farm-to-Market, and Ranch Roads.
4. current law that requires luminous signs or reflective tape on certain trailers.
5. rumble-bumps should be cut into shoulders of all new highway construction, or if prohibited, buttons should be installed. Better lighting and more visible reflectors to mark the entrance and exit ramps to freeways.
6. removing the liability of landowners (or their agents) for accidents occurring in “open range” rights-of-way.
7. a voluntary livestock owner’s notification system that can be implemented in each county and coordinated by the local Sheriff’s Department in conjunction with the local 911 call center in the event of damage to fences.
8. strict enforcement of all roadway littering laws. enforcing fines for violators, and restricting the use of beverage containers to aluminum cans, returnable glass bottles, or biodegradable products, to discourage littering of roadways and parks.
9. all drainage facilities should being constructed in such a manner that they will not create a hazard. The permit approval process for the installation of culverts along state highways should be amended to require TxDOT to provide specifications and elevations for proper installation.
10. enforcement of bicycle and jogger safety on highways.
11. reasonable bicycle safety laws for the use of state highways and farm-to-market roads.
12. amending the Texas Aggregate Quarry and Pit Safety Act of 1991 to exempt agricultural property landowners.
13. legislation that would prohibit the sale of goods or services on public rights-of-way without a permit.
from the governmental entity responsible for the
public right-of-way.
• a state law allowing the use of clear strobe lights
for the protection of rural letter carriers.
• improving safety for United States Postal Service
rural mail carriers by requiring traffic on state main-
tained highways to reduce their speed, as now required
for stopped emergency and maintenance vehicles.
• TxDOT considering public safety and welfare
before closing a roadside park.
• a state wide agriculture awareness safety
campaign through multimedia to include billboards,
television, radio, etc.
• Highway Departments erect “Share the Road”
warning signs for bicycles, motorcycles, horse drawn
vehicles, and slow moving agricultural equipment.

We oppose:
• tying, penning, or otherwise restraining livestock
on any public road right-of-way, park or rest area,
should be prohibited, except for the purpose of load-
ing or unloading.
• using public Right-of-Way in a county or state
for use of utility towers.

Rail Transportation 162

We support:
• railroads providing adequate funding for main-
tenance and construction of rural railroads in Texas.
• railroad service should not be discontinued in
a given area without giving 180-day notice to all af-
fected shippers in the state.
• working with railroad companies to ensure
that rail cars are available in critical areas during
harvest seasons.
• enhancement and improvement of short line
railroads.
• legislation prohibiting railroad companies from
closing crossings that allow access to private land
without public hearings.
• legislation to ensure a clear view of trains ap-
proaching crossings in rural areas. The clearing and
maintaining of trees, weeds and trash, for a mini-
imum of 300 feet on both sides of crossing should be
maintained.
• The coordination between railroad companies,
state and county governments to ensure that cross-
ings on state and county roads have flashing lights
and/or cross arms when feasible; crossings are more
passable by long equipment to prevent high-centering
on the tracks.
• railroads or owners of abandoned rail rights-of-
way should be required to provide landowners access
to their property without charge.
“We oppose concepts like the High Speed Rail. We
oppose the acquiring of additional farm and ranch
lands through the state powers of eminent domain for construction of such concepts. Additional division of Texas farms, ranches, and rural communities by such projects would put undue burdens on the rural economies, such as: additional cost and time related to moving equipment and animals from one side of a farm or ranch to another because of a division in farm or ranch by the high speed rail; the lack of adequate exits to small Texas towns and their economies; and the additional tax burden passed on to the local taxpayers for property removed from the tax base. The addition of new rights-of-way will negatively affect wildlife and hunting in many areas of the state in which hunting has become a major part of farm and ranch income,”

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

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

Farm Machinery

We support:

- ability to legally operate an all-terrain vehicle (ATV) on a public road when the ATV has proper lighting, a pop-it flag or similar device and is being used in conjunction with agricultural work.
- ability to legally operate farm machinery and other motor vehicles used for farm and ranch operation on public roads without any special license requirements.
- driver’s education and defensive driving classes that emphasize the safety of sharing roads with farm equipment.
- local law enforcement helping farmers move farm equipment safely.
- TxDOT advertising the SMV emblem and the meaning of the SMV emblem to the public to increase safety, including the Texas Driver’s Handbook and
Defensive Driving Curriculum.

- The right of the owner of agricultural equipment to be able to have it repaired by either the owner or by an independent repair facility of the owner’s choosing.
- An exemption to the Digital Millennium Copyright Act (DMCA) for the repair of agricultural equipment by both the owner and/or the owner’s independent repair facility, with periods of longer than three years.
- Requiring manufacturers of agricultural equipment to provide diagnostic equipment, specialty tools, and service manuals at a fair and reasonable cost to either the owner of the agricultural equipment or the independent repair facility chosen by the owner to complete necessary repairs or part replacement without invalidating the manufacturer warranty.
- The right of the owner of agricultural equipment to disable the transfer of agronomic and location data from the equipment to anyone without the owner’s explicit permission, and ability of the owner to have access to the same data.
- Farmers and ranchers having and keeping the right to do general maintenance and daily servicing if they so desire. Example: changing oil and filters, periodic servicing and greasing.
- Equipment owner’s access to repair and technical manuals.
- Equipment owner’s ability to look up diagnostic codes in manuals, online or from dealers access.
- Equipment owner’s ability to have machine connectivity. By onboard screen, smart device, dealer access or other means.
- Equipment owner’s to be able to perform machine calibrations that are not considered embedded codes.
- Equipment manufactures to repair and service equipment during the warranty or extended warranty periods.
- Development of a Memorandum of Understanding (MOU) between Machinery manufacturers/ “Manufacturing Association” and or Machinery dealers/ “Dealer Association” and the Agricultural Producers/ “Agricultural Organization” giving farmers and ranchers a guide or option to repair the equipment they own.
- A Memorandum of Understanding that shall make the diagnostic codes and other information available to farmers and ranchers so that they can make the determination to either repair their equipment themselves or have a qualified/certified shop make the repair.

**We oppose:**

- Equipment manufacturers requiring that general maintenance to be conducted by one of their dealers to keep manufacturer's warranty intact.
• Equipment owners having to pay exorbitant, recurring, expensive, extended subscription rates to maintenance information for machinery after purchasing equipment if such subscription is required.
• mandatory titling of farm trailers and agriculture equipment.

Truck Transportation

We support:
1. reasonable farm truck driver qualification regulations should be adopted.
2. legislation allowing raw agricultural commodities to move without permits with a 10% variance over gross weight, without axle weight limitations, on trucks licensed within Texas from the place of harvest to the first point of processing.
3. semi-truck licensing at one-half price for farm use and registration should be allowed for seasonal use.
4. the state should grant permits and licenses to custom harvesters to transport agricultural machinery at reduced cost.
5. farm trailers not exceeding 12,000 pounds gross weight should be permitted to operate without a license.
6. Multi-year registration for farm use trailers.
7. increasing the load limit up to 36,000 pounds for class C driver with pickup and trailers.
8. rollbars and safety belts on farm tractors should not be required.
9. increasing weight limits for trucks hauling ag and forestry products including individual axle weight limitations to compensate for the increased cost of transportation. Only state and federal DOT officers should enforce trucking weight laws. Road and bridge damage, caused by normal road use, should not be assessed to legally loaded trucks.
10. the continuation of 2060 permits for trucks.
11. legislation allowing farm equipment, trailers or trucks, and hay bales that are within Texas Department of Transportation width and weight requirements to be moved without a permit within a 100-mile radius during daylight hours. This exemption should include implement dealers or their agents only when equipment is being moved to or from a farm.
12. the exemption of safety bumpers on module trucks, grain trucks and all agricultural vehicles.
13. a system which allows agricultural products to be transported via interstate access roads from field to processing point by the most direct route without violating state and farm-to-market highway laws. A CDL holder accused of a moving violation in a vehicle not requiring a CDL should be subject to the same penalties as a non-CDL motorist.
14. allowing licensed drivers legal status to haul...
their own farm products and equipment anywhere in the state of Texas.

• allowing an operator holding a Texas Class A non CDL license to operate trucks carrying harvested commodities and/or equipment.

• farm operators being added to the list of business types that can have drivers use the Farm-Related Service Industry (FRSI) Waiver program.

• farm truck operators being exempt from non-critical DOT regulations including log-keeping. We urge the state to keep the counties informed of all state licensing and weight regulations.

• trucks hauling ag products, including loaded cotton module trucks, silage trucks and grain trucks, be allowed to continue to travel weight-restricted roadways and bridges in the event that alternative routes are not available.

• all bridges and roads be upgraded to handle 80,000-pound loads.

• mileage limits be eliminated on farm trucks.

• TxDOT remove the 150-mile limitation on transporting agriculture commodities with farm license plate(s).

• legislation that would allow farmers to provide or exchange services with other farmers within a 150-mile radius of the servicing farmers' agricultural operation without losing their agriculture exempt status under the transportation code.

• continuing to allow commercial semi-trucks to haul farm tag trailers with farm products to processing facilities. We suggest that commercial driver's licenses not be required and state and federal regulations be relaxed in order that farmers be allowed to transport farm fuel trailers and other placardable materials on public roads in a safe, practical and affordable manner.

• strict enforcement of a uniform system of trucking regulations and policies between Texas, Mexico and Canada to expedite the movement of commerce.

• farm equipment required to be registered for highway use should have the option to be registered for seasonal use.

• legislation waiving weight and size limits for trucks during weather related emergencies.

• regulations and legislation allowing over-width and over-height trucks to operate on toll roads under the same regulations as interstate highways.

We oppose:

• governmental activities, not specifically initiated by the Legislature, restricting commercial vehicle access to agricultural products. Allowable gross vehicle weights should be the same for county roads as for state and federal highways.

• any federally mandated Electronic Logging Device (ELD) regulations that affect the hauling and
transportation of agricultural commodities, livestock, and small fleet operators.

**Water Transportation**

We oppose:

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

**GOVERNMENT**

**State Constitution**

We support:

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

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

3. Rules governing compensation of members of the Texas Legislature be a part of the state constitution.

4. State and county officials continue being elected according to the present election system. Authority for redistricting should remain vested in the state constitution.

5. term limits of 12 years for state legislators; however, if term limitations are passed, there should be no restriction against running for the same office after sitting out one term.

6. The Office of Governor being a four-year term. The Governor’s authority should include the following:

   7. Item by item veto power over the budget.

   8. Appointive power of agency heads and board members with advice and consent of the Senate.

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

We oppose:

10. initiative and referendum.

11. deficit spending in state government.
Texas Legislature 167

We support:

1. adoption by the Texas Legislature of a reapportionment plan which will ensure the maximum representation of rural Texas.
2. biennial sessions of the Texas Legislature, with these sessions limited to 140 days. The Governor's power to call special sessions should be retained but not expanded beyond its present limits.
3. New state laws or proposed amendments that refer to a single subject, and legislators should practice restraints in introducing new laws. The Texas House and Senate should continue to prohibit the attachment of a rider or an amendment to proposed legislation when the rider or amendment is not germane to the subject of the proposed bill. A thorough study must be made to confirm there is a problem or a danger to the environment before an environmental bill passes the state legislature.
4. the Texas Legislature recording each and every vote taken during the session so that every vote cast will be a matter of public record. We recommend enforcement of rules requiring legislators to be present when bills are voted upon, except in case of emergency.
5. a state legislator who is also an attorney not be granted a trial continuation on any case in which he or she represents a client, solely on the basis of his or her being a member of the Texas Legislature, unless legislature is in session.
6. legislation that requires legislators' health insurance, retirement benefits, tax breaks or pay increases be voted on by the people.
7. the law prohibiting former legislators and former staff members from accepting employment with businesses seeking state contracts for a period of two years after they leave government service.
8. legislation designating English as the official language of Texas. We believe no individual has the right to demand government services in a language other than English.
9. The State Song should remain “Texas, Our Texas.”
10. Our armed forces defending our freedom:
11. Teaching the flag code in the schools and practicing it when displaying the American Flag;
12. Regular recitation and explanation of the Pledge of Allegiance using the English Language;
13. Keeping “The Star-Spangled Banner” in English, as our U.S. national anthem; and
14. Patriotic acts, such as performance of the national anthem and pledge to the flag of the United States, at the start of public events and in public schools.
15. death certificates being public record.
• Funding for the operation of agencies and the programs administered by these agencies should be by appropriations from the Texas Legislature to ensure strict legislative oversight. Any fee-based revenue enhancing measures granted to an agency or department by the Legislature must have the same legislative oversight as that of appropriated funds. User fees should remain with the collecting agency and not go into the general fund. We urge the Texas Legislature to not assess any more fees on agriculture products other than fees for commodity referendums passed by agriculture producers.

• a law where consumers must give written permission for their information to be sold.

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

• keeping the original names of the universities in the Texas State University system.

• FAA approved visible marking of all towers and their support structures including guide wires, concrete anchors, and any other means of support.

• Renaming the Texas Railroad Commission to reflect the agency’s purpose.

We oppose:

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

• the creation of additional legal state holidays without approval by a referendum of the voters of the State of Texas.

• any excessive fees for State licensing of small businesses.

• legislation of unfunded mandates for local government and public schools.

• illegal aliens qualifying for tuition discounts.

• the rampant escalation of the cost of tuition and fees at state supported colleges and universities.

• The desecration of the American Flag, and

• The purging of the United States history by the removal of symbols that represent historic events and/or persons from our nation’s past.

Executive Department

We support:

1. Paperwork reduction in all levels of government.

2. Farmers and ranchers being adequately represented on all state boards or commissions which relate to agriculture. Regulations or orders adopted by such boards or commissions must be both practical and workable. The Governor’s office should appoint and maintain an entity, composed of agricultural producers, to coordinate activities among all state agencies
involved in agriculture within the State of Texas to prevent duplicating and overlapping of services.

• policy requiring governmental agencies and public institutions, including public schools and state prisons, to purchase Texas agricultural products whenever possible.

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

• the rights of all citizens to complain to their regulatory agencies, but we vigorously oppose the complainant’s abuse of privilege. Therefore, legislative action should be taken to limit onsite inspections of the same nature by regulatory agencies to one complaint per annum. Thereafter, the complainant will pay for inspection costs incurred by the defendant and agencies for the same type complaint, unless the complaint proves to be a permit violation. When permits are required by a regulatory agency, the procedural rule requiring a public hearing will be enforced only if the protestor appears at the hearing.

• Parties who have been injured by administrative directives or regulatory decisions of governmental agencies should have the right to an appeal and a trial by jury, and legislation should be enacted to that end.

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

• The State of Texas having incentives to retain competent attorneys and a statute prohibiting former employees of the Attorney General’s office from working on cases they worked on as employees of the Attorney General.

**Judiciary**

We support:

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

2. The plaintiff being required to pay legal fees for the defendant when the court finds in favor of the defendant in civil cases. In the case of frivolous civil lawsuit, the plaintiff(s) and his lawyer(s) should be required to pay all legal fees and court costs for the defendant(s) when the court finds in favor of the
We support:
1. counties being given limited zoning authority for housing and subdivisions. If counties are given land use authority, agricultural areas should be protected as production areas not unlike industrial parks. This would allow the counties to limit residential construction in agricultural zones.
2. legislation to give counties ordinance-making powers over rural subdivisions whether or not they are sold by plats or metes and bounds. The counties should have the power through their commissioners courts to require developers and/or sub-dividers to provide proper drainage, roads, water service, and provision for sewer service.
3. legislation which would give the county commissioners court ordinance-making authority to control the sale and use of fireworks within rural areas of the county.
4. a temporary process for counties to take possession of roads the county has maintained since before 1971. The process will expire two years after the date the legislation becomes law. The process should include proper notice to landowners, and the opportunity to protest the county taking possession of the road.
5. notifying adjacent landowners of any new development plat approved by County Commissioners Court.
6. Counties be required to hold an election for capital improvement projects where the law allows.
7. County Government operating and maintaining county owed facilities and roads in a fiscally responsible manner.

We oppose:
1. All requirements for building permits for any type of building or other construction of improvements on farms and ranches in pursuit of commercial agriculture in rural areas. We are opposed to county fire codes applying to a building or structure used for an agricultural operation, as defined by Section 251.002 of the Texas Agricultural Code, unless the county has adopted a fire code before December 1, 2015.
2. Landowners being liable for attempting to repair a county road that has fallen into disrepair.
3. sending funds that remain in a county's mandated indigent health care account to the state at the end of the year.
4. enactment of a countywide leash law, housing/shelter, and water requirements for domestic animals.
• Name changes and/or removal of historical monuments.

Cities

We support:
1. legislation to repeal the law which gives cities the right of extraterritorial jurisdiction.
2. legislation to provide that no unincorporated area may be annexed unless the annexation is approved by a two-thirds majority vote of electors in the area to be annexed. Agricultural land that is annexed into the city limits be exempt from city code requirements such as electrical standards for farm buildings and permits or fees to burn brush.
3. City standards should not apply to farm and ranch activities and structures.
4. Cities providing all normal city services to annexed areas within two years of annexation, or de-annex all of the area for which cities are unable to provide normal services.
5. Cities that own properties outside of their jurisdiction, paying normal taxes.
6. extraterritorial jurisdiction of cities exclude agriculturally designated land from city regulations and taxes.
7. When municipalities propose extending their extraterritorial jurisdictions, all landowners are to be notified in writing at least two weeks prior to any action.
8. Cities be required to hold an election for capital improvement projects where the law allows.

We oppose:
9. legislation restricting cities from collecting city property taxes on the extension of municipal boundaries until such time as full city services are provided to the affected annexed areas. In areas de-annexed because of city failure to provide normal services, all taxes or other revenue collected from the people must be returned to them. No further effort may be made to again annex such areas for a period of not less than four years from the date of de-annexation. We oppose limited-purpose annexation. All land that has been annexed under limited-purpose annexation should be de-annexed. Cities should be prohibited from annexing agricultural land not adjacent to developed land within the city limits.
10. extraterritorial jurisdiction being used by a municipality to restrict private property rights and/or agricultural activities as it relates to producing, processing, marketing, or delivery of agriculture commodities.
11. Municipalities annexing or extending their extraterritorial jurisdiction onto agricultural land without the written consent of the landowner and compensation for any property rights restriction.
Elections and Voting

We support:

1. campaign reform can best be achieved by strict enforcement of the current campaign laws.
2. establishing a cap on funds expended toward election to a political office, including “payment in kind” contributions.
3. the electoral process, each voter be required to read, write, and understand the English language, and furnish proof of U.S. citizenship, photo ID, and be present during the actual registration process, with exceptions permitting spouses to register for each other and a provision exempting members of the Armed Forces from this requirement. All voters be required to show a Government issued, tamper resistant photo ID when voting. College or university students be required to establish their voting residence and register to vote in the same manner as all other citizens. Furthermore, in community, state, or national elections, students who receive part or all of their financial support from their parents be permitted to vote only in the voting district of their parents.
4. changes be made in the regular absentee and absentee mail-in ballot and voting procedure to eliminate fraud and excess cost. We favor county clerks notifying the voter registration clerks in their county of information received from death certificates.
5. county and/or state bearing the cost of all primary elections, and candidates should be required to pay a nominal filing fee. Timing of Primary elections should be held no later than January 31st of the election year.
6. the repeal of Section 162.015 of the Texas Election Code that makes a person who voted in a primary election ineligible for nomination by another political party other than the party holding the primary in which the person voted.
7. holding the presidential primary in conjunction with the state primary.
8. Eliminating special elections, and all issues to be voted on be included in the general election; however, if the practice of permitting special elections is continued, petitioners calling for a special election should bear the cost of such election.
9. repealing the present law that permits certain candidates to seek more than one elective office simultaneously.
10. the Texas Legislature to exempt local and county elected officials, in counties with less than 10,000 population, from the requirement of declaring political party affiliation, thus eliminating the effect of straight line party voting and the problems of conducting a local primary election.
11. printing a hard copy of votes cast via electronic voting machines to help in recounting and in reducing fraud.
We support:

- A high moral standard should be a prerequisite for all elected and appointed officials, and no one should be permitted to run for public office if they have a criminal record. We recommend mandatory drug testing of elected public officials.
- The dismissal of any public employee who is proven to be an active user of illegal drugs.
- Legislation requiring that any state, county, or local office holder, whether elected or appointed, be automatically relieved of his/her duties while under indictment by a grand jury. Elected or appointed public officials who have been found guilty of fraud or misconduct while in office not be allowed to receive pensions or retirement benefits pertaining to that office.
- A retirement system for elected state office holders based on their average salary while serving as an elected official, and not on the salary of a full-time state employee.
- The state constitution and statutes be amended to provide for early retirement of disabled state or county officials who can no longer perform their sworn duties.
- Persons holding public elective office must resign when they seek any other elective office.
- Every elected official serve his term of office at the salary being paid at the time of his election to that office, and that any salary increases and fringe
benefits for elected public officials be voted on by
the people. We recommend that all elected officials
receive pay raises only after they have served one
term in office and are re-elected.

• Elected and appointed officials of state govern-
ment should be audited periodically. The Attorney
General should audit expense accounts on all state
officials, and charge back all expenses to individuals
that are not on official business. We recommend that
elected officials not spend tax dollars for promotion
for a proposed resolution or amendment.

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

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

• Any person who is delinquent in payment of
local property taxes be barred from holding any
public office.

• a selection process for the Texas Transportation
Commission that will ensure their accountability.

• transparency in state government and an effec-
tive Public Information Act.

Government Spending

We support:

• Legislators be required to submit estimated cost
and source of revenue of any bill they introduce. Any
additional requests for appropriations be accompa-
nied by a suggested source of revenue. No increases
in budget should be authorized by the Legislature
unless rules and regulations found in the Texas
Constitution are complied with by the Legislative
Budget Board.

• the judicious management of the Texas Eco-
nomic Stabilization Fund (Rainy Day Fund) to protect
Texas against future emergencies. Safeguards must
be maintained to prevent authorized expenditures
during one budget cycle from requiring a supplemen-
tal appropriation in the next budget cycle to cover
those expenses.

• Rainy Day Fund should only be used for pur-
poses which provide broad public benefit, such as
transportation.

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

• State agencies should be encouraged not to
spend their allotted money at the end of the year to
avoid funding year cuts. State agencies should be
commended for not spending their entire budget.

- restricting state indebtedness by legislation
- limiting issuance of bonds to fund state expenditures.
- the Texas Enterprise Fund.
- Money spent on advertising the lottery should
be reduced to the amount needed for the point of sale
material and the drawings.
- local construction projects funded by taxpayer
money be contracted to U.S. owned companies.
- implementation of the following goals, intended
to reduce and control welfare spending within the
State of Texas:
  1. Stopping the upward trend of state expenditures
for welfare.
  2. Prohibiting the use of state funds for soliciting
welfare recipients.
  3. Establishing a local citizens committee appoint-
ed by commissioner’s court to determine eligibility
and/or need of welfare applicants.
  4. Charging all welfare costs to the Department
of Health and Human Services.
  5. Requiring all able-bodied recipients of welfare
assistance to work for local government units (city,
county and state) to the extent that their labor val-
ued at minimum prevailing wages for the local area
earns the value of the products or payments received.
  6. Requiring county clerks to keep a record of the
names of those recommending individuals for welfare
assistance.
  7. Maintaining the names of all those receiving
public welfare in the county clerks office as a matter
of public record.
  8. Prohibiting public welfare assistance, health
care, and free schooling to illegal residents.
  9. Providing public welfare to dependent children
only in ways which will discourage illegitimacy.
 10. Making persons ineligible for unemployment
compensation from any state if jobs are available at
the person’s point of residence.
 11. Preventing recipients of old age assistance
payments from having their benefits reduced because
of their earnings from other sources.
 12. Requiring unemployment checks to be picked
up and signed for by recipient at the office nearest
his legal address, with no out of state mailings.
 13. Maintaining the level of assistance to the
elderly, the blind and the disabled.
 14. Prohibiting the use of tax monies for abortions.
 15. Prohibiting incentives for irresponsible family
planning. Requiring the father of a child born out of
wedlock to be identified for the purpose of financial
support of the child.
 16. Cutting off welfare and food stamps to families
with elementary school age children if the children do
not meet minimum state law attendance standards.
 17. Stopping all State aid to any recipient who
18. Prohibiting the use of the Lone Star Card to purchase soft drinks sweetened by natural or artificial ingredients.

We oppose:
• automatic pay raises for state employees. All state employees be required by law to pay their share of social security tax.
• The concept of “revenue sharing”.
• Texas Economic Stabilization Fund (Rainy Day Fund) being used to establish programs with recurring expenses.

Banking and Credit

We support:
1. legislation to reform bankruptcy laws. We recommend laws that will prohibit bankruptcy judges from using escrow accounts held for royalty owners by banks for payment of any debts owed by the company.
2. The original owner of any commodity, natural or mineral resource should have first priority for payment in bankruptcy settlements or in other litigation.
3. agricultural producer’s having first lien on their commodity stored in a licensed and bonded warehouse whether in open storage (farmer owned) or contracted to be purchased when the agriculture producer has not yet been paid.
4. protection for all homesteads. This protection should include prohibitions on cross-collateralization of homestead property and nonconsensual liens on homestead property.
5. legislation that would allow continuation of agricultural valuation on land, part of which is used as collateral to refinance a home or secure a home equity loan.
6. that the licensing and bonding regulations be strengthened to protect farmers and ranchers using accepted business practices in the sale of agricultural products or in storage of such products in private or public storage facilities.
7. improvements to the ag lien notification process.
8. The UCC filing fee should be paid by lending institutions.
9. making the Young Farmer Loan Guarantee Program available to young producers for the benefit of Texas agriculture, legislative revisions to broaden the program’s usefulness.
10. The drafting of rules and regulations implementing the Farm and Ranch Finance Program contain safeguards to ensure that only bona fide farmers and ranchers be eligible to participate.
11. an aggressive program for the collection of student loans financed by the issuance of state bonds.

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

Disaster Assistance Programs 176
1. We support:
2. • legislation to reimburse agricultural produc-
3. ers for loss of agricultural inputs caused by natural
4. disasters.

EDUCATION

Administration 177
1. We support:
2. • the State Board of Education continue to be an
3. elected board.
4. • public education being compulsory through 16
5. years of age.
6. • a system which permits parents and students
7. to determine if the student will enter a career and
8. technical education program or take college readiness
9. courses with reasonable options to prepare for both
10. contingencies, or to switch options when necessary.
11. • any student participating in a riot or subversive
12. action shall lose his right to any government loan or
13. grant-in-aid for the purpose of education. Administra-
14. tors should be required to report any criminal activity
15. by a student or employee to the proper authorities in
16. order to protect the student body from such criminal
17. acts. Schools and their administrators should have
18. the authority to punish students that commit an
19. infraction on school grounds and on school-related
20. activities.
21. • the right of any parents or guardians or their
22. representative groups to visit and monitor school
23. classes at any time without prior notice of such visit
after going through proper school administrative channels. School administrations should actively involve more parents in all aspects of the educational system. This will open lines of communication between the administration and parents, and result in better education for the students.

- Texas Education Agency (TEA) to provide more information to the legislature regarding the effects of a school voucher system on school districts in the State of Texas.
- adoption of legislation which would uphold the rights of parents to send their children to the school of their choice, and which would maintain the present status of private and parochial schools free from control by state government.
- giving local school boards the authority to develop curriculum that teaches vocational and technical skills instead of current required basics to students who are not college bound.
- efficient use of staff resources to promote maximum utilization of property taxes.
- all school campuses, (elementary, middle, and high school), in the State of Texas should be equipped with a defibrillator to be available at all times for use by trained personnel.
- rural multi-county school districts should be exempt from election laws that prevent them from holding yearly elections at one location within their district.
- modify the six drop rule in college course requirements to include a provision for physical or mental health issues.
- the security of schools for the safety of all students and staff.
- that any tax reform package from the legislature should be accompanied by a commitment of the state to fund at least 50% of school funding.

**We oppose:**

- compulsory collective bargaining rights for teachers.
- convicted sex offenders or illegal drug users should not be employed in any tax supported institution of education.
- doing away with the designation of the sexes in our schools, and the differences should be respected.
- legislation that gives any public school employee the right to help obtain an abortion for a minor child.
- any participation by the state in the proposed expansion of the “Race to the Top” grant program or similar programs, including Common Core and C-Scope, which would turn local control of school districts over to the federal government via a list of mandates and thereby jeopardizing accepted customs, traditional values, and parental influence.
the “Zero Tolerance” policy. Each event requiring action by the administration or school board should be considered and judged on its own merits.

**Finance**

We support:

1. the State of Texas to assume responsibility for total financing of the Minimum Foundation School Program; however, the local independent school districts should be permitted, by local option, to provide for local enrichment programs above and beyond the fully funded State mandated programs. The local fund assignment should not be increased.
2. the Legislature, rather than the courts, determining the method of allocating state funds among school districts. We oppose any school funding system requiring small school districts that are barely able to offer enough basic courses to meet state accreditation standards being taxed to support large urban schools that offer advanced courses in science, mathematics and languages.
3. the State of Texas not appropriating local school districts monies from local districts tax base to finance other school districts. As long as the present plan of school financing is in effect, we favor a requirement that all receiving districts set their tax rate as high as the highest rate of a giving district.
4. Redistribution of school taxes should take into account the percentage of taxes collected. Taxes from districts with high percentage collection rate should not be redistributed to districts with a lower percentage collection rate. If an ad valorem tax system is used to fund local school districts, we support the $1.00 per $100 cap on the tax rate for maintenance and operation of schools.
5. the permanent school fund being utilized only for the original purpose of funding public schools.
6. the exploration of alternative means of funding public education outside of property taxation.
7. an alternative source of revenue to fund public school operations that would be more equitable and spread the tax load across the entire population rather than on property owners alone. We support agricultural use valuation and sales tax exemptions for all agricultural inputs and services, including feed, seed, fertilizer and farm machinery.

We oppose:

1. mandates by the state that are not funded by the state
2. borrowing from or making loans against the Teachers’ Retirement Fund or the Permanent University Fund
3. the consolidation of any public school district in this state with one or more other school districts unless approved by a majority vote in each district.
We oppose the decrease of funds to small school districts in order to force them to consolidate with larger districts. We support the right of local citizens, by petition, to secure an annual external audit of a state funded school district.

Program
We support:

1. continued efforts to strengthen public and private schools to improve educational opportunities for all students. We support the best possible balance of efficiency and economy in our school systems with primary control in the hands of local school districts.
2. Primary emphasis should be on teaching academic skills and knowledge in the core subjects of math, science, social studies, and language arts. Required curriculum should include American history and geography, the U.S. Constitution, Texas Constitution, Bill of Rights, and economics, emphasizing the free enterprise system. We support the teaching of cursive writing in schools. We support a minimum requirement of 30 minutes of physical education for all students, grades K-6th, to develop a stronger mind and body. We support a no-pass, no-play policy.
3. We support the passing of competency tests for all high school seniors as a requirement for graduation.
4. We support local control of student participation in non-school activities.
5. a public review process of online curriculum management systems that have been adopted by the State Board of Education before being approved for use in public schools. Local school districts should not be allowed to use state funds to purchase non-approved instructional materials. Support of educational curriculum programs should be the responsibility of the local district when local revenue is used to fund the programs. Strict discipline should be enforced and strong moral and spiritual values should be stressed in every subject and activity. In order to achieve this goal, our teachers must have the authority to control their students and be paid a fair salary. Teachers should be allowed to paddle disruptive students before an adult witness.
6. local school boards retaining authority in determining curriculum, textbook selection, financing, discipline, dress code and other matters which can be dealt with most effectively at the local level.
7. the regular recitation in public schools of the “Pledge of Allegiance” to the U.S. flag using the English language.
8. AIDS education should emphasize the teaching of morality and sexual restraint as the best safeguard against the deadly disease AIDS, rather than promoting safe sex in our schools. We support legislation that prevents another committee being formed such
as the Adolescent Pregnancy and Parenting Advisory Council (APPAC).

1. Implementing anti-drug education throughout the educational process in public and private schools, beginning at the kindergarten level.
2. Students having the right to miss school to participate in livestock shows and fairs.
3. Voluntary student transfer from one school district to another.
4. Controlling all pre-school child development programs by the private sector, at the local level, giving parents freedom of choice over the physical and philosophical environment of their children. Such government mandated programs are expensive to taxpayers, destructive of individual rights and local control, and add little or nothing to excellence in public school education.
5. Evolution being taught as a theory and not a fact in our public schools and that the creation account from Genesis be given equal emphasis.
6. The Bible and God be put back in our schools as the rightful heritage of children as a nation under God. We support the right of students to mention God in school, give thanks to Him, tell of His influence upon their life and to assemble on school grounds to pray or read the Bible as long as it doesn’t interfere with scheduled classes.
7. And endorse public school teachers and officials in the use of prayer in the school room and in public functions where they are in charge.
8. Local school boards and administrators recognize and oppose the use of tax dollars for the teaching of humanism, an atheistic ideology, including that which comes into the classroom through the use of values clarification and grouping.
9. A moment of silence or individual prayer be allowed for all students.
10. The Texas Legislature implement an annual Agriculture Appreciation Day, in conjunction with public school. Agriculture is vital to a sound economy, national security and food safety. We encourage all public schools to stress the importance of American agriculture.
11. Continued state and local school district funding for agriculture education and leadership programs vital to leadership needs in the food and fiber industry. We support agriculture based curriculum in all public schools.
12. The Texas Education Agency support career and technology classes designed to prepare students for employment.
13. Expansion and modifications to career and technical education campuses in the State of Texas.
14. We support state and national funding assistance for these programs to include adult learners and
free tuition for high school age students who are
legal citizens of the United States and permanent
residents of Texas.

- the Texas Education Agency support career and
technical education courses which teach personal,
employable, and workforce readiness skills to all
students to prepare them for college, technical school,
or the workforce after high school graduation.
- the State Board of Education and the Texas
Education Agency develop and support career and
technical education curriculum that will count for
a math and/or science on a student's career plan of
study for graduation with the implementation of
the 4x4.
- non-English speaking children educated with
taxpayer money should be placed in the classroom
according to academic ability without jeopardizing
the quality of education of English speaking students.
- state-funded scholarships being based on indi-
vidual merit and need.
- student's grades, classroom performance, teach-
er evaluations and other criteria should be considered
for promotion or graduation. State mandated testing
should not be required.
- the Texas school system should reintroduce
penmanship and mental mathematical computation
in the beginning grades of public schools.
- a uniform start and end date for schools so stu-
dents can participate in college level courses.

We oppose:
- the teaching of homosexuality as an alternative
lifestyle.
- bilingual education. We are opposed to teach-
ing ethnic grammar and speech in our public school
system.
- any psychological tests and/or questionnaires as
approved by the Texas Education Agency, which pry
into private and personal family lives under the guise
of "progressive education." We will support legislation
prohibiting this program.

Teachers

We support:
- local public school boards and school adminis-
trations that they maintain strict standards in select-
ing qualified educators who support the American
way of life and the United States Constitution.
- the concept of home schooling and the right of
parents or legal guardians to school their children at
home with a structured curriculum and appropriate
testing to determine progress.
- reduction of paperwork required of teachers.
- probationary contracts for public school teach-
ers, administration and coaches.
- alternative certification programs for teachers.
14. state funded drug testing of all employees of
tax-supported institutions and the test results be
placed in their employment record.
15. a firm policy be developed in Texas educational
systems to dismiss any teacher on any teaching level
who refuses to pledge allegiance to the U.S. flag or
those who belong to an Anti-American group.
16. the standard that instructors at state-supported
educational institutions understand and fluently
speak the English language.
17. any instructor or teacher who advocates violent
overthrow of the government of the United States,
should be fired and forfeit any remainder of their
contract.

Textbooks

We support:
1. continuation of the State Textbook Advisory
   Committee.
2. Texas Farm Bureau continue textbook studies
   in order that proper protests can be made to those
   texts which contain content foreign to Farm Bureau
   philosophy and this information be supplied to county
   Farm Bureau offices. The State Board of Education
   should have the authority to regulate the content of
   textbooks to assure they are factual and based on
   current scientific information.
3. textbooks that teach basic moral values upon
   which our country was founded. There should be no
   mention of alternative lifestyles regarding sexual
   behavior in school text books. There should be no
   implication that such behavior is appropriate. We
   recommend that American history textbooks include
   accounts of our forefather's strong belief in God and
   how it influenced their ability to govern and form a
   nation.
4. accurate, unbiased, scientifically-based texts-
   books and auxiliary materials. Information, including
   environmental issues and animal care, should be
   presented in a balanced, objective, unbiased manner.
   Unproven theories should be designated as such. No
   tax money should be used to institute or promote
   programs that distort the facts about agriculture
   and its good stewardship of the natural resources of
   this state. We urge the State Board of Education and
   all local school boards to reject any such material.

We oppose:
1. any textbook that promotes the principles of a
   one-world government, teaches that national sover-
   eignty is no longer important, the Bill of Rights is
   outdated, and that all nations should be equal in the
   new global community.
We support:

1. Requiring each prescription label on prescribed medicines to show the generic and trade name.
2. Requiring all companies writing hospitalization insurance policies to guarantee renewal except for nonpayment of premium or perpetration of fraud by the insured.
3. Authorizing additional facilities for training physicians and surgeons.
4. Continuing study of malpractice insurance for the medical professions.
5. All employees who work in a nursing care facility shall be randomly tested for both drugs and alcohol.
6. All nursing care facilities, private and public be inspected by certified inspectors.
7. Nursing home and assisted living rates should be uniform and not based on an individual's financial statement.
8. The Texas Medical Board should maintain a list of sanctioned physicians which can be made available upon request.
9. Health care provided under the indigent health care program be for legal United States citizens only.
10. Legislation that gives an unborn human being the right to life and protects the unborn.
11. The Peer Review Organization (PRO) of the Texas Medical Foundation should be accountable to the Texas Medical Board so that a doctor who is sanctioned would have the right to appeal to the Texas Medical Board.
12. Payments to rural hospitals by Medicare equal to payments at large hospitals for the same type hospitalizations.
13. Our state legislators to modify rules and regulations, and guidelines that discriminate against rural medical care. Emphasis should be on availability of quality medical care in remote areas.
14. Any patient who has tested positive for the HIV/AIDS virus, or has reason to believe that he or she may have been exposed to the virus, should be required by law to reveal this fact to health care workers prior to the beginning of treatment. Health care workers who test positive for the HIV/AIDS virus should be required, by law, to reveal this fact to their patients. A person guilty of rape should be required by law to take an AIDS test and have the victim advised of the results.
15. Doctors, hospitals, and other medical facilities send their bills for services rendered and other charges to patients within 30 days.
• the right of an individual to refuse the use of
  life support machines.
• the Organ Donor Program.
• training and certification of Emergency Medical
  Dispatchers.

**We oppose:**
• a national health care plan. We urge the Texas
  Legislature to pass legislation nullifying and reject-
  ing the “Patient Protection and Affordable Care Act:
  (Public Law 111-148) and “Health Care and Educa-
  tion Reconciliation Act of 2010” (Public Law 111-152).
• legislation to legalize physician-assisted suicide
  for anyone.

**Rural Living**

**We support:**
• a well-organized and practical rural civil de-
  fense program.
• Texas should stay on Central Standard Time
  throughout the year.
• safety requirements for carnival and amuse-
  ment park rides. We support proper licensing and in-
  suring of persons furnishing carnival rides to ensure
  the safety and protection of those using their services.
• all public outlets of gasoline to furnish rest-
  room facilities and to supply air and water for their
  customers.
• legislation that would prohibit the enforcement
  of flood-related building codes in non-flood plain
  areas.
• monies collected for the purpose of funding 9-1-1
  emergency programs in rural areas should immedi-
  ately be used for their originally intended purpose.
• legislation that would make it unlawful for any
  firm or organization to release names, addresses or
  Social Security numbers of its members or subscrib-
  ers without that persons permission. We support leg-
  islation which will preserve and restore the privacy
  rights of individuals. The Department of Agriculture
  and other state agencies should not release names of
  persons who are registered in their systems under
  the open records law.
• volunteer fire departments in their efforts to
  maintain their volunteer status.
• a plan initiated by Fire Departments and area
  agricultural producers that would adequately control
  wildfires.
• changing state and federal wildfire policy to
  require that state and federal fire managers and
  incident commanders coordinate with county and
  local fire departments and landowners when acting
  as first responders and contributing to firefighting
  efforts. We support limiting personal liability for
  volunteer fire departments and private citizens for
  any actions, on either public or private property,
related to fighting wildfires.

• the Texas Farm Bureau support the Texas Department of Agriculture Texas Family Land Heritage Program. (This award is to honor Texas families who have owned and worked the same land for 100 years or more.)

• increasing access to high speed internet connections in rural areas through any source, including wireless and fiber optics, by using a combination of tax incentives, grants, and/or regulations to providers of the service. We encourage internet providers to upgrade their services, equipment, software and hardware to the latest technology in rural areas and smaller towns of the state.

• legislation in Texas to stop Agenda 21.

• Rural Economic Development programs.

We oppose:

• telecommunication

• obscenity and pornography wherever and in whatever form it may appear.

• local or state governments imposing a tax or fee on the electronic transmission of information, i.e., email or telephone.

• the levy of fees or fines for non-compliance of volunteer fire departments by the Texas Commission on Fire Protection (TCFP).

LAW ENFORCEMENT

General Law Enforcement 184

1. We support the expansion of the Texas Rangers organization.

2. Lawlessness and civil disobedience should not be tolerated, and it is deplorable that the Code of Criminal Procedure tends to overprotect the offender and hinder law enforcement. A new code should therefore be adopted which will strengthen law enforcement rather than weaken it.

3. We support establishing additional courts to expedite trials. We oppose the use of cameras in a courtroom during court proceedings.

4. We recommend common sense in proportioning the rights of criminals, defendants and the general public.

5. We support doing away with the defense of so-called “diminished capacity” resulting from intoxication or drug abuse;

6. We oppose defendants being allowed to use “temporary insanity” as a plea in cases where serious crimes are committed;

7. The term “Terroristic Threat” should be redefined in the criminal code to be more closely identified with terrorists’ attacks on our nation.

8. State and local laws should be fairly and equally
enforced without regard to race, sex, or age.

We support enforcement of the flag code.

Any search warrant regarding humane treatment of animals must be issued by the local magistrate of the district where the farm or kennel is located.

Background and finger print checks conducted by the DPS, FBI, Home Land Security, TSA, and other government entities should be shared among agencies for licensing services to reduce duplication.

We support the enforcement of current immigration laws.

We support the use of clear visible signs of identification of Law Enforcement vehicles which are not recognizable as Law Enforcement vehicles for stopping citizens on the public roadways as a matter of safety to the citizen being approached.

We support and encourage the enforcement of Texas laws prohibiting sodomy.

**Prison System**

Recent trends in criminal law have been toward increased leniency for the criminal and less protection for law abiding citizens. This trend must be reversed in our judicial and penal system.

Living conditions for prison inmates should be no better than our military prison facilities. Abandoned military bases should be considered for housing prisoners. Such facilities were adequate for shelter of our armed forces, and they should be converted at minimal expense to house convicted criminals. The Texas Department of Criminal Justice needs to utilize all available prison space, including private facilities.

In order to alleviate overcrowding, we suggest the Texas Department of Criminal Justice consider instituting the shift system rotating between work, sleep and relaxation, as our military personnel have done for years in confined conditions. Control of the state prison system should be by proper state authorities rather than by federal judiciary. Those in executive and management positions in the state prison system should have criminal justice education and experience. In order to maintain critical personnel in the system, all employees who have direct supervision over prisoners should be classified as hazardous duty corrections personnel, for the purposes of state mandated percentage pay increases. We favor elimination of the five percent (5%) cushion used to determine overcrowding in the Texas Department of Criminal Justice. Prisoners should have no rights in suggesting how prison facilities are constructed.

We oppose weekend furloughs of prisoners from the Texas Department of Criminal Justice and we are opposed to the early release program in our prison system. We recommend no physical contact for State prisoners during visitation.
Dogs should be used to screen all prison visitors for drugs. All prison employees should also be randomly screened for drugs when reporting for duty.

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

1. All able-bodied inmates should be required to work a minimum of 40 hours per week.
2. Prisons should be put on a self-supporting policy.
3. Any inmates who do not want to work to support their way should not be eligible for parole and would have to serve their full time.
4. Current jail standards should be lowered.
5. Work-release programs should be supported.
6. We support the use of inmate labor by the Texas Department of Criminal Justice and counties for public service and maintenance work. We encourage expansion of these programs.
7. We recommend that the state probation system be reviewed and that all efforts are made to maintain an efficient, fair system of justice.

**Punishment**

1. We support a minimum sentence of life without parole for persons convicted of murder, rape and child molestation. We support Jessica’s Law.
2. We support a criminal justice system that will serve as a deterrent to crime.
3. We support strengthening laws so that punishment of juveniles is the same as adults for major crimes. Capital punishment should be maintained in Texas.
4. We recommend strengthening the statutes concerning trespass and vandalism and an increase of penalties for these offenses.
5. We support legislation establishing a mandatory fine and full restitution for property damaged by individuals found guilty of trespassing and/or vandalism.
6. We support legislation to remove liability on the part of the landowner for injury and damages to trespassers and vandals.
7. We support legislation that holds authorities or agencies responsible for collecting and paying full damage restitution to private property owners when damage to private property is a direct result of pursuing criminals onto private property. We favor financial restitution to victims by criminals. Anyone convicted of a felony should automatically be liable for damages to the injured party. Any vehicle damaging private property (fences) will have a hold on it until damages are paid to property owner or their agent.
8. We urge that state criminal record laws should be changed to allow public access to adult and juvenile
31. criminal histories, and to include prison disciplinary
32. records and transfers.
33. To ensure the effectiveness of imprisonment as
34. a deterrent to crime, convicted felons should be
35. required to serve a major portion of their sentence
36. before being considered for parole. All first offend-
37. ers should be required to serve a minimum of 50%
38. of their sentence and all repeat offenders should be
39. required to serve 100% of their sentence. We support
40. a “Truth in Sentencing Law” requiring that jurors be
41. provided information, prior to sentencing, related to
42. actual time to be served and parole options. We sup-
43. port harsh punishment and no parole for any inmate
44. caught in possession of illegal contraband.
45. Bail should be denied to any individual previously
46. convicted of a felony or to any individual out on bail
47. who is again arrested for a felony offense.
48. We suggest when judicial authorities see fit to
49. probate a convicted criminal’s sentence to community
50. service, they consider physical work. Performing such
51. services might be especially helpful to young, first-
52. time offenders. If fines are not paid, justice of the
53. peace, county and district judges should be allowed
54. to assess labor on public work projects.
55. We support stricter enforcement and stronger
56. punishment for child and senior citizen abuse. We
57. believe that, in child abuse cases, a victim’s testimony
58. on video should be allowed for evidence. We sup-
59. port stiffer penalties against domestic violence and
60. encourage prosecutors to prosecute these crimes as
61. felony criminal assaults.
62. We support legislation ensuring all persons
63. convicted of soliciting sex from minors (under 14)
64. receive a minimum of 20 years to life in prison. Out
65. of state/nation persons convicted should receive the
66. same punishment.
67. We oppose the rules that protect “right to privacy”
68. for convicted felons.
69. We support stiffer penalties for persons charged
70. with theft of anhydrous ammonia for the purpose of
71. manufacturing methamphetamine.
72. We support the Police Protection Act that recog-
73. nizes tougher penalties on those who target peace
74. officers equal to that of hate crimes.

Drugs and Alcohol

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

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

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

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

16. Marijuana should not be legalized. We favor continued use of appropriate defoliants to control illegal growing of marijuana.

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

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

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

20. We support the termination of any state government employee who is found guilty of drug or substance abuse.

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

**Juveniles**

1. Parents must assume responsibility for the actions and well-being of their children who are under 18 years of age. We also urge that juvenile acts of vandalism be settled by restitution to the victim, with repayment being made by the juveniles, and final financial responsibility charged to the parents.

2. Parents should not be financially responsible for debts incurred or damage caused by juveniles who successfully petition a judge to have their status as
a minor removed. Stricter discipline should also be
practiced in all state schools of juvenile correction.
The State should be financially responsible for dam-
age caused by those who run away.

Motor Vehicles

1. The fines and fees from all traffic citations issued
2. on State or Federal highways should be retained by
3. the municipality collecting the fines and fees. Indi-
4. vidual law enforcement agencies should not, however,
5. be funded on the basis of fines assessed.
6. Registration of new vehicles should be for a full
7. 12 months from month of purchase. We favor legisla-
8. tion that would not require registration of vehicles
9. on title transfer. Re-registration of vehicles should
10. be allowed at any time without penalty. We favor a
11. common registration date for all vehicles owned by
12. one person if they so request.
13. Emergency lights should be mounted as high as
14. possible on emergency and law enforcement vehicles.
15. We support the use of video cameras in all law en-
16. forcement vehicles.
17. We support legislation that prohibits vehicles from
18. being removed from property that has been damaged
19. by that vehicle until the property owner or his agent
20. has been notified. Damaged property should include,
21. but not be limited to, fences, structures, buildings,
22. trees, landscape, etc. In the event of this type of
23. accident, we support legislation requiring a public
24. official to stay at the scene until the landowner or
25. his agent arrives to secure the property. A penalty
26. should be assessed against anyone attempting to
27. tamper with or remove anything from the scene
28. without permission from the public official at the
29. scene of the accident.
30. Formal driver’s training should be required for all
31. first time driver license applicants.
32. We support fewer restrictions to obtain Hardship
33. Drivers Licenses issued to the children of Texas farm
34. families.
35. We support the suspension of driver’s license of
36. persons who are convicted of criminal mischief and
37. stiffer penalties for any person driving with either
38. a suspended license or with an expired license. The
39. Texas Department of Public Safety should invoke
40. a processing period in order to verify through the
41. Social Security Administration the validity of social
42. security numbers submitted by new driver’s license
43. applicants.
44. All motor vehicles, except vehicles with agricul-
45. tural seasonal registration, must have current license
46. plates and current liability insurance, including
47. vehicles from other countries or states. If license
48. plate or insurance is expired, the vehicle should
49. be impounded until proper plate and insurance is
We support the state not requiring cab cards for farm trucks.

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

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

We support a law making texting while driving illegal.

We oppose issuing a driver's license to undocumented illegal immigrants.

Rural driver's license offices should remain open for regular and commercial license, written and driving testing and renewals.

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

We support landowners and their agents being exempt from liability resulting from unknown damages to personal property as a result of actions of other people.

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

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

We urge law enforcement agencies making unnecessary searches of private residences be accountable and forced to pay for destruction of individuals personal property.

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

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

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

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

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

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

**Weapons**

1. We support the right of the individual to keep and bear arms. We support amending the Texas Penal Code, to define “traveling,” to allow law abiding citizens to carry a firearm for defensive purposes while traveling. We support the current legal carrying of handguns. We support the creation of a single license certificate comingling LTC and Texas Drivers License for those legally licensed to carry a handgun. We recommend that the fees be reduced and the renewal process be shortened/streamlined to eliminate redundant information already on file.

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

3. We support the enactment of legislation that would stipulate that any resident of the State of Texas could use deadly force if they believe their life or another life is in danger.

4. Crimes involving the use of firearms present serious threats to property and human life. We support a mandatory jail sentence of not less than ten years for conviction for armed robbery. If death results, a convicted person should receive a mandatory sentence of death or life without parole.

5. We recommend that theft of firearms be made a
felony offense regardless of the value of the stolen firearms.

We are opposed to any legislation restricting the purchase, possession or sale of firearms and ammunition by United States citizens. We are opposed to the registration of firearms or the licensing and taxing of the owners.

INSURANCE

Insurance Generally
1. We recommend that the Texas Department of Insurance consider for Public Protection Class (PPC) all fire departments which are supported by any local government in Texas even though the fire department may be based across the state line. Volunteer Fire Departments’ Insurance Services Offices (ISO) 5 mile distance limit should be extended to 10 miles, if feasible. We support the “dry hydrant concept.” State and local governments should support programs to enhance fire suppression based on this concept.
2. We recommend that the Texas Department of Insurance require insurance companies to appraise crop loss claims as quickly as possible.
3. A mortgagee or trustee should not be able to exercise an option to use insurance proceeds on a standard fire and extended coverage policy to reduce the indebtedness of the insured’s loan if it is economically feasible to rebuild or restore the damaged property, provided the insured’s loan payments are current.
4. We support a limitation on liability judgments to the cost of actual damages and a maximum of $250,000 in punitive damages on pain and suffering. Legal fees should be limited to 15 percent of the settlement with the attorneys paying a pro-rata share of all court costs. Juries should not be made aware whether or not one has insurance.
5. We support legislation setting limits of liability on volunteer fire departments. These limits will reduce insurance premiums for volunteer fire departments.
6. We support tort reform, including a limitation on attorney fees and a cap on awards. We support legislation requiring the losing party in a civil lawsuit to pay all legal expenses and court costs.
7. We support legislation prohibiting a person convicted of criminal activity from suing his/her victim. Liability for any defendant in a lawsuit should be limited to that percentage his negligence contributed to the accident and/or injury that exceeds the negligence of the plaintiff.
8. We support legislation to ensure there will be a viable insurance program available before and after disasters. We encourage legislation to strengthen the Texas Windstorm Insurance Association (TWIA) law to assure future financial solvency.
**Auto Insurance**

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

**Health Insurance**

1. We recommend changes in the insurance code to prohibit companies selling accident and sickness policies from adding exclusions after policies have been in effect for one year.
2. We recommend that the Texas Department of Insurance require health insurance companies operating in the State of Texas to pay insurance claims within 30 days of receipt. If not paid in 60 days, 20 percent interest shall be added to the amount due to the customer.
3. We support legislation requiring all group hospital insurance policies to pay total stated benefits to policy owner regardless of other policies owned.
4. For the purpose of rating workers' compensation insurance, we favor payroll classification separating office, clerical and marketing personnel from other employees with greater risk exposure.
A state agency should monitor and discourage abuses of medical health claims.

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

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

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

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