



2026 Policy Book

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Photo by Devon Wells

Policies adopted by elected voting delegates of the Member County Farm Bureaus to the Oregon Farm Bureau Federation at the Annual Meeting, December 2025, in Portland, Oregon.

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1 **Purpose of Farm Bureau** **0.001**

2 The primary purpose of Farm Bureau is to support the continuation of agricultural and
3 related industries, and prosperity for Oregon farmers and ranchers. Farm Bureau is an
4 independent, nongovernmental, voluntary organization of farm and ranch families united
5 for the purpose of analyzing their problems and formulation action to achieve
6 educational improvement, economic opportunity and social advancement and, thereby,
7 to promote the national well-being. Farm Bureau is local, statewide, national and
8 international in its scope and influence and is nonpartisan, nonsectarian and non-secret
9 in character. Farm Bureau is the voice of agricultural producers at all levels.

10

11 **Farm Bureau Philosophy** **0.002**

12 We believe in the American family; in self-government; in limitations upon
13 governmental power; in maintenance of equal opportunity; in the right of all individuals
14 to worship as they choose; in separation of church and state; and in freedom of speech,
15 press and peaceful assembly. Property rights are among the most basic human rights
16 essential to the preservation of individual freedom. We believe in the private competitive
17 enterprise system, and in privately owned farms and ranches managed and operated
18 for the benefit of farmers and ranchers. We oppose any legislation that erodes the
19 principle of private property rights or the Fifth Amendment of the United States
20 Constitution. Individuals have a moral responsibility to help preserve freedom for future
21 generations by active participation in public affairs. The U.S. Constitution is the basic
22 law of the land. All elected and appointed officials shall be expected not to falter from
23 their oath to uphold and protect it from all its enemies.

1 **I. EDUCATION**

2 **General Education Statement 1.001**

3 We recognize that education is of vital importance to the welfare of the individual and
4 society. We believe that every reasonable effort should be made to develop the potential
5 of each person.

6
7 **Basic Education 1.002**

8 We recommend the legislature periodically review the basic education program. As Farm
9 Bureau members, we favor a basic education program that will:

- 10
- 11 1. Give precedence to thorough training in the fundamentals (reading, writing,
- 12 arithmetic and self-discipline), while providing a balanced curriculum needed for
- 13 present day living, including vocational opportunities.
- 14 2. Give greater emphasis to moral and spiritual values being taught at home.
- 15 3. Give increased emphasis to the teaching of the fundamentals of the
- 16 American republic and citizens' responsibility and involvement.
- 17 4. Give increased emphasis to the teaching of the fundamentals of free enterprise
- 18 in our economic system.
- 19 5. Give increased emphasis to the fact that agriculture is a major contributor to
- 20 the economic system.
- 21 6. Present an accurate and realistic view of the care, feeding and use of domestic
- 22 farm animals.
- 23 7. Present an accurate and realistic view of land stewardship and the conservation of
- 24 agricultural lands.
- 25 8. We believe drivers education is an essential part of road safety and support
- 26 drivers' education as part of the school curriculum.
- 27

28 The annual legislative review process mandated by the Oregon Educational Act
29 should require that student performance data be reported in a manner that allows
30 timely evaluation of each of the specific sets of teaching practices that are being
31 initiated in the state. We continue to support local control, cost effectiveness, and
32 measurable academic goals throughout all publicly funded schools of learning. We
33 support parental involvement over course content and values instruction. We urge the
34 dedication of school funds, resources, and personnel to attain the highest level of
35 academic achievement by people, including vocational training. The use of a 12-month
36 school should be at the option of the local school district. We believe local districts
37 should have the option of providing kindergarten, lunch programs, sports, or other
38 school activities outside of the basic requirements for education.

39
40 **Teacher Agricultural Education 1.003**

41 We support the accurate presentation of the agricultural industry in Oregon and beyond.
42 Since a large part of Oregon's economy is agriculture based, teachers should present
43 the factual information on Oregon's agricultural industry and disseminate it to their
44 students. All K-12 teachers should be required as a part of their continuing education to
45 take a course on the role that agriculture and the natural resource industry play in the
46 wellbeing of the citizens and economy of Oregon. Approved courses are those

1 sponsored by agriculture and/or natural resource associations and accredited by the
2 state system of higher education, such as the Summer Agriculture Institute.

3
4 **Elementary School Agricultural Education 1.104**

5 We support the Oregon Department of Education creating a requirement that all
6 school districts include at least one unit on agriculture as part of their K-5 educational
7 curriculum to promote agriculture literacy.

8
9 **College Terms 1.100**

10 In order to provide students with the opportunity to earn money for school expenses
11 and provide needed farm labor, we favor the quarterly system in Northwest colleges
12 and universities.

13
14 **Community Colleges and Higher Education 1.110**

15 We urge continued emphasis on the community college program of vocational,
16 technical academic and/or adult training as the need is determined by the local area.
17 We ask that community colleges place more emphasis on technical training according
18 to the needs of the local community. We support elections rather than appointments for
19 members of the State Board of Higher Education. Members should be elected on a
20 nonpartisan basis by districts. We recommend that out of state students pay the full cost
21 of their education in Oregon.

22
23 **Oregon State University 1.120**

24 We strongly support adequate legislative funding for the Oregon State University College
25 of Agricultural Sciences, College of Forestry, and College of Veterinary Medicine. We
26 strongly support OSUs statewide public service programs of the Agricultural Experiment
27 Stations, the Extension Service and the Forestry Research Lab. We support the re-
28 establishment of the Department of Entomology at OSU, or one to be established in
29 cooperation with another department at OSU. To ensure that the needs of production
30 agriculture in Oregon are met we urge the OSU College of Agriculture to enact a hiring
31 policy for all professors that provides for continual 12-month salaried appointments.

32
33 **ROTC 1.140**

34 We support the continuation of the ROTC programs on university and college campuses.

35
36 **Teacher Continuing Education 1.200**

37 Emphasis should be placed on teacher training through participation in workshops and
38 programs which enhance a teacher's teaching ability.

39
40 **Sabbaticals 1.210**

41 The university system should ensure that teaching, research and other services
42 provided by a university professor or extension agent on sabbatical are continued
43 during their absence.

44
45 **Teacher Tenure 1.220**

46 We support the creation of a more meaningful teacher evaluation system.

1 **Career and Technical Education 1.300**

2 We support the concept and continued emphasis of career and technical education
3 in Oregon Public Schools. We believe instructional assistance from the community is a
4 resource that should be utilized for career and technical education, instruction, and
5 program evaluation. We support the certification of qualified persons to teach career
6 and technical courses.

7
8 **Student Work Experience 1.310**

9 We strongly support work experience and internship programs on and off campus. We
10 are strongly opposed to any rules or limitations that damage the opportunities of
11 students to safely participate in work experience and internship programs.

12
13 **Local Involvement 1.400**

14 We urge county Farm Bureaus to initiate programs which will result in increased
15 familiarity and cooperation with our schools through year-round interest, regular
16 attendance at school board and budget meetings, and attendance at all times to the
17 problems of education at state and local levels. We recommend that schools use lay
18 membership advisory committees to support and promote educational decisions and
19 practices.

20
21 **School District Reorganization 1.410**

22 We favor continued effort and encouragement towards voluntary reorganization, which
23 will result in more effective and efficient education programs. We are unalterably
24 opposed to any form of compulsory school district reorganization or unification which
25 overrides the wishes of the majority of voters in each district concerned. We strongly
26 support the right of any existing school district, by majority vote, to nullify a forced
27 consolidation of their district into a unified district.

28
29 **Charter Schools 1.450**

30 We support charter schools and encourage their utilization in all school districts.

31
32 **Educational Vouchers 1.455**

33 We support education vouchers and encourage their utilization in all school districts.

34
35 **School District Transportation Fee 1.500**

36 We oppose allowing a school district to charge parents of students for transportation
37 costs for primary and secondary education.

38
39 **Education Service Districts 1.600**

40 We oppose any forced consolidation of Education Service Districts by the Oregon
41 Education Department and/or the legislature.

42
43
44
45
46

1 **II. TAXATION**

2 **General Taxation Statement 2.001**

3 The state tax structure must be built on a sound basis for the general benefit of business
4 and for encouraging individual enterprise. In general, property taxes should be used to
5 finance property related services, and a tax based on a person's ability to pay should be
6 used to finance services that are for the general benefit of society. We believe that a
7 supermajority should be the standard for all tax increases and structural changes that
8 result in a net increase in revenue generation.

9
10 **Value Added Tax 2.075**

11 We are opposed to a value added tax.

12
13 **Sales Tax 2.100**

14 We support the principle of repealing the federal income tax and replacing it with a
15 retail sales and use tax, such as the FairTax (HR 25 2006), that is revenue neutral,
16 broad based, holds individuals and families harmless from the tax at 100 percent of the
17 poverty level, and eliminates capital gains tax, estate tax, all business expenses and real
18 and personal property taxes. We do not support a state sales tax unless it also repeals
19 the state income tax and mirrors the federal sales tax proposed in (HR 25 2006). Any
20 rate increase must require a two-thirds majority of both legislative chambers. Any stand-
21 alone Oregon state sales tax must have the following provisions.

- 22 1. The rate and agricultural exemptions are established in the constitution.
- 23 2. Prescription drugs, food purchased for home preparation, livestock, feed,
24 seed, pesticides, processing or cleaning of agricultural products, fees for
25 agricultural business services performed, farm equipment, parts and repairs for
26 farm equipment and any item that is consumed or used in the production of, or
27 becomes a part of an agricultural product shall be constitutionally exempt from the
28 tax.
- 29 3. No county, city, district or other municipal corporation or political subdivision
30 may impose a general retail sales-and-use tax.

31 A listing of these provisions does not constitute an endorsement of a state sales-and-
32 use tax.

33
34 **Government and Other Ownership Property Taxes 2.209**

35 Profit or non-profit land trusts, federal, state or local government or other sovereign
36 nations owning land for purposes other than farming in an agriculture or a forest use
37 zone should be required to pay, to the county tax collector, the applicable tax penalty
38 and pay annually an amount in lieu of and equal to the property taxes that would have
39 been levied if the property were not in a resource zone. While the land remains in
40 farming, the owners of such land should be required to pay an amount in lieu of taxes at
41 its farm use value.

42
43 **Homestead Exemptions 2.210**

44 Homestead exemptions for property tax relief must be constitutionally funded by State
45 General Funds at a level of 100% and only apply to levies assessed by districts
46 providing public education.

1 **Tax Exemption-Personal Property** **2.220**
2 All farm personal property should be included in the personal property tax exemption.
3 The definition of farm personal property should include all personal property and
4 equipment used in on-farm processing facilities. We believe underground irrigation
5 installations should, for assessment purposes, be treated the same as above ground
6 irrigation pipe.

7
8 **Tax Exemption-Real Property** **2.225**
9 There should be a tax incentive to encourage the joining of any two adjoining parcels,
10 such as a reduced tax rate for some period. Such an incentive could be a temporary
11 property tax reduction granted on the smaller of any two adjoining parcels, when one
12 or more of which are smaller than the minimum lot size, which are voluntarily
13 combined by amending the legal description to join both parcels.

14
15 **Tax Exemption-Condemnation** **2.227**
16 When private property is taken under the threat of eminent domain for
17 public benefit, all compensation received from an easement, lease, or sale
18 to any public, private, or government entity should be exempt from state
19 and federal income and capital gains taxes.

20
21 **Property Tax Administration** **2.230**
22 We favor administering the property tax assessment law at the county level.

23
24 **Appeals on Assessment of Appraisals** **2.240**
25 We oppose any fee for appealing an appraisal and/or assessment to the County Board
26 of Property Tax Appeals.

27
28 **Farm Use Assessment Principles** **2.250**
29 Land in EFU zones should be assessed based on its ability to produce farm income from
30 crops and livestock typically grown in the area. All land in EFU zones should be
31 assessed at farm use value except land that is being used for a non-farm use.
32 We believe the appraisal of timberland for all tax purposes should be based on the
33 ability of the land to produce timber.

34
35 **Farm Building Assessed Values** **2.255**
36 The assessed value of farm buildings and farm dwellings should reflect exclusively
37 the value of the building for farm use and not a value based on purchases of structures
38 not located in farm zones.

39
40 **Farm Use Assessment Criteria Land** **2.260**
41 We believe current employment of land for farm use should include any land enrolled in
42 a government-related farm program. The appraisal of agricultural and timber land for
43 property tax purposes should be based on the typical income from land used for farm or
44 forest production. To determine the correct appraisal of farmland, the weighted average
45 use of a class of land for at least five years should be the criteria on which values are
46 based. Farmland should be appraised for farm use valuation without regard to individual

1 enterprise incomes. No land should be assigned a farm use value higher than the farm
2 use value of the best soil class in the county. Farm use land in EFU zones left idle on a
3 temporary basis due to economic conditions or the operator's ill health, should continue
4 to be assessed at farm use value. All lands in EFU zones, except those being used for a
5 use other than farm use should be assessed at farm use value. Homesites physically
6 situated in conjunction with farm use not located in an EFU zone should be included in
7 the definition of farm use when either gross income from agriculture exceeds \$20,000
8 per year or half the adjusted gross income is derived from agricultural production. The
9 maximum value of qualifying homesites in EFU zones should be the average per acre
10 market value of the bare land comprising the parcel or contiguous acres in which the
11 homesite is located, plus a maximum of \$4,000 or the depreciated replacement cost of
12 land improvements necessary to provide the domestic water supply and septic system,
13 whichever is least. All homesites in an EFU zone containing an owner occupant and any
14 homesite where the owner can show involvement of the occupant in the agricultural
15 operation, should be deemed to be "customarily provided in conjunction with farm use"
16 for property assessment purposes. Parcels containing more than one homesite that are
17 subsequently disqualified from special assessment should not be subject to an
18 additional tax liability, unless the disqualification is in conjunction with a parcel
19 separation. No value should be added for an aesthetic view, lawn or shrubs, access to
20 roads, access to a communication system or an energy source.

21

22 **Livestock** **2.261**

23 The purchase price of livestock should be subtracted from the gross income when
24 computing the formula to determine if land outside of an EFU zone qualifies for farm use
25 assessment, except in the case of livestock which has been held on the farm unit for
26 four months or longer, or the grazing season, whichever is least. The breeding,
27 boarding and training of horses for profit or the feeding, breeding and management of
28 horses primarily for profit by sale or use should be defined as a farm use for taxation
29 purposes. Horses should be defined as livestock for the purpose of property taxation.

30

31 **Roads** **2.262**

32 We believe private farm and timber roads should be assessed only as bare land and not
33 as improvements to the land.

34

35 **Agricultural Nurseries** **2.263**

36 Agricultural nurseries should be specifically included in the statutes as a Farm Use.

37

38 **Recreational Lands** **2.264**

39 Land which meets the qualification for farm use assessment which is also used for
40 recreational purposes either by voluntary consent or for a fee should not be disqualified
41 from farm use assessment.

42

43 **Non-EFU Land Income Test** **2.265**

44 One hundred percent of the value of farm products produced on a parcel and used for
45 personal use should be counted when computing the income test for a parcel outside
46 the EFU zone attempting to qualify for farm use assessment.

1 **Government Actions 2.266**

2 Valuations for property taxes should reflect practices that were implemented
3 because of governmental actions. These practices may include environmental
4 restrictions such as mandated environmental practices implemented on private
5 property, wetlands, stream/riparian habitat, and all endangered species habitat, all of
6 which may decrease production capabilities and/or property value for agriculture use.
7 These practices should reflect appropriate decreases of assessed values for property
8 tax purposes.

9
10 **Exemptions 2.267**

11 Lands in farm use should be exempt from assessments and taxes for sewers, domestic
12 water, street improvements, and sidewalks.

13
14 **Disqualification 2.268**

15 We support clarifying legislation setting forth a time frame and a better definition for
16 disqualifying land from farm use assessment. We oppose the use of mail surveys by
17 County Assessors to determine whether the land in EFU zones qualifies for farm use
18 special assessment.

19
20 **Value Adjustments 2.269**

21 Adjustment of January 1 assessed values should be made when real or personal
22 property is damaged or destroyed by acts of God.

23
24 **Tax Court 2.270**

25 In the event of a disagreement on farm use valuation between the assessor and the
26 Board of Review, the matter should go directly to the tax court for final determination.
27 When a private citizen prevails in a contested property tax case, the county government
28 should be obligated for the taxpayer's legal costs through the Department of Revenue
29 hearing level, and the state should be liable for the legal costs when the taxpayer prevails
30 in succeeding higher courts. In matters brought before the Oregon Tax Court by an
31 individual property owner, we believe that the burden of proof should be on the County
32 Assessor or Department of Revenue.

33
34 **Double Majority 2.271**

35 We support the "double majority" voting requirement for property tax measures. We
36 believe at least 50 percent of the local voting body should participate in local property
37 tax decisions. We oppose any change to this rule that would eliminate or decrease the
38 "double majority."

39
40 **Local District Property Taxes 2.275**

41 The Oregon Constitution should be amended to repeal the \$10 tax rate limitation on
42 taxing districts, other than schools, and each district with the authority to levy property
43 taxes should be given a TAX BASE for operating costs equal to the average of the
44 last two years. The allowable tax base increase should be set at 2%. The district should
45 be authorized to ask the voters, one time annually, to increase or decrease the tax base,
46 approve a serial levy for special projects or emergencies or ask for capital construction

1 levies. We recommend that all levy elections be held not more than twice a year. If the
2 levy is rejected at the first election, a means should be provided so voters in the district
3 may petition for a special vote on special items in the budget at the same time the levy
4 is resubmitted. If a levy fails twice, the district should revert to the previous year's levy
5 or less. We recommend that all elections that occur within a three-month period be
6 consolidated into one election time and place. We support legislation which would
7 require that the calculation of a property tax limit be based on the statutory provisions
8 for determining the assessed value of property.

9
10 **Tax Penalties** **2.280**

11 We support ten years as the number of years a tax penalty and interest must be paid
12 when farmlands receiving farm use assessment are changed to non-farm use.
13 There should be no tax penalty for temporarily changing a homesite use from one in
14 conjunction with farm use to one not in conjunction with farm use unless the change
15 involves a parcel separation.

16
17 **Port Bonds** **2.290**

18 We oppose Port Districts selling tax-free bonds to finance business projects on private
19 property.

20
21 **User Fees** **2.300**

22 Fees imposed or increased by state agencies should only be used as a resource to the
23 agency assessing the fee. Government operations funded by fees should directly
24 benefit those paying the fee.

25
26 **System Development Charges** **2.330**

27 We support the use of system development charges as an important tool for sharing the
28 cost of applicable infrastructure. We strongly oppose the use of system development
29 charges for agricultural and forestry activities in resource zones.

30
31 **Construction Tax Exemption** **2.340**

32 We support an exemption from construction taxes on agriculture buildings when
33 such taxes are authorized by school districts for capital construction projects.

34
35 **Mass Transit** **2.350**

36 We support an agricultural exemption from all mass transit and transportation
37 district taxes. Non-highway fuel uses should be exempt from fuel taxes levied by mass
38 transit districts.

39
40 **Budgets-Local Government** **2.400**

41 We favor retaining the portion of the local budget law that requires publication of
42 municipal corporations' budgets in a newspaper of general circulation, and all features
43 of the local budget that inform and protect the taxpayer. We support legislation allowing
44 local government to retain control of all salaries subject to the local budget law.

45 Because of the difficulty of comparing one year's budget to the next, we support line
46 item budgeting. Salaries should be determined before budgets are adopted.

1 **Budget-State** **2.430**
2 The state budget should reflect a responsible fiscal attitude with an emphasis on
3 minimizing unnecessary or nonproductive programs and strengthening those
4 programs which will enhance the economics of the state.

5
6 **Reserve Fund** **2.450**
7 We support the establishment of a constitutional Reserve Fund of not more than 15
8 percent of the current General Fund budget. The funds should come from any excess
9 funds after providing for the current budget. The legislature should not use the money
10 from the Reserve Fund unless the actual revenue is more than 10 percent less than the
11 current budget. In no case should the legislature be allowed to use more than 50
12 percent of the dedicated fund in one biennium. A three-fifths vote of both chambers
13 should be required to access the Reserve Fund.

14
15 **State Income Tax** **2.500**
16 We recommend maintaining uniformity between the state income tax code and the
17 Internal Revenue Service (IRS) tax code. We believe any changes in the Oregon tax
18 code made by the legislature in response to a change of the IRS code should have a
19 revenue neutral effect. A revenue neutral effect should be accomplished by adjusting
20 the state tax rates on an equal proportional basis.

21
22 **Fee Increases** **2.510**
23 Any increase in state fees should require approval of the state legislature.
24 Increases determined by the Emergency Board should be temporary until voted on
25 at the next legislative session. All state fee increases should require a two-thirds
26 majority vote to pass.

27
28 **Minimum Corporate Tax** **2.515**
29 The minimum corporate tax should be abolished. We are opposed to any tax based on
30 gross income. No one should be required to pay an income-related tax when there is
31 no net income.

32
33 **Capital Gains Tax** **2.520**
34 We oppose capital gains taxes. If considered, we support a capital gains rule that
35 would adjust the capital gains for inflation from the date of ownership change for real or
36 personal property and we support the establishment of a capital gain tax rate that is 50
37 percent of the maximum personal tax rate or 4.5 percent, whichever is the lesser. (3),
38 We strongly oppose state and federal income taxes on unrealized capital gains.

39
40 **Federal Capital Gains Tax** **2.521**
41 We support eliminating the federal \$3,000 cap when claiming a loss of capital gains on
42 a federal tax return.

43
44 **Two Percent Kicker Program** **2.530**
45 We support the Oregon Two Percent Kicker Program for corporations and individuals.
46 We support changing the formula for calculating the refund of the 2% kicker money

1 so that it is a refund based on the overpayment of taxes which actually occurred
2 during the qualifying biennium. The kicker should be returned as a refund on the next
3 year's tax return.

4
5 **Indexing** **2.540**

6 We favor indexing the Oregon State Income Tax dollar brackets for inflation.

7
8 **Estimated Tax** **2.550**

9 A taxpayer should not be liable for the estimated tax payment when the taxpayer's
10 income cannot be reasonably predicted.

11
12 **Tax on Interest Savings** **2.560**

13 The first \$1,000 of all interest and/or dividends received annually should be free of
14 Federal and State Income Taxes.

15
16 **1099 Reporting** **2.570**

17 The minimum amount required to be reported on the 1099 form should be raised to
18 \$2,000 and indexed for inflation.

19
20 **Inheritance Taxes** **2.600**

21 We support the phase out and eventual abolishment of all state and federal gift,
22 inheritance, and estate taxes.

23
24 Until such time as abolishment occurs, we support indexing exemption levels for inflation.
25 We also support connecting the state inheritance tax law to the federal code if the
26 federal code includes:

- 27 1 An exemption in 2010 dollars equal to or greater than \$5 million for each
28 spouse;
- 29 2 A permanent rate, that is not set to sunset or on a schedule;
- 30 3 A stepped-up basis; and
- 31 4 Indexed for inflation.

32 The value of all farmland for inheritance tax purposes should be based on its farm use
33 value. Timber should be exempt from estate, inheritance and gift taxes, recognizing that
34 timber will not be harvested by each generation. Valuations for estate taxes should
35 reflect practices that were implemented because of governmental actions. These
36 practices may include environmental restrictions such as mandated environmental
37 practices implemented on private property, wetlands, stream/riparian habitat, and
38 Spotted Owl habitat, all of which may decrease production capabilities and/or property
39 value for agriculture use. We believe that the continuity of the operation of family farms
40 is desirable and important. The effect of estate taxes should not adversely impact the
41 ability to transfer family farms from generation to generation.

42
43 **Social Security Taxes** **2.700**

44 Self-employed persons should be able to deduct the employer's share of their Social
45 Security taxes as an expense. We oppose means testing (reducing benefits for high
46 income wage earners) as a way to keep the Social Security system solvent. The social

1 security tax should be a dedicated fund and used only for the purpose for which it is
2 collected.

3

4 **Woodland Assessments** **2.800**

5 Lands in forest or small woodlands designations and managed in accordance with
6 the state Forest Practices Act should be assessed in accordance with their productive
7 value. Homesites up to one acre, which are an integral part of these lands, should be
8 assessed on the same principle as is practiced on EFU designated lands.

9

10 **Timber Taxes** **2.810**

11 We support abolishment of the severance tax for those who choose to pay their property
12 tax responsibility through property taxes rather than the severance tax. The value of
13 small tracts of timber land should not be higher than the farm use value of comparable
14 classes of farmland. Any taxes on timber should be for services related to protection,
15 reforestation, fire protection and management of timber and should only be used for
16 such service.

17

18 **Rural Broadband** **2.850**

19 Communication Services should be available at a reasonable cost to all people. We
20 support:

- 21 1 Increasing high speed internet access in unserved rural areas through any source,
22 including wireless, by using a combination of tax incentives, grants and/or
23 regulations. Networks should meet or exceed the FCC's definition for broadband.
- 24 2 The continuation of the Universal Service Fund (USF) to maintain affordable
25 communication services in rural Oregon.

26

27 **Pollution Control Tax Credits** **2.900**

28 We support tax credits for agricultural producers for construction, remodeling,
29 purchasing, or leasing of facilities or equipment for air or water pollution control. An
30 option of credit on income taxes or property taxes should be available. We recommend
31 that capital investment made in equipment or facilities that reduce or eliminate nonpoint
32 source pollution be eligible for Oregon Pollution Control Tax Credit Certification by the
33 Oregon Environmental Quality Commission.

34

35 **Energy Tax Credits** **2.920**

36 We support tax credits and similar tax incentives to promote private development of new
37 energy sources.

38

39 **School Finance** **2.950**

40 If additional (replacement) revenue is necessary to fund the state's increased role in
41 funding schools, then that additional revenue should come from an increase in the
42 income tax rate, and such revenue must be used only for financing schools.
43 Community colleges should be funded on the same basis as other institutions of
44 higher education.

45

46

1 **Urban Renewal Districts** **2.955**

2 Urban renewal districts are not to be used on farm/agricultural lands that are outside a
3 UGB. Any new urban renewal districts within a city will need approval by a vote of the
4 people whose taxes will be affected by designation of an urban renewal district.
5 Purposed districts shall have a sunset date.
6

7 **Intent to Make a Profit** **2.960**

8 We support the "hobby loss rule" of 26 CFR Section 1.182-2 to ensure that only
9 individuals operating bona fide farms or ranches receive deductions on their
10 income taxes from losses incurred in the course of business. We oppose the Internal
11 Revenue Service and Oregon Department of Revenue interpreting the rule in a
12 capricious manner. Therefore, the IRS and the Department of Revenue should not use
13 the following criteria to make a finding that an individual is not farming for profit:

- 14 1 Choosing crops, livestock, or practices for reasons other than 2 maximizing
15 profit;
- 16 2 Lack of prior expertise in running a farm or ranch;
- 17 3 Being retired from another career outside of agriculture;
- 18 4 Operating with a good-faith belief that land will appreciate in value;
- 19 5 Having a prior career or additional career unrelated to production agriculture;
- 20 6 Losses in 9 or less in the first 10 operating years, and 5 or less out of 7
21 subsequently;
- 22 7 Inability to recover all losses incurred over the course of business;
- 23 8 Outside income of the individual, including but not limited to pension, social
24 security, or spousal income;
- 25 9 Deriving pleasure from the process of farming, and the lifestyle associated with it.
26

27 **Corporate Activities Tax** **2.965**

28 We are opposed to the Corporate Activity Tax (CAT) or other gross receipt-based
29 taxes being applied in Oregon. We support agricultural businesses being exempt from
30 reporting quarterly statements under the Corporate Activities Tax. If a farmer or rancher
31 sells commodities to a broker, wholesaler, or processor, they should be required to be
32 provided with a resale certificate to accurately determine their Oregon tax liability. We
33 support the repeal of the Corporate Activities Tax.
34

35 **Mortgage Interest Deduction** **2.970**

36 We oppose removal of the mortgage interest deduction at the state and federal level.
37 (Refer to AFBF) (22)
38

39 **Payroll Taxes** **2.980**

40 We oppose the creation of new payroll taxes to fund new state mandates because
41 increased payroll taxes make ag employers less competitive in the global market.
42 The entirety of any new payroll tax burden should be on the employee. (22)
43

44 **Federal Tax Code** **2.990**

45 The state tax code should remain connected to the federal tax code.

1 **III. LAND USE**

2 **Preamble to Land Use Policies 3.000**

3 It is important to recognize that the protection of land use for agriculture requires a
4 series of policies, and that each of these policies is inter-related. The policies included
5 in this section must be interpreted as pieces of a whole, not applied independently. We
6 recognize the competing pressures on Oregon’s land use system, and our land use
7 policies in this section are intended to protect Oregon’s agricultural land by supporting
8 agricultural businesses. However, OFB remains committed to being part of any
9 conversation related to changes to our land use system.

10
11 **Land Use Planning 3.010**

12 We support the principle of land use planning for the purpose of protecting the
13 resources, and the agricultural environment, and infrastructure needed for
14 farmers and ranchers to produce and/or market food and fiber for current and future
15 generations in a profitable manner. We are philosophically opposed to efforts to
16 remove economically productive farm and forest land from farm or forest zones. We are
17 in favor of agricultural utilization of land by individual owners who live on or lease their
18 property.

19
20 **Definition of Agricultural Land 3.015**

21 Land that should be protected under Goal 3 includes all parcels of predominantly
22 tillable land, whether irrigated or non-irrigated land, grazing land and rangeland
23 necessary to protect the agricultural environment and infrastructure needed for farmers
24 and ranchers to produce food and fiber in an effective manner, and other land necessary
25 to permit farm practices in the area. These lands should be zoned EFU. OFB does not
26 support redefining agricultural land and forest lands by counties based on factors other
27 than the statewide criteria identified in Goal 3 and Goal 4. While different regions of the
28 state may have varying levels of non-farm development pressure, a standard definition
29 of agricultural land and forestlands under Goal 3 and Goal 4 is key to maintaining the
30 agricultural land base and to minimizing conflicts from non- farm uses. Local
31 governments should be encouraged to use the Land Evaluation and Site Assessment
32 (LESA) system developed by the Soil Water and Conservation Society, as a tool to
33 determine relative value of parcels of land for agricultural use. Profitability should not be
34 considered for the purposes of defining ‘agricultural land’ subject to the goal.

35
36 **Land Use Planning Authority 3.020**

37 We support state goals and guidelines combined with county zoning. We believe it is the
38 responsibility of local governments to formulate and amend their own land use plan
39 within the state goals and guidelines. We favor community effort with landowner
40 participation to develop an orderly plan of the area and its resources and the use of
41 zoning to implement the plan. LCDC Goals and Guidelines and administrative rules
42 must be subject to legislative authority and must ensure that farmers and ranchers can
43 use all accepted farming practices to their best economic advantage on land limited to
44 and protected for farming under Goal 3. We believe all lands, including state and federal
45 lands, should be subject to all provisions of local land use ordinances.

1 **Rural Community Stability Plans** **3.022**

2 We believe that each county should prepare a twenty-year land plan for sustaining its
3 agricultural economy. The plan should include a statement of resources needed and
4 available to complete the inventories, and a method for reporting on implementation of
5 the plan and enforcement of the plan by the county.
6

7 **Farmland Oversight Authority** **3.024**

8 The Oregon Department of Agriculture should be given the authority to oversee any
9 and all actions of agencies or interactions between state agencies that may impact the
10 use of agricultural land, including decisions by the Oregon Department of Land
11 Conservation and Development and county land use planning.
12

13 **LUBA Appeals** **3.025**

14 The county government should be required to defend its local land use decisions that are
15 appealed to LUBA.
16

17 **Right to Farm** **3.030**

18 Right to Farm is an essential part of farm and forest zoning. Laws protecting all
19 agricultural and forestry producers from legal and/or legislative actions challenging
20 agriculture and forestry activities that are a generally accepted, reasonable and prudent
21 method for the operation of the farm to obtain a profit in resource zones are a necessary
22 provision that must be preserved and strengthened. It is the responsibility of the parcel
23 owner who has the use that requires a buffer from agricultural practices/uses to supply
24 the required buffer from those uses on their parcel.
25

26 **Guard Dogs Under Right to Farm** **3.031**

27 Guard dogs that bark to protect property need to be protected under the Right to Farm
28 laws.
29

30 **Private Property Rights** **3.033**

31 Private ownership of real property is the foundation of our economic system. As such, it is
32 in the best interest of the people of the State of Oregon to ensure that statutes and
33 regulations are applied to private property in the least restrictive manner possible. It is in
34 the best interest of the State of Oregon to maximize the incentive and cooperative
35 programs in accomplishing statewide land use policies.

- 36 1 Before any private land can be considered for public use or benefit, the property
37 owner must be notified by registered letter 60 days prior to the beginning of
38 the study.
- 39 2 The property owner should be notified by all parties involved including individuals,
40 private groups, organizations, elected officials and government agencies.
- 41 3 We support legislation for full restitution to landowners for any loss of the use or
42 taking of their lands for public purpose.
- 43 4 No biodiversity or ecosystem shall be altered on private property without the
44 property owner's permission and just compensation as determined by the
45 property owner.
46

1 **Historic/Cultural Designations 3.034**

2 We oppose designating as historic districts or traditional cultural properties lands in
3 agriculture & forest zones including irrigation supply and drainage infrastructure in all
4 zones. We believe that owners of buildings or land which have been earmarked for
5 historic designation should continue to have the right to “refuse to consent to any form
6 of historic property designation at any point during the designation process. Such
7 refusal to consent shall remove the property from any form of consideration for historic
8 property designation under ORS 358.480.” National and State regulations should,
9 through rulemaking, allow trustees of lands held in “trust” to opt out as owner/owners
10 along with individuals, partnerships, corporations, or public agencies holding fee simple
11 title to property. If an individual wants to designate a specific site on their property as
12 historic, we support their ability to do so as long as it goes through a process ensuring
13 no impacts to neighboring landowners. SHPO should be required to reach out to
14 property owners who are directly affected by any historic designation. We also believe
15 the current 45-day period for recommendation and comment is too short of time frame
16 for outreach and should be expanded to 90 days. When the National Parks Service
17 receives objections from either the majority of landowners or owners of the majority of
18 the land area of the designated historic district, the historic listing will not proceed. We
19 support decoupling the historic designation process at the state level with the “Goal 5”
20 resource protection process such that designation of historic properties does not
21 automatically entitle the resource to Goal 5 protections under Oregon’s land use laws.
22

23 **Mandated Public Access 3.040**

24 We oppose landowners being forced to allow public access onto their land. However, if
25 a landowner is mandated to allow an agency or the general public the use of his titled
26 and taxed property, he should be fully compensated for that use. Further, should harm
27 occur to the landowner, his friends/family/guests, livestock, structures or
28 appurtenances, crops, vegetation or any other private holdings, the law should require
29 the mandating agency to compensate the landowner in full for such damage, including
30 attorney fees and court costs. Landowners should bear no liability for harm that might
31 occur to the public as a result of mandated access to, or use of, their land.
32

33 **Bike/Multi Use Paths in Farm or Forest Zones 3.043**

34 We oppose the condemnation of farm and forest lands for bike/multi use paths. Any
35 paths sited in farm or forest zones need to meet the farm impacts test and should not be
36 sited within the federal or state application exclusion zones for pesticide use. (See also
37 Rails to Trails 4.420)
38

39 **Liability Exemption for Public Access 3.045**

40 We support liability exemptions for landowners who have authorized and/or
41 unauthorized recreation occurring on their land including, but not limited to, hunting,
42 fishing, swimming, boating, camping, picnicking, hiking, outdoor and agricultural
43 educational activities, waterskiing, winter sports, viewing or enjoying historical
44 archaeological, scenic or scientific sites, volunteering for any public purpose project,
45 aviation and agritourism.
46

1 **Condemnation or Acquisition of Land by Public or Private Utilities 3.055**

2 Full public hearings should be held before private lands are taken by public entities in
3 order to assess the effect on the local tax base and on the interest of the landholders of
4 the area.

5
6 Land acquisitions should be approved by the local governing body. Public entities
7 should be required to make payments in lieu of taxes equal to the real and personal
8 taxes paid by the previous owner with future payments based on the value or use of the
9 property at the local tax rates.

10
11 We are strongly opposed to entities using the eminent domain law to condemn privately
12 owned property for the purpose of transferring ownership for private economic
13 development that will have only minimal incidental benefits to the public. We are not
14 opposed to voluntary sale.

15
16 When public entities purchase land that is a part of a sponsoring or servicing district,
17 the public entity should continue to pay a share of the capital retirement and the
18 operation and maintenance charges equivalent to that which the landowner would have
19 paid had it remained in private ownership, or the public entity should pay a lump
20 sum equal to the capitalized amount of obligation based on the terms of the district's
21 charter.

- 22 1 We support legislation for full restitution to landowners for any loss of the use or
- 23 taking of their lands for a public purpose.
- 24 2 Owners of property subject to damage from action by public entities, utilities or
- 25 individuals, should be compensated.
- 26 3 Upon foreclosure of a farm or ranch, the foreclosed upon party should have the
- 27 right to repurchase that property in its entirety, without loss of any portion thereof,
- 28 such as wetland areas or subsurface rights
- 29 4 We believe the power of condemnation by local municipalities, counties, and
- 30 other government entities, whether it be land or personal property, should not
- 31 extend beyond their own jurisdictional boundaries.
- 32 5 We oppose the purchase of resource lands outside of urban growth
- 33 boundaries for public ownership.
- 34 6 We oppose using the establishment of Urban Renewal Districts as an easier path
- 35 to eminent domain. The establishment of Urban Renewal Districts should only
- 36 occur inside the city limits within the Urban Growth
- 37 7 Boundary and should be prohibited in all other parts of a city's Urban Growth
- 38 boundary or urban reserve areas.

39
40 **DLCD Staffing East of the Cascades 3.105**

41 We support the allocation of adequate DLCD staff for Eastern Oregon counties.

42
43 **LCDC Goals and Guidelines 3.110**

44 Agricultural practices conducted on land regulated under Goal 3 or Goal 4 should be
45 deemed to not be a conflict with any other land use goal. Specifically, Goal 5 must not be
46 used to restrict the production activities on land regulated under Goal 3 or 4. We believe

1 that since aggregate is a Goal 5 resource that is consumed as a result of its “protection”
2 under Goal 5, aggregate should be removed from the designation as a Goal 5
3 resource. Until the time it is removed from Goal 5, aggregate removal should remain a
4 conditional use.

5
6 **LCDC Commission** **3.120**

7 Oregon statute should provide that at least one LCDC commissioner position will be a
8 farmer or retired farmer currently involved in agriculture in some capacity.

9 Because of the complexity of land use planning laws, we recommend that all persons
10 appointed to the Land Conservation & Development Commission receive a thorough
11 annual training in agricultural land use planning issues and the state's land use planning
12 history and the laws and rules as they exist.

13
14 **Restructure of LCDC** **3.180**

15 We support restructuring of LCDC so that it better represents all areas of the state and
16 the agriculture industry. Such restructuring may include regionalization.

17
18 **High Value Farmland** **3.200**

19 The definition of High-value farmland in the ORS should be used in conjunction with
20 the provisions for farm dwellings, aggregate removal and Lot of Record. It is our position
21 that there is no need for a definition of high-value farmland for the purpose of general
22 land use planning when the term “agricultural land” is correctly defined (Policy No.
23 3.015). All land in an EFU zone is equally important to the preservation of the
24 agricultural community which makes up the zone.

25
26 **Minimum Lot Sizes** **3.410**

27 Each county comprehensive plan should be required to establish minimum lot sizes
28 appropriate for various areas of that county that would protect the agricultural
29 environment and infrastructure needed for farmers and ranchers. A .95 factor should
30 be applied to minimum lot sizes for historic inaccuracies. For counties with or
31 considering lower minimum lot sizes in an exclusive farm use or mixed farm-forest zone,
32 analysis for designating lands for non-agricultural use should first consider the impact to
33 existing agricultural operations in the area.

34
35 **Farm Dwellings** **3.500**

36 We support a menu approach using three options to determine when an initial dwelling is
37 provided in conjunction with farm use. Such dwellings should be allowed on any tract or
38 tracts of land under the same ownership and deed restrictions should be imposed on the
39 tract or tracts that were used to qualify the initial farm dwelling. The dwelling applicant
40 must be the owner of the tract or tracts of land. The first option is an acreage test of 320
41 acres or more of zoned rangeland or 160 acres of other land. A second option is a two-
42 year gross annual income history test by the operator of \$80,000 on high value farmland
43 or \$40,000 on any other land. A third option for non-high-value farmland only is a
44 "potential gross sales test" that evaluates the farm size and income of all farm
45 operations that are capable of grossing more than \$10,000 annually, which have
46 parcels located wholly or partially within one mile of the tract of the dwelling applicant.

1 We support a change in the dwelling criteria that would allow, at the time of application,
2 an initial farm dwelling if both the applicant and the parcel can show a farm income
3 history that meets or exceeds the applicable farm dwelling income test.
4

5 We believe that before a non-farm dwelling can be sited in an EFU zone with a Goal 3
6 exception zone change, the county must make sure the applicant and county have tried
7 to get the dwelling in conjunction with the farm.
8

9 **Additional Farm Dwellings** **3.510**

10 Additional dwellings on the same parcel as the initial dwelling, for persons with
11 significant involvement in the farm or ranch operation, should be allowed as needed.
12 Additional dwellings in the same farm ownership, when located on a noncontiguous
13 parcel that is smaller than the minimum lot size and provided in conjunction with
14 farm use, should be manufactured dwellings. These should be subject to annual review
15 and removal when no longer provided in conjunction with farm use. Additional dwellings
16 located on farm parcels in an EFU zone should contain a deed restriction that the
17 dwelling is not allowed to be partitioned from the parent parcel.
18

19 **Farm Labor Housing** **3.515**

20 Seasonal, temporary or migrant farm labor housing should be a permitted use in an
21 EFU zone. All farm labor housing shall be operated by a person or business directly
22 engaged in production agriculture/timber. We oppose operation or use of seasonal,
23 temporary, or migrant farm worker housing in an EFU zone by any other type of
24 business or organization.
25

26 **Replacement Dwellings** **3.545**

27 When an existing dwelling in an EFU zone is removed, destroyed, or damage, the
28 owner of the parcel should be eligible for a replacement dwelling permit without an
29 expiration date. The holder of this permit should be allowed to replace the dwelling at
30 their discretion without meeting additional land use criteria. The dwelling should be
31 eligible for replacement if the owner can provide evidence that a building permit was
32 issued for the dwelling, or the dwelling has been taxed as a dwelling by the County.
33

34 **Non-Farm Dwellings** **3.550**

35 We oppose the establishment of more non-farm dwellings in EFU zones on
36 agricultural land as defined by OFB policy. It is our position that because land has been
37 zoned as EFU for the exclusive purpose of agricultural production, all dwellings
38 established in that zone should be farm dwellings. Statutes referring to or providing for
39 non-farm dwellings should be repealed. Existing dwellings in EF zones not provided in
40 conjunction with farm use should be identified as a non-conforming use. Non-farm
41 dwellings and associated development such as roads and accessory buildings should
42 be sited on a lot or parcel where it will have the least impact on farming practices.
43

44 **Lot-of-Record** **3.575**

45 A sunset date to the lot-of-record provision should not be added. We remain opposed to
46 changing the lot-of-record date of January 1, 1985. We support changes to the law that

1 would clarify that the Lot-of-Record provisions only apply to the person(s), or the
2 legally authorized heirs of such persons, who continuously owned the parcel since
3 January 1, 1985. We support a study of the impacts of applying lot-of-record provisions
4 to high value farmland. We believe that “lot-of-record” dwellings that are really non-farm
5 dwellings should lose the farm use assessment if the dwelling is not approved using a
6 farm dwelling standard. The applicable tax penalty for change of use should also be
7 applied.

8
9 **Farm Related Uses in EFU Zones 3.600**

10 We are opposed to state or local government regulation of farm structures or
11 accepted farming practices that occur in farm, forest, or farm-forest zones. Game
12 ranching and fee hunting or fishing should be recognized as farm activities which
13 supplement regular farm income. Such activities should not disqualify a farm from farm
14 use assessment. Bed & Breakfast and Dude Ranches should be a permitted use only
15 when provided in conjunction with farm use. We support the following additions to the
16 list of statutory permitted uses in all farm use zones:

- 17 1 Propagation or harvesting of a forest product; and
- 18 2 Water impoundments.
- 19 3 Farm use should include the breeding, management, and sale of breeds of
20 dogs commonly utilized in livestock management and husbandry.

21
22 **Farm Use 3.620**

23 “Farm Use” should be considered a use of right in any zone used for farming. Farm use
24 should include any accepted farm practice or activity deemed by a farmer or rancher to be
25 necessary for the cultivation, preparation, or sale of their farm crops or livestock. We
26 believe individual farmers are the best judge of what a farm use is.

27
28 We support the farmer's right to produce, harvest, process, distribute, market, promote and
29 sell their commodity in the manner most economically advantageous to their particular
30 operation. We support policies that protect farm uses in the farm zone and that protect
31 the economic success and viability of farm and ranch businesses in the farm zone. We
32 oppose legislation or regulation that limits farm uses in areas designated for exclusive
33 farm use that are unrelated to public health and safety.

34
35 **Land Use Action Notification 3.625**

36 Public notice of all land use applications outside the urban growth boundary should
37 be sent to all landowners within one-half mile of the property on which any land use
38 application is made.

39
40 **Commercial Activities in EFU Zones 3.630**

41 We support the right of an agricultural producer to vertically integrate the farm operation
42 and to provide other producers with such services as long as the owner’s product is the
43 primary portion of the product being handled. We support clearly defining the
44 differences between “processing” a crop and “preparing” a crop for market. We believe
45 that preparation should remain a farm use under state standards. We also support
46 allowing small-scale processing of agricultural products grown primarily onsite as an

1 outright permitted use in a farm zone. Non-production based commercial activities, or
2 promotional activities should be accessory and auxiliary to the farm use on the subject
3 farm and not the primary use. We do not support limits on the amount of income a
4 farmer can earn from promoting their business. We believe on-farm experiences
5 encourage the public's support for agriculture. We support farmers engaging with the
6 public on farm in order to promote agriculture as a valuable part of our communities.
7 We support maintaining agritourism in farm zones, such as farm cafes. Farm cafes in
8 EFU zones should be owner-managed, seasonal in nature, and/or should be tied
9 directly to the crops grown on the farm. We believe that agritourism uses may include
10 products and activities that enhance the sale of products grown on the farm. We believe
11 that the county is best suited to evaluate compliance with existing law and determine
12 the appropriate conditions for an agritourism activity.

13

14 **On-Farm Education** **3.650**

15 We believe that educating the public on agriculture and accepted farm practices is an
16 important tool to protect agriculture for now and into the future. Activities like farm
17 education tours, and other activities intended to promote and explain agricultural
18 practice should be allowed on farmland. We oppose any legislation or regulation that
19 would make it more difficult for farmers to educate the public about agriculture.
20 Any activities adjacent to exclusive farm use ground must supply land for any buffer
21 requirements. **Refer to Right to Farm 3.030**

22

23 **Application of Byproducts to Agricultural and Forestry Land** **3.660**

24 Biosolids: We support the use of treated or untreated biosolids and reclaimed water for
25 agricultural purposes that will not lower or degrade the quality of farmland on which it
26 was applied. Food and agricultural byproducts: We support the application of food
27 waste, processing water, and other agricultural byproducts to agricultural land at
28 agronomic rates.

29

30 **Non-Farm Activities** **3.670**

31 We recognize that many "non-farm uses" are essential to the success of Oregon's farm
32 families including but not limited to farm stands, agritourism, on-farm processing
33 facilities, dwellings provided in conjunction with farm use, and other commercial
34 activities in conjunction with farm use. We recognize that the agricultural economy is
35 changing and becoming increasingly difficult for farm families. Many farmers may need
36 to utilize non-farm activities on their properties to help supplement their farm income.

37

38 As long as farm use remains the primary use of exclusive farm use property, we
39 do not oppose farmers using their properties for non-farm activities to earn
40 additional income to support their farms and families.

41 Except for necessary utility transmission lines and facilities that serve the rural

1 landowners, public facilities should only be allowed in EFU zones if there is no property
2 outside the EFU zone on which the facility could be physically located.

3
4 Activities in private parks should be passive and consistent with a rural setting, including
5 consistent with rural farm and forest operations. Parks may not be on high-value
6 farmland without an exception unless they are within the urban growth boundary.

7
8 Weddings and other events on EFU land must be ancillary and accessory to existing
9 farm use as defined in ORS 215.203 and not a commercial business separate from the
10 farm activity.

11
12 We support the state adopting conditions for siting and permitting short-term vacation
13 rentals in exclusive farm use zones that ensure such rentals are economically ancillary
14 to the existing farm and that the farm owner is the farm operator and a full-time resident
15 of said county. We oppose wildlife overlay zones in land use planning. When wildlife
16 overlay zones are designated, a management plan that involves and is supported by the
17 landowners, neighboring landowners and producers that are impacted by the overlay
18 zone will be developed with the wildlife management agencies, whether state or federal
19 or both to manage the wildlife in that zone.

20 21 **Landfills in EFU Zones 3.671**

22 We oppose the siting of new or the expansion of existing landfills on high-value EFU
23 land.

24 25 **Non-Resource Lands Zoning 3.674**

26 We believe that a county should authorize new non-resource land zoning by having
27 the determination approved by the county commissioners. A property owner should be
28 allowed to apply to the county for a determination of whether land is non-resource land
29 that does not fall within the definition of “agricultural land” under LCDC Goal 3, subject
30 to approval or denial by the county commissioners. The county commissioners should
31 deny the application if the property is “agricultural land” under LCDC Goal 3.

32
33 When a county rezones EFU lands that do not fall within the definition of “agricultural
34 land” under LCDC Goal 3, counties shall establish non-resource zones for these areas
35 and allow other rural uses to occur. The process to use would include the county
36 obtaining the expertise of a certified professional soil classifier registered and in good
37 standing with the DLCD. That expert’s testimony and report to the DLCD becomes
38 public record.

1 **Utility Siting 3.675**

2 We favor locating thermonuclear power plants and other industrial developments in
3 areas that will enhance irrigation developments and not take prime farm and forest land
4 out of production. Power transmission lines should be located to avoid losses of present
5 or potential agricultural and timber production activities need to avoid valuable farmland.
6 We support the principle of establishing utility corridors to minimize avoid the loss of
7 agricultural and timber lands. Underground utility facilities crossing or utilizing farmlands
8 should be buried at a depth and in a manner that will not interfere with normally
9 accepted agricultural practices in the area. All new buried pipelines and utilities in
10 agricultural zones and on private land shall be placed no less than six feet below the
11 surface of the ground. Such facilities include cables for communication and power
12 transmission, and pipelines for transmission of water, petroleum products, natural or
13 manufactured gas, or other materials. All utility pipeline installations must be installed as
14 negotiated with the landowner.

15
16 Farmers should not be held responsible for damage or disruption of service. Utility
17 operators shall be held responsible for repair, maintenance, restoration of any damages
18 or disruption of service the farm operation. The operator shall fairly compensate the
19 landowners, or lease holders for any repair, maintenance or restoration of their property.
20 At the time of significant change of operation, the utility owner shall renegotiate a right-
21 of-way agreement and easement and compensate the landowner or lease holder
22 accordingly.

23
24 All agricultural tillage of less than 24 inches in depth should be exempt from the
25 requirement to notify any buried pipeline or utility before work begins. All overhead
26 utilities must be maintained at a height so as not to interfere with agricultural
27 activities.

28
29 We support changing the law to provide that if a landowner does not wish to have a
30 utility on their property, then every effort would be made to avoid the property and/or put
31 the utility line in an existing road right-of-way. No landowner should be required to
32 accept an easement for a utility unless no road right-of-way exists within a five-mile
33 corridor. The area receiving the majority of the service should be the area that supplies
34 the utility corridor. If the majority of the service will be used in the urban growth
35 boundary, then the utility corridor should be in the urban growth boundary. The Oregon
36 Department of Agriculture should be the agency that oversees the mitigation on
37 agricultural land. The Oregon Department of Forestry should be the agency that
38 oversees the mitigation on forest land.

1 Every quarter mile section should be evaluated for location and availability to any
2 existing road right-of-way. In addition, the utility should be required to:

- 3 1 Post a sufficient bond with the State of Oregon.
- 4 2 Locate its companion facilities in the road right-of-way.
- 5 3 Purchase a lease from a willing landowner for the property of a utility not
6 located in the road right-of-way. The utility and/or companion facilities must be
7 along the edge of the agricultural or forest land next to the road right-of-way
8 and the fee/rate should be established based on commercial/industrial
9 property rental rates within the urban area receiving the majority of the
10 service.
- 11 4 Have an annual fee with the landowner(s) that is adjusted at least once every
12 five years for inflation. The mitigation agreement should be reviewed by the
13 Oregon Department of Agriculture upon request of the landowner at the time
14 of the Renewal of the lease.
- 15 5 Pay the mitigation costs including the lease, the costs to the landowner for the
16 life of the use, the cost of changing management practices and the actual loss
17 in value of the crop, timber and/or livestock. Mitigation should include the
18 entire area of production affected by the utility facility or pipeline and not just
19 the footprint.
- 20 6 To establish the route for a utility facility that is a linear utility facility, the utility
21 provider shall establish, in a land use application seeking approval of the
22 linear utility facility, that each segment of the linear utility facility must be sited
23 in an exclusive farm use zone to provide the service. If the criteria in
24 subsections (3) and (4) of this section are met for a utility facility that is a
25 linear utility facility, the utility provider shall locate the segments of the linear
26 utility facility, to the extent possible, along tract boundaries and maximize the
27 stability of the remainder of the tract for farm use. "Segment" means the
28 portion of a linear utility facility sited in an exclusive farm use zone that is on
29 lands that share a similar site and situation geographically. (09), (10),
30 (Referred to AFBF, 2010)
- 31 7 Providers of utility services should be required to work with landowners to
32 provide advanced notice of entry onto the property, make a plan to avoid the
33 spread of noxious weeds, pest and other disease, and avoid negative impacts
34 to ongoing farming and forestry operations, such as planning for livestock
35 control and management, avoiding disruption to harvest and ongoing farming
36 activities, and avoiding negative impacts to agriculture.

37
38 **Utility Access 3.676**

39 We believe that access to public utilities for the agriculture industry for all agricultural

1 purposes should be no less than equal to the services provided to other users.

2
3 **Solar Siting in EFU** **3.678**

4 We oppose siting of non-agricultural solar panel facilities on productive
5 agricultural lands when alternative sites are available. We define productive
6 agricultural lands as lands that are locally significant for the agricultural economy, have
7 high productive value for that region, or have other qualities that make them valuable for
8 that region. This analysis may be done on a county or regional basis and can
9 account for factors such as presence of irrigation or drainage infrastructure, soil class,
10 large tracts of intact farmland, or other regionally relevant factors. Counties should be
11 allowed to exclude non-agricultural solar panel facilities in the EFU zone on productive
12 agricultural lands. Counties should not authorize projects that could result in forfeiture of
13 irrigation rights or loss of agricultural wetland exemptions. (18) We support bonding and
14 a legal requirement to ensure that future solar sites when decommissioned are
15 reclaimed back to farmland with comparable characteristics to the original farmland.
16 Solar facilities must be maintained free of noxious and windblown weeds and fire prone
17 vegetation. (See Green Power at 12.305)

18
19 We oppose referring to solar facilities as “solar farms.”

20
21 **Agriculture Working Lands Conservation Easements** **3.680**

22 We support agriculture working lands conservation easements for the primary purpose of
23 protecting farmland for continued agriculture use, while providing wildlife habitat and
24 environmental benefits. Conservation easements shall not impact neighboring agriculture
25 operations. If a conservation easement negatively impacts a neighboring agriculture
26 operation, the neighboring agriculture operation should have an appropriate available
27 remedy.

28
29 **Management of Public Lands** **3.685**

30 All public agencies that own, manage, or otherwise control real property must
31 continuously actively manage its land to best achieve the purpose of the public land and
32 to prevent negative impacts to surrounding private lands and landowners. Negative
33 impacts include but are not limited to the spread of noxious weeds and annual grasses,
34 trespasses onto private property, increased wildlife burden, and other land use and
35 resource conflicts. All public agencies need to be accountable for invasive plants and
36 insects originating on public lands. Agencies must control invasive plants and insects
37 promptly. If the issue is not managed, the agency involved must cover any crop damage
38 from invasive plants and insects originating from public land.

39
40 **Policy 3.680, Agricultural Conservation Easements, was deleted in 2007**

41
42 **Removal of Acreage from Production** **3.687**

43 As producers of the highest quality agriculture products in the world, we oppose
44 the permanent removal of acreage from agriculture production through any government
45 or private program.

1 **Loss of Private Property** **3.688**

2 We support adoption of a governmental policy of no net loss of private ownership of
3 agricultural and forest lands in Oregon. Any consideration for land ownership transfer
4 from private to government ownerships shall require a public hearing process including
5 hearings in the local area. After such public hearing process, the agency or entity must
6 get approval from the local governing body of the county only then can the federal or
7 state agency seek funding for such land ownership transfer.

8
9 **Government Ownership of Farm or Forest Land** **3.689**

10 State and local government should be required to prove and guarantee that the
11 purchase of land by a state or local government will not violate Goal 3 as expressed in
12 ORS 215.243 (1) and (2), namely the preservation and maintenance of farmland for
13 farm use. We support State management of federal lands in their jurisdiction. 6 (13)
14 We oppose allowing foreign governments to own land within our state." Rights of land
15 ownership by foreign nations should be equal to the right of ownership by US citizens in
16 foreign nations to create a reciprocal effect.

17
18 **Road Development** **3.690**

19 During the design phase on road development, consideration should be given to
20 impacts on existing agriculture practices. Road development should encourage the
21 continuance of farm use. When establishing expressways in EFU zones, the Oregon
22 Department of Transportation should be required to provide access to farms and
23 ranches and construct overpasses at county roads.

24
25 **Wetlands in EFU** **3.691**

26 Permanent wetlands, vernal pools, or mitigated wetlands should not be located in an
27 EFU zone if the land has been used for agriculture purposes or government money is
28 used to develop a wetland project. We would not oppose a wetland project providing the
29 project is funded by the landowner and meets the state's conditional use requirements.
30 (11) (See also Wetlands 7.850)

31
32 **Road Rights of Way** **3.692**

33 Before a government entity can get approval for a road improvement project that would
34 result in the right-of-way increasing in size, all property owners with land bordering the
35 project should be informed by the government entity as to where all the existing
36 property boundaries are and how much more land would be acquired.

37
38 All disputes should be settled and a compensation rate agreed upon for the taking of the
39 property before the widening project can be approved. If the road improvement project is
40 for the benefit of the urban population, the extra land acquired should be valued as if
41 inside the Urban Growth Boundary.

42
43 In the event of road abandonment, the state or county will notify property owners in
44 writing and will consider the economic impact of the road abandonment in addition,
45 public meetings should be held on the issue.

1 **Traffic Impacts Due to EFU Land Conversions** **3.693**

2 We support retaining LCDC Administrative Rules requiring the long-term assessment
3 of the transportation impacts resulting from the establishment or enlargement of
4 non-agricultural commercial businesses at the state and county level. The burden of
5 any cost of infrastructure improvements should be paid for by the developer and not
6 the general public.

7
8 **Surveyor's Access** **3.695**

9 We support requiring all surveyors, their employees, or agents, to obtain permission
10 before entering upon private land for the purpose of surveying and/or setting
11 monuments without permission of the landowner. Further, surveyors should compensate
12 the landowner for any and all damages and time lost caused by their entry on private
13 property.

14
15 **Deed Recording** **3.696**

16 We support requiring county planning departments and county recorders or city
17 recorders to verify that a newly created parcel is legal and in compliance with the county
18 comprehensive plan before the deed is recorded.

19
20 **Aggregate** **3.700**

21 We support requiring an “alternatives analysis and a needs analysis” as part of the
22 aggregate permitting process when applying to mine high-value farmland soils in EFU
23 zones. We support requiring the use of a permitting process with public hearings before
24 allowing new or expanded commercial aggregate mining operations in the EFU zone.
25 We support state and local governments using a higher percentage of quarry rock and a
26 lower percentage of alluvial gravel mined from under high-value farmland soils in the
27 Willamette Valley.

28
29 We support prohibiting the mining of rock when it is under high-value farmland soils or
30 if the mining activities meet or exceed the depth of surrounding irrigation or domestic
31 water wells within the boundaries of an aquifer.

32
33 Before an application can be approved for a proposed aggregate removal operation
34 that is located on high-value farmland, the Department of Agriculture and the Department
35 of Water Resources should be required to examine the application, and both sign
36 off that the proposed mining/removal operation will not negatively impact agricultural
37 operations and water rights on surrounding farms.

38
39 We believe facilities and structures including batch plants should be prohibited when
40 surrounded by EFU land.

41
42 We support the removal of river rock from dry gravel bars. At a minimum, counties
43 should have the authority to require that there be a demonstration that there are no
44 reasonable alternatives to siting an aggregate facility on Class I, Class II, prime or
45 unique soils in Oregon. We support the requirement that future aggregate mining

1 sited on Class I, Class II, prime, or unique soils in the Willamette Valley to be
2 reclaimed back to farmland with comparable characteristics to the original farmland. We
3 support long-range planning to identify appropriate places for developing aggregate
4 resources.

5
6 **Mitigation for Aggregate Projects** **3.720**

7 When an application is submitted to site an aggregate operation, we support requiring
8 counties to impose and enforce mandatory conditions designed to reduce the impacts of
9 the operation on neighboring farms and ranches.

10
11 **Supersiting** **3.790**

12 We oppose the supersiting of any non-farm activity that would subtract from, or
13 adversely affect, the surrounding agricultural industry and resource base. We
14 oppose any jurisdiction, governing body, or the Governor using supersiting authority
15 to circumvent Oregon's land use system.

16
17 We oppose the 2005 FERC law relating to the supersiting of pipelines and support the
18 reintroduction of state and local oversight. (Referred to AFBF, 2008)

19
20 **Urban Growth Boundaries** **3.800**

21 We support the use of Urban Growth Boundaries (UGB) as a means of dividing
22 agriculture land from urban land. We oppose reduction in requirements for UGB
23 expansion. The purpose of designating land within UGBs under land use planning
24 should be to provide space for all urban needs, including, but not limited to: housing,
25 commercial and industrial, utilities, parks & recreation, schools and to manage the
26 growth of a city in such a way that these needs and services can be efficiently
27 provided within the UGB. We oppose any effort to remove farm use assessment from
28 actively farmed land inside a UGB, without landowner consent.

29
30 We believe that UGB expansion is not an automatic right and that there are some
31 situations where expansion has reached its limit because of the surrounding resource
32 land. As such, we believe the 20-year buildable inventory requirement is
33 inappropriate and should be repealed. Any boundary expansion on land protected under
34 Goal 3 must not impair the agricultural environment and infrastructure needed to
35 produce food and fiber for current and future generations. The expansion of a UGB
36 should not occur on land(s):

- 37 1 That is predominantly irrigated or non irrigated soil classes I, II and irrigated
38 class III and IV soils in western Oregon;
- 39 2 Parcels of land that are predominantly irrigated or non irrigated soil classes I,
40 II and irrigated class III through V soils in eastern Oregon;
- 41 3 Parcels that are predominantly soils that, if irrigated, are capable of producing
42 the average of other irrigated land in the area;
- 43 4 Any parcels that are predominantly soils capable of producing the average
44 non irrigated wheat yield for the county; and
- 45 5 Any soils that the county determines to be necessary to support the
46 agricultural community.

1 **Destination Resorts**

3.900

2 Destination Resorts should not be sited on high value cropland or near intensive crop
3 producing areas unless it can be demonstrated that:

- 4 1 The resort will not result in the loss of land being intensively farmed;
- 5 2 The improvements and activities at the resort will be located and designed to
6 avoid adverse effects of the resort on farm uses on surrounding farmlands;
7 and
- 8 3 The property deed contains a provision that prohibits the owner, employees or
9 customers from taking legal action to restrict or change the farming practices
10 of agricultural producers in these surrounding areas.
- 11 4 Destination resorts should not be allowed to incorporate as a city or as a
12 municipality if doing so would adversely impact the surrounding agricultural
13 industry.
- 14 5 Destination resorts should not be sited on irrigated land or within an irrigation
15 district and such irrigated land should not be included as land eligible for a
16 destination resort in a county’s destination resort map. However, irrigation
17 districts should be allowed to opt out.

18 6
19 **Measure 37 and Measure 49 Right to Farm**

3.920

20 Counties should be required as a condition of approval for any single- family dwelling or
21 non-farm use approved pursuant to a Measure 37 or Measure 49 claim to sign and
22 record for the deed records a document binding the new landowner and the
23 landowner’s successors in interest. The deed should also prohibit them from pursuing a
24 claim or cause of action alleging injury from a farming or forest practice protected under
25 Oregon’s Right to Farm Laws. (06), (08)

26
27 **Crypto Mining and Server Farms**

3.925

28 We oppose siting crypto mining and server farms on productive farmlands or EFU
29 zones. The conversion of arable land into technology- centric facilities may diminish
30 the available space for essential food production and potentially lead to increased
31 competition for land, water and other resources needed to sustain farms producing
32 living organisms that help sustain food security, agricultural stability, and the
33 potential disruption of local economies that rely on farming and ranching.

1 **IV. TRANSPORTATION**

2 **General Transportation Statement 4.005**

3 The state transportation laws and rules must be built on a sound basis for the general
4 benefit to agriculture and for encouraging individual enterprise.

5
6 **Financing Highways 4.010**

7 Highway use fund expenditures should be limited to the building and maintenance of
8 highways and bridges and should not be used for any other purpose. State Highway
9 funds should not be spent on construction and maintenance of multi-use paths, bicycle
10 lanes, or other bicycle accommodations. We support having adult bicycle users pay for
11 improvements and maintenance of bicycle lanes through the implementation of some
12 form of fee or registration system. Local jurisdictions should be prohibited from imposing
13 bicycle lane improvement requirements on private enterprise without compensation.
14 If increased financing is required for the maintenance and repair of highways and
15 bridges, we favor an increase in the highway use funds. We recommend continual effort
16 by county, state, and federal agencies for more efficient use of funds concerning
17 maintenance and repair projects. Road funding priorities must consider the
18 infrastructure needed to support a viable commercial farm economy. For the purpose of
19 maintaining primary and secondary rural roads, we support allowing more flexibility in
20 the use of Federal Highway Construction Funds at the state level when a state has
21 completed 90% of its interstate highway system responsibility. We support continual
22 review of the Statewide Transportation Improvement Plan which would include the
23 following:

- 24 1 A review and analysis of the current gas tax allocation plan;
- 25 2 The identification of need by conducting a road equity study as well as the
26 unfunded needs of county market roads;
- 27 3 The analysis of the economic impact of market roads;
- 28 4 The identification of and analysis of how much gas tax is exported from, and
29 returned to, rural communities; and
- 30 5 A determination if any new revenue is required.

31
32 **Highway Funding Decisions 4.011**

33 Regional highway funding decisions should be done at public hearings, which
34 occur in the evening when the public can attend.

35
36 **Fuel Tax 4.030**

37 Any fuel tax increase should be accompanied by an increase in commercial vehicle
38 fees to maintain parity with auto related taxes. We support a tax on alternative fuel
39 highway vehicles including electric vehicles to equal the taxes normally paid through
40 conventional motor vehicle fuel taxes. (22) All off-road fuels and fuel alternatives should
41 be exempt from fuel taxes. (22) All fuel/energy taxes should be collected at the final
42 point of distribution.

43
44 **Vehicle Location Monitoring 4.035**

45 We oppose state or federal government use of location tracking devices and
46 systems required for private vehicles in Oregon

1	Vehicle Insurance Tax	4.040
2	We oppose a vehicle insurance tax.	
3		
4	Weight Mile Tax	4.060
5	We favor the concept of farm-plated trucks paying their highway cost responsibility through the payment of motor fuel taxes rather than a weight mile tax.	
6		
7		
8	We oppose any change in vehicle taxation that is detrimental to agriculture.	
9		
10	Local Government Gas Tax	4.075
11	We favor a constitutional amendment prohibiting a municipal corporation from imposing a petroleum use tax without approval of the voters within the municipality.	
12		
13		
14	Three Axle Trucks	4.100
15	We oppose subjecting three axle trucks with farm plates to the weight mile tax and CDL requirements when hauling agricultural products for hire.	
16		
17		
18	Farm Contract Carrier Provisions	4.120
19	We support changing from a farm contract carrier to a general carrier which would still allow a person to haul their own products without being subject to a weight mile tax.	
20		
21		
22	Vehicle Registration	4.140
23	We support a method of issuing farm plates that is designed so that these licenses can only be issued to qualifying farmers. Farmers should be allowed to haul their own agriculture and timber products on a truck with a farm plate to the point of first sale.	
24	The state shall allow government surplus vehicles and trucks to be eligible for farm plates.	
25	We support the concept of registering farm trucks on a declared loaded weight for the power unit as long as the total dollars collected do not exceed the amount that would be collected under a lightweight fee schedule. We support legislation providing for the pre-purchase of an unlimited number of overweight trip permits. We support the adoption of a reciprocal registration and licensing program between adjoining states, including apportioned farm plates.	
26		
27		
28		
29		
30		
31		
32		
33		
34	Titling Fees	4.160
35	Titling fees should not exceed the cost of issuance and should not be used as a method of financing transportation facilities.	
36		
37		
38	Driver's License Classification	4.175
39	Operators of farm plated trucks should not be required to have a commercial driver's license or a health certificate.	
40		
41		
42	Driver's License	4.180
43	The Oregon Driver's License is proof that an Oregon Drivers' License holder has demonstrated a working knowledge of the rules of the road and can safely operate a motor vehicle.	
44		
45		
46		

1 **Minor Aged Vehicle Drivers** **4.185**
2 We support legislation allowing drivers under 18 years of age to operate a vehicle
3 with passengers under 20 years of age when operating a vehicle is necessary for
4 agricultural employment.
5

6 **Handheld Communication Devices** **4.190**
7 We support the use of handheld voice communication devices in motor vehicles as
8 needed for use in production agriculture activities.
9

10 **Public Utility Commission (PUC) Truck Permits** **4.200**
11 We support the hauling of farm supplies, such as fertilizer, lime, feed, etc., and farm
12 products on non-regulated carriers operating with trip permits in intrastate and
13 interstate transportation.
14

15 **Vehicle Trip Permits** **4.220**
16 Vehicle trip permits should be made available from the county clerk in those counties that
17 do not have a permanent DMV agency office. We support issuing unlimited trip permits
18 for abnormal truck loads at local Department of Motor Vehicle offices. The permit fee
19 should reflect an amount not more than the proportional wear caused by the vehicle and
20 should provide an economic incentive to purchase more than one permit at a time. We
21 support the issuance of a functional wide load permit for the purpose of hauling large
22 bales. The Oregon Department of Transportation and the Public Utility Commission
23 should provide a 30-day renewable harvest-time permit for farm plated vehicles. State
24 statutes and/or rules should allow field-loaded, farm licensed vehicles to have up to a
25 10% over gross vehicle weight, without violation.
26

27 **Truck Transponders** **4.225**
28 We support use of green light transponders at weigh stations for agriculture vehicles
29 on the freeway without fees being charged.
30

31 **Uniform Truck Loads** **4.230**
32 We recognize the imperative need for greater uniformity among states to minimize
33 barriers to the free flow of commerce; this should be done with federal regulation of truck
34 size and weight.
35

36 **Deregulation** **4.240**
37 In an effort to be consistent with the states of Idaho, Nevada, and California, we
38 support deregulation of the commercial hauling of livestock in Oregon.
39

40 **Hours of Service Exemption** **4.280**
41 We support an agricultural exemption from the maximum driving and on-duty time
42 requirements of the Federal Motor Carrier Safety Regulations (FMCSRs) as defined in 49
43 CFR 395.3 and 395.5, for farmers and retail farm suppliers transporting crops or farm
44 supplies for agricultural purposes within Oregon and/or a 150-air mile radius of their
45 distribution point or farm.
46

1 **Hours of Service (HOS)** **4.285**

2 We support exemptions from HOS rules for equipment dealers, livestock hauling,
3 and hauling of agricultural products to port or market.

4
5 **Interstate Commerce** **4.290**

6 We support a farm to market exemption from interstate commerce regulatory
7 enforcement to allow the movement of farm gate products from the farm to its points of
8 delivery within the state of origin until title is transferred. (Referred to AFBF, 10)

9
10 **Bridges** **4.295**

11 Any replacement of bridges should include increased capacity to handle current and
12 future motor vehicle transportation needs.

13
14 **Public Roads Safety** **4.300**

15 We express our approval of reasonable laws related to highway safety for movement of
16 implements of husbandry.

17
18 We encourage safe and adequate turnouts which are well posted, provided by the
19 state highway and the county road departments for movement of agricultural
20 equipment, rural mail delivery and other service vehicles.

21
22 If a roundabout is shown to be necessary, we support the increase in the size of
23 roundabouts along with road design and engineering to support the safe movement by
24 truck traffic and agricultural vehicles/equipment. We support highly visible dividing lines
25 on rural roads. We support adequate guard rails on state highways. The Department of
26 Motor Vehicles and Driver Education classes and tests should increase emphasis of
27 mandatory questions and facts regarding slow moving vehicles and other farm related
28 hazards to include, but not be limited to, road etiquette as it pertains to rural roads.
29 The Department of Transportation needs to adopt signage in major farming areas to
30 notify the public of the need for caution. Non motorized bicyclists should be fined for
31 riding on roadways when bicycle paths are available. We encourage the establishment
32 of a standard setback of obstructions (mailboxes, signage, poles, etc.) to allow for
33 adequate clearance of over-width vehicles on all public roads. We support limiting the
34 duration of highway closures to two hours for the investigation of an accident. We
35 believe that accidents should be reported by mile markers and forwarded to ODOT.
36 We support a bumper height limitation on all non-commercial licensed vehicles that is
37 no greater than the one for farm and commercial vehicles. We express our approval of
38 reasonable laws related to highway safety and support the establishment of best
39 practices for movement of all types of farming equipment. We also support the use of all
40 highway and rural roads for the movement of all types of farming equipment regardless
41 of posted speed limits.

42
43 **Rural Road Maintenance** **4.302**

44 We support the improvement of maintenance of rural roads so local food can get to
45 market.

46

1 **Slow-Moving Vehicle Signs** **4.305**

2 We support the proper use of the slow-moving vehicle (SMV) signs. We expect
3 appropriate administrating agencies to enforce the laws including assessment of
4 fines regarding misuse of SMV signs. We support enforcement blitzes by law
5 enforcement for the improper use of SMV signs. Any use of SMV signs other than
6 what the statute or rule provides, is a class C violation and enforced with fines. Any
7 implement that is required to have a SMV sign is not in violation of the law if the
8 implement is traveling at a speed in excess of 25 mph or is being transported on a truck
9 or trailer or towed.

10
11 **Maximum Speed** **4.310**

12 We support using the Basic Rule as the governing speed on Oregon highways and
13 oppose proposals for fixed limits on maximum speed except during emergencies.
14 We support enactment of a state law that allows vehicles registered under 26,000 lbs.
15 (gross vehicle weight) to travel up to the maximum-posted speed.

16
17 **Roadside Signs** **4.314**

18 Whenever the Oregon Department of Transportation and/or the Tourism Information
19 Council places roadside signs, an actual determination should be made that those signs
20 will not block the view of highway conditions for the drivers of trucks and farm
21 equipment.

22
23 **Highway Signs** **4.315**

24 There should be only one type of sign indicating the proper use of passing lanes.
25 Prior to the end of the passing lane, a sign should indicate a mutual responsibility to
26 merge.

27
28 **School Zone Lights** **4.316**

29 All school zones should be controlled at each end a consistent color of signing and
30 lighting (that no other entity is allowed to use) for school zone warnings. A warning
31 sign should be attached to the light indicating that the speed is 20 M.P.H. when the light
32 is blinking.

33
34 **Highway Signage for Roadside Stands** **4.317**

35 We support changing state laws so that farmers may place signs for roadside stands on
36 highway rights of way through a permit process.

37
38 **Caution Signs** **4.318**

39 We encourage state and county road departments to place caution signs along rural
40 state and county roads in EFU zones, warning motorists to drive with caution, because
41 farm machinery and livestock may be on the road.

42
43 **Stop Lights** **4.319**

44 We support ODOT implementing standard amber light times that are generously longer
45 than ITE minimums and implement all red periods on highways used for hauling
46 agricultural goods.

1 solutions. In the event of railroad abandonment, the ownership of the land should
2 revert to the landowner if the land under the railroad is an easement, or if the right-of-
3 way is owned by the railroad the land should be sold to an adjacent landowner.

4
5 **Rails to Trails** **4.420**

6 We oppose the creation or development of Rails to Trails. For existing Rails to Trails or
7 those created despite our opposition, we support management of trails under the
8 Oregon Recreation Trails System Act. Such management should be approved by
9 county government with public input, and should also be in compliance with statewide
10 land use goals and compatible with acknowledged county comprehensive plans. We
11 support legislation indemnifying adjacent farm owners for damages caused by trail
12 users to their land and making trail users liable for their torts. We support amendments
13 to Oregon's recreational use statute to make sure farm owners are immune from suits
14 for injuries that occur on recreational trails adjacent to their land. We support requiring
15 the state to show an ability to meet the financial requirements associated with
16 developing and maintaining a recreation trail. We support an amendment to the Oregon
17 Recreational Trails System Act to specifically mandate the state comply with ORS
18 608.310 through 608.400 (Fences and Crossings on Railroad Right of Ways) and
19 comply with the terms of any deed or other instrument attached to land used to develop
20 the recreation trail. We support legislation that will give adjoining landowners first right
21 of refusal to purchase, at agricultural land prices, any railroad right-of-way adjacent to
22 their property, if that railway is abandoned. We support an amendment to the Oregon
23 Recreational Trails System Act to guarantee adjacent landowners unlimited access to
24 and from their own property along and across the trail property was previously used by
25 the land owner. (See also Bike/Multi Use Paths in Farm or Forest Zones 3.043)

26
27 **Abandonment of Railroad Right of Way** **4.450**

28 The abandoned rights of way will be returned to the current owners of the underlying
29 parcels. We seek legislation requiring the administrator of any right of way
30 abandonment procedure to:

- 31 1 Search title to all adjoining properties for reversion clauses, and to honor such
32 documents; and
- 33 2 If none exists, we support the necessary legislation to provide that in the case
34 of abandonment or nonuse, adjacent landowners shall be given the right to
35 buy such land, including mineral rights, on the basis of the fair market value of
36 comparable property.
- 37 3 We oppose provisions of the National Trails Act which permits abandoned rail
38 property to be donated and/or used for nature trails or other recreational
39 purposes.

40
41 **All-Terrain Vehicles** **4.525**

42 All Terrain Vehicles (ATVs) are an important piece of production equipment on
43 America's farms and ranches. The sale and use of ATVs for use as farm equipment and
44 on private property should be retained. ATVs, when owned by a person conducting farm

1 operations on land receiving farm use assessment and when operated in conjunction
2 with the farm or ranch, should be defined as an implement of husbandry for the
3 purposes of motor vehicle laws. We support exemptions for agriculture use from ATV
4 safety regulations.

5
6 **Transportation Emergency Powers 4.575**

7 We recommend that, when the need exists, the governor be given the power to declare
8 an emergency so that immediate steps can be taken to increase the supply of railroad
9 cars, truck trailers, and other equipment, used for bulk transportation of agricultural
10 commodities.

11
12 **Dock Strikes 4.585**

13 We urge legislation to allow suits for compensation when a dock strike or slow down
14 causes loss of trade or revenue. In such emergencies, in order to protect the public
15 interest, state government, under emergency powers, should operate the facilities until
16 a mutually satisfactory solution is agreed upon and ratified.

17
18 **Tow Trucks 4.595**

19 Law enforcement agencies should be notified by tow truck operators when the tow truck
20 operators trespass. The law should provide:

- 21 1. A penalty for enforcement
- 22 2. A form to be completed by the tow truck operator that goes to the law
23 enforcement agencies and to the address where the vehicle was towed from; and
- 24 3. Immediate notification to the law enforcement agency if a safety hazard exists.

25
26 **Bulk Purchase of Fuel for Agricultural Buyers 4.610**

27 We support the creation of a law to allow the bulk purchase of fuel to be resold to no
28 more than five additional agricultural buyers for economic benefit.

29
30 **Propane Quality 4.615**

31 Propane quality should be monitored and tested as is done with gas and diesel.
32 Propane with higher Propylene levels should still be available but needs to be identified
33 as such.

34
35 **Vehicle and Engine Emission Regulation 4.620**

36 We oppose vehicle and engine emission rules issued by the state for new and existing
37 units that are more restrictive than the national emission rules issued by the EPA.

38
39 **Tolling 4.700**

40 We oppose tolling on all existing public roads in Oregon.

1 **V. FORESTRY**

2 **General Forestry Statement 5.001**

3 The state forestry laws and rules must be built on a sound basis for the general benefit
4 to natural resource industries and for encouraging individual enterprise.

5
6 **Forestry 5.010**

7 We support clear cutting as a forest management practice west of the Cascades Crest.
8 We support necessary silvicultural practices according to sound management
9 principles, developed, and used by foresters, and landowners. We support legislation
10 requiring the owner that was responsible for the logging to be responsible for the
11 reforestation. We urge that controls be established to regulate the kinds of seeds or
12 plants utilized for reseeding of burned over forest and rangeland, and that all seeds or
13 plants have a known origin. We request research by Oregon State University to
14 ascertain that the seeds or plants used are not harmful to agriculture production. We
15 also request that the research for small woodland owners be continued. We support
16 strong service forestry and/or extension service programs with an emphasis in the field.
17 We urge a continued program of seeding public lands with grasses and legumes to
18 increase forage for livestock and wildlife. We support Right to Practice Forestry laws.

19
20 **National Forest Receipts 5.020**

21 Issues raised in national forest planning should be resolved to sustain a continuing and
22 economically viable supply of timber from national forests. It is of extreme importance
23 that the flow of revenues to the counties from national forests be maintained to provide
24 support to counties, citizen employment, and community stability. We support the return
25 to logging of O&C (Oregon & California Railroad) lands. We support a state
26 constitutional amendment that would allow counties to exceed the property tax rate
27 limitation to replace federal forest receipts that were only used for property related
28 services. All counties should petition the state for revenue to provide for non-property
29 related services.

30
31 **Forestry Programs 5.030**

32 The future health of the timber industry demands intensified management of
33 small and medium sized timber parcels by the landowners. We support education
34 programs, incentive programs, capitalization rates and tax policies that encourage
35 private landowners to achieve optimum production. We support the present method of
36 funding the Department of Forestry programs with the funds going before the Ways and
37 Means Committee for their review of General Fund appropriations. We support
38 monitoring the USDA forest service initiative regarding coordination of public and private
39 forest lands. (Referred to AFBF, 2012)

40
41 **Oregon Department of Forestry Jurisdiction on Rangelands 5.040**

42 We oppose the actions of the Oregon State Department of Forestry to expand their
43 jurisdiction over the management of and activities on lands classified as rangelands
44 including juniper dominated rangelands.

1 **Forest Practices Act**

5.100

2 The Forest Practices Act (FPA) should be administered only by the Oregon
3 Department of Forestry. County overlay zones should not be used for this purpose. The
4 Forest Practices Act should be adequately funded to accomplish its objectives. We
5 oppose increased buffers and other regulations in the Forest Practices Act which will
6 negatively impact private small and medium woodland owners.

7
8 We oppose FPA requirements that forest operators notify all residents within 500 feet of a
9 pesticide spray project. Crops grown under agronomic cultural practices should be
10 considered an agricultural crop and not be subject to the Oregon Forest Practices Act.
11 We support amending the Forest Practices Act to reduce the time of reforestation to
12 three years and to increase the minimum stocking rate to 200 trees per acre in western
13 Oregon. Oregon's "Private Forest Accord" and all resulting administrative rules should
14 apply only to timber operations of 5,000 acres or more.

15
16 **Fire Protection**

5.200

17 Government should manage public lands regardless of how the land is classified in order
18 to assure that fire prevention, suppression and control measures are taken to prevent the
19 spread of fire on those lands and also on private lands. Once a fire is detected, it
20 should be staffed with firefighting resources within 8 hours. We support legislation that
21 will allow local and state firefighting resources to be deployed on land managed by other
22 agencies in a timely manner when federal agencies do not actively engage a wildfire
23 that has a potential to damage private or state managed lands.

24
25 We believe that the public owes a responsibility to contribute to fire suppression costs
26 on private land. The state should fund a minimum of 50% of the fire protection costs
27 and landowner in-kind contributions should be counted as part of the landowner's share
28 of the costs. We support a fire protection policy in high-risk wild land/urban interface fire
29 zones that offer an incentive-based approach to fire protection. We support national
30 public land policies that prevent wildfires through fuel load reduction by thinning,
31 selective harvesting, and grazing. We support government recognition of targeted
32 grazing as an important tool for fuel load management to prevent wildfires on private,
33 county, state and federal lands. In order to prevent wildfires and reduce the fuel load
34 caused by the government's decrease in public lands grazing, we strongly support the
35 expansion and prioritization of grazing by livestock on lands managed by the
36 government, as it is the most economical method of fuel load reduction on rangelands.
37 We support changes in policy that all state, federal and local agencies should promptly
38 conduct an analysis once a fire is declared controlled and move expeditiously to
39 salvage reforest and restore the fire-burned landscapes, which involves a ten-year
40 management plan which would include developing buffers and identify water sources for
41 firefighting. We support the government, both state and federal, maintaining forest roads
42 for fire prevention practices, protection and access, making it possible for firefighters to
43 reach fires. We oppose the inclusion of agricultural crops and pasture lands, irrigated or
44 non-irrigated, from the definition of "Vegetative Fuels." We oppose home hardening
45 standards being applied to ag exempt structures. We oppose the state using wildfire risk
46 as a reason to interject itself into local land use planning.

1 **Wildland Fire Protection** **5.201**

2 We support Forest and Rangeland Protective Associations functioning as the primary
3 source of initial attack resources for suppressing wildfires on privately held lands. We
4 oppose any legislation, administrative rule, or executive order that would prevent these
5 Associations from providing wildfire protection.
6

7 **Prescribed Fire on Forestland** **5.202**

8 We support timely and judicious use of prescribed fire on private lands classified as
9 “Forestland.” We are opposed to any legislation, administrative rule, or executive order
10 that would prevent landowners from use prescribed fire to manage their lands. In the
11 case of a federal or state agency prescribed burn on public lands trespassing on private
12 lands, the private landowner should be entitled to appropriate compensation for
13 damages, including suppression costs.
14

15 **Forest & Agricultural Lands Protection** **5.205**

- 16 1 Forest and agricultural lands fire protection is funded by property tax
17 assessments and forest protective association dues. We request the Bureau
18 of Land Management continue their cooperative agreement with the Oregon
19 Department of Forestry for the protection of BLM and O&C Lands in Western
20 Oregon. (19)
- 21 2 We support the recognition of production agriculture as an Industrial use
22 operation with need of spark emitting and power-drive machinery by Oregon
23 Department of Forestry, Forest Protective Associations, and Rangeland
24 Protective Associations. We support statutes, rules, and “Public Use Restriction”
25 proclamations that Allow for the maximum flexibility of agricultural producers to
26 raise their crops and steward their livestock while reasonably reducing the threat
27 of wildfire ignition. We oppose statutes, rules, and proclamations that group
28 agricultural producers with the general public.
29

30 **Salvage Logging** **5.210**

31 We support a state and national policy that promotes prompt salvage logging in areas of
32 burned, diseased, or pest damaged forests on public lands.
33

34 **State Forests** **5.300**

35 Forests managed by the Department of Forestry should be managed in such a manner
36 as to best ensure the maximum production in the long run, and to provide the highest
37 possible payments of forest generated revenues as payments to counties and school
38 districts in the form of an offset to property taxes.
39

40 **Forest Service Timber Harvest Policy** **5.400**

41 It is in the best interest of the State of Oregon to continue to allow the states to
42 determine the distribution of U.S. Forest Service timber sales receipts. We favor the
43 present 25/75 ratio used when determining the distribution of such sales receipts. We
44 oppose efforts to allow use of these funds for social programs. We support the planned
45 allowable harvest levels set by the U.S. Forest Service.

1 **Timber Product Export Restrictions** **5.600**

2 We oppose any restrictions or limitations on exports of Oregon forest products unless
3 negotiated by treaty.

4

5 **Sudden Oak Death** **5.605**

6 We support funding, education, research, and land management techniques needed
7 to control and stop the spread of sudden oak death. We believe all utilities, land
8 managers and users of property in areas designated with sudden oak death shall take
9 extra precautions to wash their equipment, tools and vehicles especially the
10 undercarriages and tires to reduce its spread.

1 **VI. ENVIRONMENT**

2 **General Environment Statement 6.005**

3 The state environmental laws and rules must be built on a sound basis that recognizes
4 the general benefit to agriculture and encourages individual enterprise. (07)

5
6 **Economic Impact 6.010**

7 An economic impact statement should be required as part of every environmental
8 impact statement and each should be given equal weight. The statements must allow
9 for protection of the customs and culture of local communities. (05)

10
11 **Resource Management 6.020**

12 No one agency should be allowed to override the evidence regarding resource
13 management projects such as riverbank revetments, channel maintenance, animal
14 grazing, etc.

15
16 **Environmental Program Funding 6.025**

17 The responsibility for declining populations of flora and fauna demands a broad-
18 based public commitment and understanding that the burdens of restoration are being
19 shared by all of society. We oppose in principal and in policy any private-sector tax
20 used to fund environmental programs benefiting the “public good.” The conservation
21 and restoration of all species requires action and sacrifice across the entire economic and
22 geographic spectrum of Oregon.

23
24 **Government Accountability 6.030**

25 A state agency or local government should not refuse to issue a permit to a person
26 applying for a permit in order to protect their property, both personal and real. Property,
27 including, but not limited to, natural resources and irrigation access should be protected
28 from flood, fire and other natural hazards unless denial of the permit is necessary to
29 protect public health and safety. A state agency or local government that fails to issue
30 such a permit should be liable for damages resulting from the denial. A written
31 explanation for the denial should be provided to the applicant within two weeks of the
32 denial. The explanation should include specific reasons for denial. Any person(s)
33 damaged by reason of the denial of the permit should be allowed at their discretion, to
34 bring an action in the circuit court having jurisdiction over the damaged property. All
35 approved permits should be issued within two weeks of being received. Conditions on
36 such permits should be limited to only those that are required to protect public health
37 and safety from legitimate, science-based risks. Fees associated with approved permits,
38 as they relate to agriculture and private property, should not be used as a revenue
39 generation source. (05)

40
41 **Department of State Lands 6.100**

42 OFB appreciates the efforts of the Division of State Lands to work cooperatively with the
43 agriculture industry on “fill and removal”. OFB favors the repeal or amendment of state
44 laws, rules or regulations that allow the Department of State Lands to have any

1 regulatory authority over any private property used for agricultural purposes including
2 stream beds and banks or other lands. We oppose any new fees, or fee increases on
3 agriculture by the Division of State Lands.

4
5 **Multiple Use** **6.200**

6 We favor the multiple uses of public lands and publicly controlled or managed natural
7 resources.

8
9 **Criminalization of Environmental Law** **6.315**

10 Environmental laws should exempt persons who conduct farming, ranching, mining,
11 and logging activities from criminal liability. Any violation of environmental laws that do
12 not result in demonstrated harm to public health and safety should be subject to civil
13 liability only.

14
15 **Subsurface Property Rights** **6.320**

16 All lending institutions should discontinue the policy, during foreclosure, of retaining
17 geothermal and other rights which were acquired lawfully by the pervious landowner (title
18 owner). Such rights should remain with, and not be severed from, the land.

19
20 **Public Lands** **6.350**

21 We support the concept of allowing private access to public lands for economic
22 purposes. Such access should be managed by appropriate public entities to permit
23 private interests to pursue their economic goals with only those rules and regulations
24 absolutely required to protect the resources, as determined by a competent scientific
25 determination. (02)

26
27 **Natural Resources Revenues** **6.400**

28 Revenues received from all natural resources on federal lands within Oregon should
29 have a minimum of 50% returned to the county from which it was derived.

30
31 **Recreation** **6.410**

32 More attention should be given to provisions for family type recreation in undeveloped
33 areas of federal land. Fees for the use of recreation facilities should be charged where
34 services are provided but should not be charged merely for access to undeveloped
35 areas.

36
37 **Recreation Cooperation** **6.415**

38 We will cooperate with local, state or federal agencies and with recreation and
39 wildlife groups to develop plans and procedures for better outdoor recreation
40 opportunities, better utilization thereof and education in sportsman-like conduct.

41
42 **Reclamation Law** **6.420**

43 We oppose any acreage limitation on any Bureau of Reclamation project.
44 The Bureau of Reclamation should not negotiate to divert water from irrigation to
45 recreation use.

1 **Withdrawn Land Transfers** **6.430**

2 We are opposed to any jurisdictional transfer of withdrawn lands between the
3 Bureau of Reclamation and the Bureau of Land Management unless both agencies
4 mutually agree.

5
6 **Wilderness Areas** **6.440**

7 Multiple use is the best utilization of our federal lands; therefore, no more Oregon land
8 should be allocated as a wilderness designation area. Those areas already designated
9 as wilderness areas should be periodically re-evaluated. We oppose the study or
10 creation of new wilderness areas and expansion of present wilderness areas. When a
11 new wilderness or national monument is created, we support the continuation of existing
12 resource management practices and natural resource economic enterprises within the
13 boundaries of that new designation in a manner that protects local communities (see
14 also Antiquities Act 14.050). Lands designated for wilderness areas should be subject to
15 local zoning ordinances. We recommend that the Wilderness Areas Act be amended to
16 control fire, noxious weeds, insects, and diseases. Where there is a fire threat to
17 adjacent multiple use areas, the maintenance of irrigation systems should be continued.

18
19 **Stewardship** **6.450**

20 We support and encourage use of the Bureau of Land Management Stewardship
21 Program.

22
23 **Road Access Policy** **6.455**

24 The system followed by the Bureau of Land Management (BLM) in establishing
25 certain roads and rights of way for the alleged purpose of access in certain
26 agricultural areas of Oregon is not justified when considering:

- 27 1. Private property values;
- 28 2. Destruction of ranch operations;
- 29 3. Costs in relationship to benefits received;
- 30 4. Burdens of patrol imposed on ranchers whose lands are dissected with roads
31 and rights of way;
- 32 5. Impacts on community economy; and
- 33 6. The erosion of tax bases.

34 We ask that such road building projects be delayed until an aggrieved landowner, the
35 community and others concerned, have an opportunity to review and arbitrate the
36 cost, inconvenience and mechanics of the proposed access to lands. We ask that the
37 permit holder and the BLM have control of access when there is danger of fire,
38 particularly in summer and late fall, or from one rainy season to another.

39
40 **Sale or Lease of Public Lands** **6.460**

41 When the state and/or federal government put public land up for sale, or lease
42 agreement, we believe the following conditions should be adhered to:

- 43 1. All existing contracts should be honored
- 44 2. The first right of refusal should be given the present user, and then to the
45 adjacent farmers and/or ranchers;

- 1 3. A base value should be established with the means of financing to be
2 determined;
3 4. Price modification of the sale should be given to the adjacent farmers and/ or
4 ranchers; and
5 5. Government agencies are encouraged to sell lands to the private sector that
6 are of limited value to the public. (05), (06)
7

8 **Public/Private Land Exchange 6.465**

9 We support the voluntary exchange of public and private lands particularly in
10 cases where public and private land holdings are intermingled (checker-
11 boarded), thereby complicating the access and management of both. (09)
12

13 **Land Ownership 6.466**

14 The Oregon Farm Bureau disapproves the US Federal Government from
15 acquiring additional natural resource land in Oregon.
16

17 **Climate Change/Pollutant Pricing 6.500**

18 We believe that agriculture has a positive impact on the global or local climate and
19 sequesters of carbon. Market-based incentives, tax credits, grants, and/or cost sharing
20 programs are preferable to government mandates.
21

21 We support:

- 22 • A voluntary pollutant credit system designed to avoid competition among
23 commodities.
- 24 • Support for efficiency improvements to agriculture operations.
- 25 • Compensation to farmers for planting crops or adopting farming practices that
26 keep carbon in the soil or plant material.
- 27 • Off-setting other taxes to maintain national and global competitiveness.
- 28 • The inclusion of the agriculture community as a full partner in the development of
29 any policy or legislation.
- 30 • An agricultural exemption for indirect source air emissions from regulation.

31 We oppose:

- 32 • Climate legislation that establishes mandatory pollutant trading provisions, but
33 we will continue to work with the legislature and agencies to address our
34 concerns.
- 35 • Climate legislation that is not equitable, affordable, or achievable.
- 36 • Reporting of any greenhouse gas (GHG) emissions by an agriculture entity.
- 37 • Legislation that would make Oregon farmers less competitive, increase
38 production costs, and put undue costs on Oregon agriculture, business, and
39 consumers.
- 40 • Legislation that prescribes agriculture practices and mitigation programs. (18)
- 41 • Any legislation, administrative rule, rulemaking or executive order that would
42 evaluate a farm's climate score, elevate one farming practice over another or
43 discriminate against a farm based on perceived pollution potential.
- 44 • The regulation of indirect source air emissions from ag related equipment and
45 machinery as if they are direct source air emissions.

1 **VII. WATER**

2 **General Water Statement 7.005**

3 The state water laws and rules must be built on a sound basis that recognizes the
4 general benefit to agriculture and encourages individual enterprise.

5
6 **Navigable Rivers 7.010**

7 We oppose all actions by the State of Oregon to recommend streams and rivers
8 throughout the state as navigable, unless these are rivers that are in fact now used for
9 commerce between states and foreign countries and which need federal government
10 supervision and financial support. The State of Oregon should provide well-documented,
11 historic data that streams were in fact navigable on February 14, 1859 with respect
12 to the navigability studies now under way. We oppose the expansion of the navigable
13 waterway definition or determination and seek legislation and/or signatures on an
14 initiative petition to halt such illegal activity and to restore ownership and remove any
15 cloud on the title to land that has been taken to date. We oppose further designation of
16 navigable waters in Oregon. We support voluntary incentive-based programs of public
17 recreation, such as providing recreational leases, easements and cooperative
18 agreements to increase public access to private lands through financial incentives, tax
19 credits and compensation. We support increased recreational development of public
20 lands for navigable access.

21
22 **Navigable Determination 7.015**

23 Definite determination should be made of the river bottom lands claimed by the
24 state. Ownership of contested lands should be adjudicated.

25
26 **Scenic Rivers 7.100**

27 We oppose further expansion of scenic rivers to other streams or tributaries. Legislation
28 regarding scenic rivers should exempt agricultural management practices. Lands
29 adjacent to scenic rivers and recreation trails should be subject to local zoning
30 ordinances.

31
32 **Eastside Ecosystem Plan 7.110**

33 We oppose further federal expenditures to complete or implement the Interior Columbia
34 Basin Ecosystem Management Project (ICBEMP) and the Upper Columbia River Basin
35 (UCRB) project as long as the plans are contrary to federally legislated public land
36 management policies. We will not support any alternative that goes contrary to our
37 national policy that sets multiple use as the goal for management of public lands.

38
39 **Water Conservation 7.200**

40 We support voluntary conservation by an individual or irrigation district using practices to
41 improve efficiencies of delivery and application of water. We will support a state water
42 conservation program that would define conservation as the "wise and beneficial use of
43 water." A state water conservation program should address all of the state's water
44 resources and stress voluntary involvement to:

- 45 1. Improve efficiencies of delivery and application;
- 46 2. Improve efficiencies of in-stream use; and

1 3. Store surplus flows for future in-stream and diverted uses.

2
3 **Storage of Willamette Basin Reservoir Water 7.220**

4 We support the Army Corps of Engineers, the Bureau of Reclamation and others with
5 jurisdiction over the Willamette River Basin placing the summer and seasonal water
6 needs of agriculture, municipalities and businesses in a higher priority and adopt a
7 management system to fill and store water behind the thirteen dams and reservoirs in a
8 timely manner that supports both the seasonal water needs of agriculture, municipalities,
9 and businesses and the flood control and fisheries needs of the Willamette River Basin
10 system.

11
12 **Measurement and Reporting of Water Use 7.225**

13 We oppose statewide blanket measurement and reporting of water use. We support
14 water measurement within individual watersheds to resolve water conflict between
15 water users. If the state is going to require measurement and reporting, reporting should
16 only be required annually; individual user data should be protected and only available to
17 third parties at an aggregated, basin wide scale; the reports should not be used as
18 evidence in a forfeiture proceeding; and the reporting should impose as little
19 administrative burden on the user as possible; the state should cover the cost of
20 measurement devices, and recognize that not all systems will require measurement
21 devices to measure water use. Reporting should not occur unless the department
22 actually has the resources and infrastructure to process the information required. As
23 new technology becomes available, the Legislature should continue to adequately
24 invest in the appropriate water measurement equipment for the water system.

25
26 **Riparian Management Zones 7.250**

27 We oppose non-voluntary regulatory riparian set-asides or other imposed riparian
28 restrictions on private agricultural land. If regulations and improvements are proposed to
29 protect riparian lands on private agricultural property, then the following conditions should
30 be met:

- 31 1. These regulations should be incentive-based;
- 32 2. All such regulations should be reasonable; and
- 33 3. All costs of these regulations and improvements should be paid by the government
34 agency.

35
36 **Water Laws 7.300**

37 We support continuance of the prior appropriation doctrine as the proper method to
38 determine water law administered by the Water Resources Commission. We
39 support a system of one vote per irrigated acre within an irrigation district or irrigation
40 company. The Director of the Water Resources Department should be appointed by the
41 Water Resources Commission and confirmed by the governor. We support the
42 beneficial use under the constraints of irrigation districts and/or irrigation companies'
43 bylaws.

44
45 **State and Federal Water Relief Programs 7.301**

46 State and federal drought relief programs should be available for partial or full water

1 curtailments caused by state or federal regulation, including the Endangered Species
2 Act, tribal reserved water rights for fisheries, and other regulatory programs that are not
3 part of the ordinary “call” of water rights among consumptive water users. (20) (Refer to
4 AFBF)

5
6 **Water Adjudication** **7.305**

7 We support a fair and fast state adjudication process if the following provisions are met:

- 8 1. A requirement that all entities, particularly Tribal Government and US
9 Government claimants submit, and make public, biological studies and the data
10 developed in those studies, when biological/environmental studies are a basis for
11 their claim;
- 12 2. A provision allowing for sufficient time for peer review after the submission of
13 the aforementioned studies and data and prior to the contested case hearing. At
14 least one year should be allowed for peer review;
- 15 3. A provision requiring the State of Oregon to fund unbiased scientific studies
16 sufficient to determine the accuracy of data, and authenticity of all federal claims;
- 17 4. A requirement that Oregon Water Resources Department defend existing
18 adjudicated water rights when such water rights would be jeopardized by in
19 stream or lake level claims filed by government in an adjudication process; and
- 20 5. A requirement, if the adjudication of in-stream water rights or state or federal
21 reserved rights deprives any farm or ranch of water, the government pays just
22 compensation to the farmer or rancher for all economic loss due to the loss of
23 water.

24 **Water Use Board of Appeals** **7.306**

25 We are not in favor of a Water Use Board of Appeals unless there are specific
26 sideboards that protect water right holders. These sideboards should consist of between
27 three and five individuals who are selected by an independent source and include
28 Oregon licensed privately practicing attorneys with a minimum of five years of
29 experience practicing water law.

30
31 **Water Rights** **7.310**

32 We oppose federal preemption of state water rights. The right to use water is a property
33 right which should not be taken from the owner without due process of law and just
34 compensation. We believe that water and water rights from both surface and
35 underground sources must stay with the land, particularly when lands are classified for
36 agriculture use under the state’s land use planning program. Water rights on EFU lands
37 should not be used for any other purpose until all agriculture needs are met and
38 assured for the future. We believe that areas where ground water is available under
39 EFU lands that no other use should be allowed unless there is an adequate supply of
40 water for all EFU lands located above the ground water source. We request that the
41 present Oregon water rights law be administered in accordance with established
42 customs and adjudicated court decisions. We hold irrigation water to be property rights
43 appurtenant to the land and that irrigation water rights are owned by the landowner.
44 When water rights are applied for and developed by a landowner, the ownership rights to
45 appropriate and make beneficial use of that water right vests solely in that landowner.
46 We hold that Irrigation Districts are a critical component of Oregon’s agricultural

1 infrastructure. Irrigation Districts must be managed for the benefit of all patrons.
2 Irrigation Districts shall operate based on direction provided by an elected board
3 representing the district members. Water rights held within a district should stay on land
4 in that district. Notwithstanding operation of the Endangered Species Act, water that is
5 unusable by an irrigation district for irrigation should be available for other landowners
6 or districts with access to the same water source for irrigation purposes only. (18)
7 Oregon Water Resources Department (OWRD) basin plans for water availability should
8 be required to restrict rural, residential, municipal, wetlands, or industrial development
9 near or on land zoned exclusively for farm use where non-farm demands will adversely
10 impact the adjoining agricultural operation or other existing uses. We support the
11 presumption that a water right application be considered in the public interest, if the use
12 is authorized in the basin program and the water is available. Water rights should be
13 described in terms of recorded property deeds. An affidavit showing a five-year period
14 of nonuse within any preceding seven-year period should accompany all petitions
15 initiating cancellation procedures. We support allowing any owner of any agricultural
16 water right to receive a waiver of the five-year cancellation for nonuse if the owner has a
17 sufficient reason for requesting the waiver. We support repealing that portion of the
18 water right law which says, "A water permit or water right may be canceled after five
19 years of nonuse." Valid reasons for the waiver include but are not limited to the
20 following: government programs such as the current 10-year Conservation Reserve
21 Program; improvements in Management programs; changes in crop production
22 programs; changes in ownership; weather cycles; land litigation and temporary long-
23 term economic conditions. A farmer should have the option to accept or reject use of
24 sludge or treated water. The use of such water should not result the in loss of water
25 rights. Water quality testing should be the responsibility of the supplier, with tests done
26 by a testing agency.

27 State law should be amended to allow representation from the following nine
28 basins:

- 29 1. Rogue, Umpqua, South Coast;
- 30 2. Klamath, Gooselake;
- 31 3. Lower Willamette , Sandy;
- 32 4. Mid Willamette, Mid Coast;
- 33 5. Upper Willamette, North Coast;
- 34 6. John Day, Deschutes, Hood;
- 35 7. Grand Ronde, Umatilla;
- 36 8. Powder, Malheur Lake; and
- 37 9. Malheur, Owyhee

38 Stock ponds and retention impoundments in use in an agriculture environment should
39 be grandfathered under Oregon water rights. The water right application backlog in the
40 OWRD should be cleared within a 3-month period before the department conducts any
41 present or future rule or policy making, hires any new employees, or has their budget
42 approved by the next legislature.

43 Governmental agencies should not be exempt from water rights application fees.
44 We support a fee being charged to file an appeal for granting a water right application.
45 The fee should be equivalent to all costs incurred by a water right applicant and the
46 cost of appeal to Oregon Water Resources Department. Appellants if successful

1 should have the fee returned. If the appeal is lost, then those filing the appeal would
2 lose their fee and be required to pay any costs incurred by Oregon Water Resources
3 Department and the water right applicant due to the appeal. These provisions should
4 apply to state and federal agencies, tribal governments, nongovernmental, and nonprofit
5 organizations as well. It is the responsibility of OWRD to actively enforce the shutoff of
6 illegal water withdrawals and damming of streams on properties with no water rights.
7 We do not believe there should be a fee to file appeals for instream water rights. When
8 the state files for instream water rights in a basin or watershed, there should be one
9 application. We oppose any mandatory or regulatory implementation of cooperative,
10 voluntary water management plans or arrangements.

11

12 **Water Right Applications** **7.320**

13 We support legislation which requires the Water Resource Commission to direct the
14 Water Resource Department to process water right applications according to the
15 administrative rules in effect on the date of application.

16

17 **Domestic Water Well Permits** **7.330**

18 New exempt domestic wells should be regulated by the Water Resources
19 Department. Before drilling new exempt domestic wells in groundwater limited areas,
20 a landowner should be required to obtain a permit from the Water Resources
21 Department. We support limitations on the use of exempt wells.

22

23 **Basin Closures** **7.332**

24 We do not support the state closing basins to new or existing appropriations of
25 water. If the state closes a basin, it should be temporary and they should consider
26 historical analysis, current science, ground truth science, and recognize the
27 technologies available for water efficiencies. They shall give 3 years notice, take public
28 comment, and develop rules on how they will address the needs of all current water right
29 holders.

30

31 **Hydrological Connection** **7.335**

32 The Oregon Water Resource Department must use accepted, peer-reviewed and
33 ground-truthed scientific techniques for determining connections of water between wells
34 and surface water. Before a well can be regulated due to hydraulic connection to a
35 surface water source, the department must prove the connection and that the impact is
36 within the same irrigation season. Restrictions imposed on areas determined to be
37 hydrologically connected to surface water resources with no initial scientific basis should
38 sunset within five years unless scientific documentation proves a hydrologic connection.

39

40 **Maintenance of Streamflow Gauges** **7.340**

41 If the Oregon Water Resources Department is regulating agricultural water use based on
42 streamflow, the Department must maintain streamflow gauges that are regularly
43 calibrated, accurate, scientifically acceptable, and placed in a location that will capture
44 the full flow of the stream being measured.

45

46

1 **Stored Water Application Process** 7.350

2 We support legislation for a streamlined application process for water right applications
3 to access stored water for irrigation where the water has already been earmarked for
4 irrigation.

5
6 **Irrigation District Elections** 7.360

7 Irrigation District elections should fall under the authority of the Secretary of State
8 and be made to abide by the same election provisions and requirements as other special
9 districts in the State of Oregon, with the exception of the weighted voting by acreage.

10
11 **Water Transfer** 7.375

12 We support the ability of farmers, ranchers, and irrigation districts to transfer water
13 rights, both stored water and live flow rights, as needed for their operations, provided
14 that such a transfer does not cause injury to other farmers, ranchers or irrigation
15 districts. If an irrigator or district uses less water than their water right allows for, they
16 should be able to transfer the water rights of the water saved to another parcel of land
17 under the same ownership for agricultural use within the existing water authority. If the
18 irrigator does not transfer the rights of the water saved to another parcel, he should not
19 lose the rights to that water. The state should broaden its policy on the transfer of water
20 rights to include the following:

- 21 1. Provide for a simplified temporary transfer of a water right from the identified
22 parcel to other parcels under the same ownership or operation. The transferred
23 water right should be limited by both the acres of the original right and the volume of
24 water covered by the original right taken from and returned to the same source.
- 25 2. Permit the leasing of a water right on a year-to-year basis to other farmers
26 having access to the same water source. This transfer should be considered a
27 "beneficial use" to the owner of the water right.

28
29 **Allocation of Conserved Water** 7.380

30 When a water right holder implements a permanent conservation practice, that water
31 right holder should have the first opportunity to apply for a water right to use available
32 conserved water on additional land. If the water right holder who implements the
33 permanent conservation practice does not exercise their right to irrigate additional land,
34 the conserved water should be available to other water users in the basin.

35
36 **Leasing of Water Rights** 7.385

37 We oppose the permanent sale of water rights to in stream use because junior
38 water users cannot be protected from injury arising after the sale of water rights to in
39 stream use. Leases, as opposed to sales, can be broken if an injury is discovered at a
40 later date. We are not opposed to transfers in character of the use of water rights by
41 lease for five years or less. This includes transfers of irrigation use to in stream use. The
42 transfer must be conditioned to prevent injury to all existing water users. Water available
43 for transfers to in stream use must be limited to actual consumptive use, and shaped to
44 mimic/resemble customary use within the stream system during the irrigation season.
45 Leasing programs should allow temporary leases for other agricultural uses.

1 **Water Resources Commission** **7.400**

2 The Water Resources Commission should be composed of ten commissioners,
3 one of which should be appointed by the Governor and the remaining nine of which
4 should be elected by the qualified voters of each of the nine districts. Such districts
5 should be composed of four counties having at least one border in common with one
6 or more other county within such district. The designation of the counties which should
7 form the nine districts should be determined by the Secretary of State. The elected
8 commissioners should serve for three-year terms following the establishment of the
9 initial commission whose members serve for one, two and three-year terms. Those
10 elected commissioners receiving the greatest percentage of votes should serve for
11 three-year terms, those with the next highest percentage of votes should serve for two
12 years, and those receiving the least percentage of qualifying votes serve for one-year
13 terms in the initially established commission.

14
15 **Place-Based Planning** **7.425**

16 We believe that in order to apply for a place-based planning grant, the application has to
17 be signed off by a majority of the county commissioners in the affected counties in order
18 to recognize the merit and value of the stakeholders. Place-based planning should not
19 overturn prior appropriation. Place-based planning should prioritize the needs of water
20 rights holders.

21
22 **Water Development** **7.450**

23 We support the sale of bonds by the Oregon State Treasury for financing water
24 development and land drainage projects. Funds should be used to provide for modern
25 technology, facilities for supplemental water, recharging aquifers, development of
26 semiarid lands and for domestic water supplies. Such developments will stabilize
27 and enhance the agricultural economy and contribute to the wealth of Oregon and
28 the nation. We support programs for water development to reserve suitable upstream
29 storage sites and for initiation of conservation to store water for flood control; recreation;
30 domestic; industrial and agricultural uses; hydroelectric power; and to stabilize stream
31 flow. We seek necessary changes in laws and rules to expedite the building of small
32 scale reservoirs of 500-acre feet or less for the purpose of retaining seasonal runoff to
33 enhance stream flows, provide sources of water for fire suppression, irrigation, and for
34 wildlife enhancement. In emergency low water years, minimum stream flows should be
35 suspended in favor of domestic and agricultural uses. OWRD should make provision for
36 livestock watering during times of drought if that water can be delivered simply by
37 opening a diversion until the livestock water pond has sufficient water. We support
38 reasonable, cooperative, and scientific studies of underground water supplies and the
39 drilling and maintenance of recognized monitor wells. In classifying a "critical
40 groundwater" or declaring a moratorium on groundwater development, these studies
41 should include data gathered from properly constructed monitor wells funded and
42 maintained by the Water Resources Department. The state should provide funding for
43 the information to adequately manage Oregon's water. Livestock watering should be an
44 exempt use and be allowed in ditches, streams, and from groundwater as necessary to
45 support livestock operations.

1 **Section 208 of the Clean Water Act 7.475**

2 We favor implementation of Section 208 of the Clean Water Act by the Oregon Soil and
3 Water Conservation Commission and local Soil and Water Conservation districts,
4 acting in coordination with the Oregon Department of Environmental quality and
5 other appropriate state, local, and federal agencies. The Oregon Soil and Water
6 Conservation Commission should take leadership in bringing together such agencies at
7 the state level; Soil and Water Conservation Districts should take responsibility at the
8 local level. A voluntary program with maximum local control should be realized, fulfilling
9 the strategy and guidelines outlined by the State 208 Policy Advisory Group.

10 Implementation should be initially examined under a voluntary program administered
11 through the Soil and Water Conservation District. Regulatory control features should
12 proceed with reasonable caution. We support the use of best management practices by
13 owners as conclusive proof of compliance under Section 208 of the Clean Water Act.
14

15 We urge Farm Bureau members to participate in discussions, planning meetings and
16 public hearings, and to exert their influence to whatever extent possible regarding this
17 planning process. We support the right of individual counties to develop their own Best
18 Management Plan (BMP). We support research and monitoring to determine the extent
19 of nonpoint source pollution. Agriculture must not be blamed as the sole source of Non-
20 point Source (NPS) pollution. Oregon's 208 Plan should not be more restrictive than the
21 federal regulations. The voluntary 208 program for Confined Animal Feeding Operations
22 (CAFOs) should be administered by the Division of Soil and Water Conservation instead
23 of the Department of Environmental Quality. Funds should be provided for the program.
24 If sufficient funds are not provided we recommend the removal of all ordinances
25 concerning animal wastes.
26

27 **Water Quality 7.485**

28 We support efforts to protect and/or improve the quality of our state's surface and
29 ground water, provided such point and non-point programs are:

- 30 1 Based on sound science.
- 31 2 Management based and plan oriented.
- 32 3 Incentive based with minimal regulation.
- 33 4 Encouraged voluntary action.
- 34 5 Required to coincide with and minimize the effect on all uses.
- 35 6 Attainable, site specific standards that are based on the ability of the water body
36 or system, if functioning properly, to achieve those standards.
- 37 7 Designed to protect private property and the owner's ability to economically
38 use their land for agricultural purposes.
- 39 8 Designed to consider natural and background characteristics of each individual
40 natural water system.
- 41 9 Based on the overall goal that each water body or system function in a proper
42 and healthy manner given the system's potential, judged in light of natural
43 conditions as well as current and projected land use.
- 44 10 Required to provide monitoring to measure each water body or system's
45 progress or trend from an established baseline to a predetermined desired
46 goal or condition necessary to achieve site specific water quality standards.

1 **Landfill Impact on Water Quality** **7.486**
2 We oppose the expansion or the creation of landfills that will negatively and/or quantifiably
3 impact the ground or surface water quality through flooding, leaching and other
4 means.
5

6 **Wildlife Fecal Coliform Study** **7.490**
7 We support requiring the US Fish & Wildlife Service and the Oregon Department of Fish
8 & Wildlife to conduct a study to determine the extent to which wildlife on public and
9 private lands, including refuges, contribute to the existence of fecal coliform in the waters
10 of the state.
11

12 **Confined Animal Feeding Operations (CAFO) 7.495**
13 We believe that state CAFO regulations should closely mirror federal regulations. Where
14 state standards already exceed federal standards, we oppose any changes to the CAFO
15 program that significantly increase the cost or reporting burden on producers beyond
16 existing levels.
17

18 **Water Use Fees** **7.500**
19 We oppose all water use fees. But if one is initiated, we recommend that the fees be
20 proportionately charged among all water users, including all state and public
21 agencies and recreational users of water for consumptive and non-consumptive
22 use.
23

24 **Falling Water Charge** **7.510**
25 We oppose any Falling Water Rain Charge.
26

27 **Allocation of Water** **7.525**
28 We oppose any water allocations of any Bureau of Reclamation projects for uses
29 other than those for which the project was authorized. We support legislation that will
30 prevent residential or urban development from restricting or reducing water available to
31 commercial agriculture holdings established by water rights. We oppose the automatic
32 granting of water rights for domestic and recreational use for non-resource dwellings
33 and other non-resource uses in resource zones. The burden of proof should be with the
34 applicant to demonstrate that the additional water demands will not adversely affect
35 neighboring agricultural or forestry practices within the same watershed or aquifer.
36 Municipalities should be prohibited from demanding increased in-stream flows to
37 dilute industrial and human wastes to meet minimum pollution requirements. We
38 oppose the transportation of water out of water sheds for non-agricultural use if it
39 adversely affects agriculture.
40

41 **Groundwater Priority Allocation** **7.550**
42 The groundwater priority allocation should be the same as presently established on
43 surface water allocation. The Water Resources Commission should have the authority to
44 enforce the critical groundwater statutes. In groundwater matters, prior water rights are
45 all inclusive and damage to such should merit compensation furnished by the individual
46 or parties causing such damage or loss.

1 **Notification Requirements** **7.575**
2 Notification to all affected users should be required whenever the Water Resources
3 Department intends to conduct a proof survey which would have the effect of
4 reallocating allotments from a water permit. Water permit holders should also be given
5 the results of the survey.
6
7 **Release of Impounded Water** **7.600**
8 We ask that the Army Corps of Engineers be required to give prior public notice of any
9 sudden release of impounded water.
10
11 **Pacific Northwest Water** **7.650**
12 We oppose the diversion of water out of the Pacific Northwest region.
13
14 **Soil and Water Conservation** **7.700**
15 Soil and water conservation districts should be granted the responsibility for reviewing
16 and approving conservation and sedimentation control plans related to nonpoint sources
17 of pollution and soil erosion.
18
19 **Soil and Water Conservation Districts** **7.701**
20 Soil and Water Conservation Districts and the Natural Resource Conservation
21 Service should use their resources to fund farm ponds and storage as a priority project.
22
23 **Reallocation of Irrigation District Water Rights Lands** **7.710**
24 When land within an irrigation district transitions out of agricultural production, the
25 district should map the water to other agricultural land within their district or transfer to
26 junior agricultural water right holders within the basin.
27
28 **Municipal Water Rights Permit Renewal** **7.715**
29 When cities renew their permit, they must prove that they need the full extent of their
30 water rights, and the unneeded water must be put back into the system for the next user.
31
32 **Municipal and Industrial Waste Water Reuse** **7.720**
33 We support the use of treated, reclaimed water for agricultural purposes when the
34 water is treated to a level that will not lower or degrade the quality of the farmland on
35 which it is applied.
36
37 **Fill and Removal Permit Requirements** **7.750**
38 No farm or farm operation should be assessed criminal penalties for violation of the fill
39 and removal laws. Civil penalties should be limited to no more than \$100 per day for an
40 alleged violation. Agricultural fill or removal projects on private property that were
41 assisted by the federal government prior to 1982 should be grandfathered including
42 allowed maintenance without need for permits or any other interference. Farmers or
43 ranchers, attempting to carry out normal farm or ranching operations, should not have to
44 live in fear of state government enforcement of fill or removal laws. Farmers should be
45 allowed to maintain historic waterways to continue water flow to irrigation sites.

1 The local Soil and Water Conservation District (SWCD) representing the private
2 landowners should be given the same authority as the Oregon Department of Fish and
3 Wildlife (ODF&W) regarding the waiver of fill or removal permits or at least be given a
4 mutual review process. We support the retention of all exemptions for agriculture
5 contained in the 1999 Oregon fill and removal law (ORS 196.800 through 196.905).
6 If the exemptions are not fully retained, in the Oregon fill and removal law, we will
7 oppose the law as written. A person engaged in activities customarily associated with
8 agriculture should not be required to obtain a permit in order to remove materials from
9 or add materials to an area defined as “essential indigenous anadromous salmonid
10 and/or other fish habitat.” Activities customarily associated with agriculture should be
11 broadly defined to include, but not limited to the following:

- 12 1. All agriculture activities described in 33 U.S.C. 1344(f)(1);
- 13 2. Farm use activities described in ORS 215.203; and
- 14 3. Necessary repair and maintenance activities associated with agricultural
15 operations that occur on a non-annual or infrequent basis.

16 When permits are required, the process to obtain them should be simplified to reduce
17 the time required to obtain a permit. More authority for permit approvals should be
18 granted to local jurisdictions. We oppose the assumption by the State of Oregon of the
19 Federal Clean Water Act’s Section 404 fill and removal program in a manner that would
20 remove or alter any agricultural exemptions from state or federal law. We support repeal
21 of statutory changes made to the Oregon fill and removal law enabling the Department
22 of State Lands, or any other state agency, to obtain federal authority to administer
23 permits under Section 404 of the Federal Clean Water Act.
24

25 **Channel Management 7.760**

26 We believe that the ban and restrictions on gravel removal and or harvesting (i.e.,
27 dredging) should be revoked, and the permitting process should be revised or
28 simplified. Such permits should be issued on a time certain basis. We urge local, state
29 and federal agencies to conduct gravel bar removal and rip-rap addition activities in
30 Oregon’s rivers to help stabilize the riverbanks, to preserve agricultural soil, to prevent
31 water pollution by land erosion, and to make the body of the river more usable to river
32 traffic. We support legislation that will allow landowners bordering a stream to do what is
33 necessary to protect the stream bank and to keep it from eroding the land. We support
34 the stabilization of the rivers within their existing banks and support the rights of farmers
35 to maintain their drainage systems. We oppose any state or federal projects that would
36 weaken the riverbanks threatening local drainage systems and farmlands. (00), (05)
37 (10), (Referred to AFBF, 2010)
38

39 **Regulation of Drainage Districts and Irrigation Districts 7.765**

40 Drainage districts and irrigation districts support important functions for rural
41 communities, including maintenance of agricultural land, flood control, irrigation, and
42 public safety. We support the ability of districts to continue to maintain drainage and
43 irrigation facilities for their members without burdensome state and federal regulation.
44 Districts should be able to fully perform their necessary drainage and irrigation
45 maintenance functions consistent with their statutory obligations. In exercising these

1 functions, the state and federal government should not force districts to regulate their
2 members' operations or require their members to maintain specific agricultural practices
3 in order for the district to maintain their drainage systems. Districts should not have to
4 accept liability for water quality or quantity issues arising from discharges of stormwater
5 into district facilities from any source. Districts must be able to retain their Clean Water
6 Act exemption for irrigation of return flow and agricultural stormwater.

7
8 **Fish Screens** **7.770**

9 We believe that the financial burden of installation, maintenance and replacement of fish
10 screens, should be borne by the state, federal, or tribal government rather than the
11 producers, if required by law or rule.

12
13 **Peak and Ecological Flows** **7.790**

14 The state should not make policy on peak and ecological flows that will prevent the
15 storage of all available winter water. We recognize the need for balance between
16 uses. Protection of peak and ecological flows should be based on aggregated peer
17 reviewed science and analysis of each projects unique needs and benefits.

18
19 **Minimum Stream Flows** **7.800**

20 We support the concept of minimum stream flows as provided in ORS 2 536.310(7) and
21 (8) which reads: "The maintenance of minimum perennial stream flows sufficient to
22 support aquatic life and to minimize pollution shall be fostered and encouraged if
23 existing rights and priorities under existing laws will permit. Watershed development
24 policies shall be favored, whenever possible, for the preservation of balanced multiple
25 uses. Project construction and planning with those ends in view shall be encouraged."
26 We support a change in the water resource policy which would provide that support for
27 human life, livestock, crops, etc., should have priority over aquatic life and in-stream
28 water rights. We cannot stress strongly enough that existing rights should receive top
29 priority over other rights including those of aquatic life. The cost of establishing
30 upstream impoundments or any costs necessary to ensure these minimum flows must
31 be shared by all beneficiaries in proportion to the anticipated benefits or value received.
32 Any agency applying for an in-stream water right should provide environmental
33 impact and economic assessment studies and these should be subject to
34 verification by independent scientific review and verification if so, requested by any
35 citizen or resident of the state. Failure of verification should preclude the granting of any
36 such right. All previously issued in-stream water rights should be subject to the same
37 review and should be adjusted to comply with the standards herein set forth.

38
39 **Water Withdrawal from the Columbia River** **7.825**

40 We encourage the State of Oregon to beneficially withdraw the state's allocation of water
41 from the Columbia River for agricultural purposes.

42
43 **Wetlands** **7.850**

44 The state definition for wetlands should be the same as the federal definition, and the
45 local federal farm agencies should have the final say as to wetlands classification.

1 Any former wetlands that were Agricultural Stabilization Conservation Service (ASCS)
2 assisted should be exempt from reconversion to wetland, as well as any area less than
3 twenty acres. We encourage tax incentives or just remuneration for all other
4 reconversions. Only one designated government agency should be allowed jurisdiction
5 over wetlands administration. When the owner of private land is denied agricultural use
6 of designated wetlands, the land should be automatically assessed at the lowest value
7 as long as the nonuse designation remains. The burden of proof for a wetlands
8 designation should be on and funded by the agency that is responsible for the
9 designation.

- 10 1 Owners of private wetlands should be able to mitigate wetland conversion
11 on an acre-for-acre or value-for-value basis.
- 12 2 We support a strong policy that the status of prior converted wetlands should be
13 maintained as long as the property owner wishes to do so.
- 14 3 We oppose any land converted with funding from government, NGO, and non-
15 profit sources, to wetlands, which reduces agriculture production on a permanent
16 basis. For reclaimed wetlands that are being converted back from agricultural
17 uses, the process must include applying for a wetlands water right. This change
18 will make the new water right a junior water right. The process should include
19 going through a public comment period and obtaining approval from the
20 affected county. If lands are converted into a wetland, those lands must have
21 insect, rodent, and weed control as part of the program.
- 22 4 Nutrients, temperature of the water and water level must be monitored. The
23 conversion must not affect the character of the neighboring properties. In
24 addition, the wetland needs to be monitored for water use and cannot exceed the
25 current water rights. The landowner must submit a public report annually.

26
27 **Elk Creek Dam** **7.900**

28 We urge the continued federal funding for the completion of the Elk Creek Dam in the
29 Rogue basin. We also support funding for the Mill Town dam on Elk Creek in the
30 Umpqua Basin.

31
32 **Catherine Creek Dam** **7.910**

33 We urge that the Catherine Creek Dam decision be appealed. We favor working with the
34 Confederated Tribes in developing an upstream impoundment or other improvements
35 on Catherine Creek that would be beneficial to both Union County and the
36 Confederated Tribes.

37
38 **Dam Removal** **7.920**

39 We oppose any attempt to remove or breach any existing dams in the Pacific Northwest
40 when such breach or removal would be detrimental to agriculture. Specifically increase
41 in electrical power rates where USDA programs promote conversion of flood to
42 sprinkler irrigating with corresponding need for pumps. Loss of renewable
43 hydropower would have to be replaced with environmentally unfriendly coal fired or
44 other expensive generating plants. We support the building of fish-friendly dams for
45 agriculture, irrigation storage, fish, recreation, flood control, hydroelectric power

1 production, and domestic water, and other beneficial uses for the local community,
2 including the completion of the Elk Creek Dam. If a dam is to be removed, the public
3 should not pay any destruction tax or a fee. (01), (10), (11) (Referred to AFBF, 2010)

1 **VIII. CHEMICALS**

2 **General Chemical Statement 8.005**

3 The state chemical laws and rules must be built on a sound basis that recognizes the
4 general benefit to agriculture.

5
6 **Agricultural Chemical Liability 8.010**

7 We support legislation exempting producers, who apply pesticides properly, from
8 liability claims for environmental pollution. Because federal or state regulatory agencies
9 have the power to levy fines and enforce the laws concerning agricultural chemical
10 misuse, private citizens should not be allowed any monetary gains from the
11 proceedings.

12 We urge that state and national legislation be enacted to:

- 13 1. Require that individuals or groups that file injunctions against the proper use of
- 14 registered chemicals should reimburse farmers, timber growers, contractors,
- 15 federal, state, and county governments for all court costs, legal fees, financial losses
- 16 and other costs that arise from an injunction if the injunction is shown to be
- 17 unfounded or is overturned in a court of law.
- 18 2. Require a bond guaranteeing payment of aforementioned filing the complaint, in
- 19 an amount to be set by the court and subject to review upon motion by defense
- 20 counsel and increase in amount if the court finds appropriate after conducting a
- 21 hearing thereon.
- 22 3. Compliance with federally approved label instructions should absolve farmers
- 23 from liability claims of environmental pollution.

24
25 **Chemical Use Criteria 8.020**

26 Criteria used to establish or prohibit domestic and foreign use of an agricultural
27 chemical should be uniform and equitable. We also oppose any system which is funded
28 by a tax or surcharge on pesticides, farmer or farming operations. Any such system
29 should be funded from the General Fund, so the cost is shared by all taxpayers.

30
31 **Agricultural and Forest Chemicals 8.040**

32 Agricultural chemicals are an essential tool of agricultural production. We support
33 reasonable regulation of their use. We support an expanded program to inform and
34 educate the public on the need for agricultural chemicals and the protection against
35 their misuse. We believe implementation of the Federal Insecticide, Fungicide and
36 Rodenticide Act (FIFRA), as amended, based on credible scientific information, would
37 benefit farmers, the environment and the public. We support improved training
38 programs on the proper handling and safe use of pesticides. We believe that the
39 EPA/state pesticide applicator training and certification programs should be periodically
40 upgraded to ensure they are a sound and effective source of training and information.
41 We support improved safety information on labels of agricultural chemicals. Expanded
42 information on labels concerning poison control centers, medical information, worker
43 protection and possible adverse environmental effects will assist farmers to better
44 protect themselves and the environment. We recommend that compliance with federally
45 approved label instructions should absolve farmers from liability claims of environmental
46 pollution. We support added training requirements to address dissipation of chemicals

1 (drift and volatilization) to the core pesticide training program. Training should also
2 include education regarding application timing to prevent damage to non-target plants.
3 This training should be prepared and delivered by the Oregon State University
4 Extension Service or a specific program approved by the Oregon Department of
5 Agriculture to ensure credibility. To avoid the use of ineffective pesticides, we believe a
6 labeling system covering the date of manufacture; effective life and proper storage
7 requirements must be required. We encourage continued research and development of
8 pesticides which degrade more rapidly, are less environmentally persistent and are
9 compatible with accepted integrated pest management practices. We support the
10 environmental and economic concept of integrated pest management. We support
11 expanded biological pest control research to determine where biological pest control
12 measures can provide practical and feasible substitutes for, and supplements to,
13 chemical controls. We urge that chemicals cleared for use on edible food crops to
14 control a specific pest be automatically cleared for control of the same pest on
15 ornamental and other seed crops. Provisions providing for experimental use,
16 emergency exemptions and state registration are particularly important until federal
17 registration are completed. We oppose any curtailment of the safe and proper use of
18 agricultural chemicals and drugs unless research and scientific data determine that
19 injury to health and wellbeing would result. We also request reevaluation of previously
20 canceled pesticides based on current scientific data. We will work with and encourage
21 the agricultural chemical industry to present through its advertising a positive and
22 professional image of farmers and agriculture to the general public.

23
24 We oppose politically mandated buffer zones. We support the use of vegetable oils as
25 the base or carrier for pesticides and herbicides and also in the development of practical
26 equipment for farm applications. We recommend the agricultural chemical industry and
27 agricultural producers work with the appropriate state agencies to develop a durable
28 and safe container and an economical and logistically feasible plan for reusable
29 pesticide containers and for disposal of pesticide containers. We oppose the inclusion of
30 a "Private Right of Action" provision in the statutes. We support the use of maximum
31 contaminant levels (MCLs) in establishing drinking water standards for pesticides and
32 urge that EPA expedite the standard setting process. No food product should be
33 imported into the United States from countries which allow the use of agricultural
34 chemicals or pharmaceutical products that the American farmer is prohibited from using.
35 Food products treated with agricultural chemicals in foreign countries should not be
36 imported unless those chemicals are registered for use in the United States.
37 We support the use of approved pesticides for timber production management.
38 Landowners should be guaranteed the right to use approved management
39 practices in forestry zones.

40
41 **Pesticides**

8.050

42 We support the use of pesticides as an essential tool of agriculture and forestry. We
43 support the American Farm Bureau Federation pesticide policy and the extension of
44 that policy to Oregon State laws and regulations. We support an expanded program
45 to inform and educate the public using more positive terms, stressing the need for
46 agricultural chemicals for the health and protection of our plants and animals.

1 We support reasonable legislation that does not require more records to be kept than are
2 required by the federal government for noncommercial restricted use pesticide
3 applicator for two years. These records should only be released to the Oregon
4 Department of Agriculture, and only after a specific need their release has been
5 demonstrated to exist. Reasons for the release of application records from the
6 noncommercial applicator may include such things as illegal restricted use pesticide
7 usage, pesticide contamination of groundwater or a documented complaint. We believe
8 the existing means of tracking the sales and use of agricultural pesticides in the state is
9 adequate and we oppose any system which identifies individual growers or farming
10 operations or makes available their pesticide use records to the public. Any public
11 “pesticide right to know” legislation would be inadequate without a complete accounting
12 of all pesticides used by every individual household. Any legislation should also require
13 a provision to insist that anyone who purchases or applies pesticides should meet the
14 requirements established for agriculture by FIFRA, WPS, EPA and the State of Oregon.
15 We also oppose any system which is funded by a tax or surcharge on pesticides, farmer
16 or farming operations. Any such system should be funded from the General Fund so
17 the cost is shared by all taxpayers.

18

19 **Certification and Education** **8.051**

20 We support improved training programs on the proper handling and safe use of
21 pesticides. We believe that the EPA/state pesticide applicator training and certification
22 programs should be periodically upgraded to ensure they are a sound and effective
23 source of training and information. We support added training requirements to address
24 dissipation of chemicals (drift and volatilization) to the core pesticide training program.
25 Training should also include education regarding application timing to prevent damage
26 to non-target plants. This training should be prepared and delivered by the Oregon
27 State University Extension Service or a specific program approved by the Oregon
28 Department of Agriculture to insure credibility. We support an expanded program to
29 inform and educate the public using more positive terms, stressing the need for
30 agricultural chemicals for the health and protection of our plants and animals.

31

32 **Pesticide Sales and Use Reporting** **8.052**

33 We support an alternate paper reporting system for reporting pesticide use.
34 We will only support extension of the Pesticide Use Reporting System if all general
35 public retail sales are also required to be reported in the system. We support
36 reasonable legislation that does not require more records to be kept than are required
37 by the federal government for noncommercial restricted use pesticide applicator for two
38 years. These records should only be released to the Oregon Department of Agriculture,
39 and only after a specific need their release has been demonstrated to exist. Reasons for
40 the release of application records from the noncommercial applicator may include such
41 things as illegal restricted use pesticide usage, pesticide contamination of groundwater
42 or a documented complaint. We believe the existing means of tracking the sales and
43 use of agricultural pesticides in the state is adequate and we oppose any system which
44 identifies individual growers or farming operations or makes available their pesticide use
45 records to the public. Any public “pesticide right to know” legislation would be
46 inadequate without a complete accounting of all pesticides used by every individual

1 household. Any legislation should also require a provision to insist that anyone who
2 purchases or applies pesticides should meet the requirements established for
3 agriculture by FIFRA, WPS, EPA and the State of Oregon.

4
5 **Pesticide Labels** **8.054**

6 To avoid the use of ineffective pesticides, we believe a labeling system covering the date
7 of manufacture; effective life and proper storage requirements must be required.
8 We support improved safety information on labels of agricultural chemicals.
9 Expanded information on labels concerning poison control centers, medical
10 information, worker protection and possible adverse environmental effects will assist
11 farmers to better protect themselves and the environment.

12
13 **The Food Quality Protection Act** **8.055**

14 All legislation that requires review of chemical exposure risks should incorporate the
15 following elements:

- 16 1. Ample time for data collection, including a use pattern, application rates, and
17 other relevant exposure rates.
- 18 2. An allowance for minor crop uses:
- 19 3. A top priority for streamlining the Section 18 registration process so products are
20 quickly and readily available for emergency use;
- 21 4. Incentives for registrants to register new products and reduced risk products for
22 minor crop, food and non-food uses; and
- 23 5. A requirement that growers are consulted prior to the cancellation of chemicals
24 used in agriculture.

25 USDA must be an active partner in the regulation of chemicals in agriculture. USDA
26 must be encouraged to continue working as an advocate for farmers by collecting and
27 disseminating essential chemical use and residue information, especially for the minor
28 crops, both food and non-food. Integrated Pest Management (IPM) and other advanced
29 crop protection techniques help to reduce overall chemical use. IPM programs are
30 weakened when chemicals that target specific pests are lost. The EPA and USDA
31 should consider the impact on lost IPM use when deciding whether or not to reregister a
32 product for agricultural use. Research must be promoted that accurately identifies
33 exposure risks to consumers of food and other horticultural products.

34
35 Implementation of any food quality regulations must rely on accurate and adequate
36 scientific data which precisely quantifies the risk exposure levels and the benefits of
37 agricultural products. New regulations should not be implemented until all available
38 scientific information and use data are collected and evaluated. Any statutory deadlines
39 deemed unreasonable should be changed.

40
41 We support legislative solutions to ensure the availability of minor crop use pesticides.
42 These solutions should include, but not be limited to, expanded IR-4 activities, tax
43 credits to registrants who maintain these uses, and reduced third party registration
44 liability.

1 **Purple Loosestrife Control Research 8.060**

2 We encourage the American Farm Bureau Federation to lobby for federal funding for
3 the Cornell Research Team to continue importation and testing of biological control
4 agents of Purple Loosestrife for release in the United States. We encourage the Oregon
5 State legislature to provide funding to continue biological and chemical control research
6 and complete field surveys being conducted by the Oregon Department of Agriculture
7 and Oregon State University.

8
9 **Chlorofluorocarbon Exemption 8.070**

10 Agriculture should be given an exemption to the 1996 phase-out of
11 chlorofluorocarbons. We encourage the retention and use of Freon or other feasible,
12 economical types of coolants.

13
14 **Restricted Chemicals 8.080**

15 Provisions should be made for the use of restricted chemicals when no effective
16 alternatives are available. Protection of food production and forestry resources should
17 have priority over limited environmental consideration. We support reasonable
18 regulation of restricted chemicals, but restrictions should be based on residue and
19 toxicity rather than for use on specific crops.

20
21 **Rebuttable Presumption Against Registration (RPAR) 8.085**

22 In order to establish an orderly manner of reassessing and re registering
23 agricultural chemicals, and to develop and maintain an adequate number of these
24 same chemical tools necessary to agricultural production, we support Oregon's RPAR
25 Response Team by the following action:

- 26 1. Notifying our county Farm Bureaus and through them our county Farm Bureau
27 members of the eminent danger of loss of use of agricultural chemicals posed by
28 EPA through the established RPAR process.
- 29 2. Request development of an active program of communication with EPA, our
30 Congressional delegation, and our RPAR team (This means at least 5 copies of
31 each letter).
- 32 3. Obtain all possible media publicity on the plight we face should EPA not adopt a
33 reasonable attitude on RPAR.

34 We urge that the burden of proof in support of, or in opposition to, use of agricultural
35 chemicals be placed upon the scientific community and not upon individuals, as hearings
36 continue for RPAR.

37
38 **Food Quality 8.100**

39 We support the production and marketing of pure, wholesome food. Modern agriculture
40 cannot continue to provide sufficient quantities of high quality food, fiber and other
41 agricultural products to meet the nation's needs without the judicious use of
42 agricultural chemicals and drugs. Any undue curtailment of the safe and appropriate
43 usage of these products will result in lower quality and/or quantities of food and fiber at
44 higher costs to consumers. In any evaluation of chemicals and drugs, the possible
45 detrimental effects must be considered in relation to the benefits derived. We support
46 the establishment of sound research criteria for the range and dosage levels to be

1 tested, the replication needed for valid results, the use of animals as subjects in the
2 research, and the determination of applicability of the results to humans. A direct
3 correlation between artificial exposure to carcinogens and ill effects, as compared with
4 natural exposure, should be proven before an additive is deemed unsafe. All legislative
5 and regulatory decisions on food irradiation should be based on valid research including
6 safe levels of usage on food products. Irradiation should be defined as a food process
7 and not a food additive. We support legislation to require qualified people to prepare
8 and publish in advance of final rulemaking an agricultural cost benefit analysis
9 statement on proposed regulations having a significant effect upon agricultural
10 producers. We support uniformity in pesticide residue standards. States should not be
11 allowed to establish residue tolerances which differ from those set by the federal
12 Environmental Protection Agency. Pesticide residue tolerances established for imported
13 raw and processed agricultural commodities should be identical to those set for
14 domestically produced agricultural commodities. We encourage increased frequency of
15 the USDA inspection of foreign raw produce imports to guarantee chemical use safety
16 and equality. We support legislation to create a study commission of highly competent,
17 non-crusading scientists to conduct an in-depth study of the current situation regarding
18 the detection and assessment of carcinogens.

19

20 **Medical History and Pesticides** **8.200**

21 We actively seek a mandate from EPA (and other decision-making agencies) to study
22 the medical history and background of users and their families as a part of the data
23 assessed in determining the safety of pesticides (both those currently being used
24 and those pesticides which have a history of use within the past 15 years).

25

26 **Industrial and Municipal Waste** **8.300**

27 We support the need for reasonable legislation for developing proper disposal methods
28 of solid waste. The producer of municipal or industrial waste should provide disclosure
29 (i.e. "truth in labeling") on all waste products applied to all lands. We oppose the
30 placement of municipal bio-solids on agricultural land unless applied in a safe and
31 appropriate manner that includes involvement of both local and state agencies and
32 notification of neighboring landowners.

33

34 **Bottle Bill Law** **8.320**

35 We support the Bottle Bill being expanded to include all glass, plastic, and aluminum
36 carbonated and non-carbonated beverage containers and increase the deposit to 10
37 cents.

38

39 **Recycling of Pesticide Containers** **8.330**

40 Empty pesticide containers made of plastic or steel that are one gallon or larger and that
41 are triple rinsed on the farm should be returnable to the dealer of origin or other disposal
42 and recycling sites that have controlled access. We support the efforts in cooperation
43 with the Oregon Agricultural Chemical Association and the DEQ in the voluntary
44 program to get empty pesticide containers off the farm.

45

46

1 **Air and Water Pollution** **8.400**

2 Water and air pollution are serious problems affecting farmers and rural communities.
3 Extensive research and education are important in the development of practical private,
4 local, and state programs of abatement. Emphasis should be placed on mutual
5 understanding of the relationship between agricultural operations and water and air
6 quality. We support maintenance of the agricultural exemption in the Air Pollution Act,
7 and the abolishment of DEQs proposed inspection and maintenance program.
8

9 **Federal Section 319 Fund Advisory Committee** **8.405**

10 We support the appointment of an advisory and review committee by the Environmental
11 Quality Commission. The committee should be composed of potential non-point
12 source pollution stakeholders to review, evaluate, prioritize, and make
13 recommendations to the department and commission on all Section 319 grant
14 applications.
15

16 **Underground Storage Tanks** **8.410**

17 The Underground Storage Tank (UST) State Insurance Fund should be funded by:

- 18 1. Generators of hazardous waste materials;
- 19 2. The oil over charge refund revenues, and
- 20 3. Fees on underground storage tanks.

21 The state should create the option of supplementing or supporting private insurance
22 companies as an incentive to encourage private insurance to offer this coverage.
23 Proper tank installation ought to be assured by passing a DEQ certified inspection.
24 Installation should not be restricted to a licensed contractor.

1 **IX. FISH & WILDLIFE**

2 **General Fish & Wildlife Statement 9.005**

3 The state fish and wildlife laws and rules must be built on a sound basis that
4 recognizes the general benefit of business and encourages individual enterprise.

5
6 **Oregon Department of Fish & Wildlife (ODFW) 9.010**

7 ODFW is encouraged to recognize the vast scope of high quality fish and wildlife habitats
8 on private lands, the natural resource stewardship of private landowners and managers
9 and the property rights associated with both ownership and resources management
10 reserved to private lands. Landowners are recognized as full and equal partners in
11 resource management policies that are adopted by resource agencies and ODFW
12 ensures appropriate cooperation in the implementation of these programs.

13
14 We are opposed to ODF&W having the authority to require a private landowner to
15 adopt a wildlife management plan in exchange for the approval of a building permit.

16
17 **Fish Hatcheries 9.030**

18 We believe that the State's fish hatchery program is an important and necessary tool in
19 the process of recovering and protecting our region's salmon and steelhead. Sound
20 hatchery management will have a more positive than negative effect on our region's
21 fish. Excess fish returning to hatcheries should be used in a manner that helps with the
22 State's efforts to protect our fish populations or provides recreational opportunities for
23 Oregonians. Excess fish should be used to support the hatch box programs to introduce
24 fish to waters without populations or allowed to spawn naturally in the water they have
25 returned to. Excess salmon should not be killed other than for egg and spawn harvest or
26 for scientific purposes.

27
28 **Elk Production and Sales 9.040**

29 We support the raising and selling of domestic privately owned elk, deer and buffalo
30 and the products resulting from the production of such animals, except in cases where
31 the USDA/APHIS, Oregon Fish & Wildlife, or Oregon Department of Agriculture have
32 issued an import/export moratorium.

33
34 **Game Animal Transplanting 9.050**

35 A moratorium should be instituted on the transporting and transplanting of big game
36 animals until new guidelines can be established from an impact study by
37 representatives of the livestock industry, the U.S. Forestry Service, the Oregon
38 Department of Fish and Wildlife, and the Oregon Department of Agriculture. We support
39 requiring health inspections on all game and non-game wildlife, including avian species
40 moved interstate or intrastate, including movements by state or federal agencies. The
41 Oregon Department of Fish and Wildlife should be required to meet the interstate health
42 laws for domestic livestock, and the introduction or reintroduction of game animals
43 should not reduce the allotted Animal Unit Months (AUMs) for private livestock
44 producers that use public lands.

1 **Domestic Sheep** **9.075**
2 All sheep (ovine) privately owned and in production should be classified as
3 domestic and private property and accorded full protection in accordance with the law,
4 except in cases where USDA/APHIS has issued an import permit stating a different
5 classification.
6

7 **Game Animal Numbers** **9.100**
8 Population levels of large game animals, predators, and other wildlife numbers are the
9 result of rules and programs designed to achieve state and/or federal management
10 objectives. When damage occurs to or on private lands due to the number of game
11 animals, predators, and other wildlife, the landowner should be compensated.
12

13 **Hunting and Fishing License Cost** **9.110**
14 Hunting and fishing licenses be at a price that all can afford to buy them.
15 We support allocation of sufficient General Fund dollars to the Oregon Department of Fish
16 and Wildlife so that the department is not overly reliant on hunting and fishing fees to fund
17 their management program.
18

19 **Closure of Hunting Season** **9.120**
20 State or Federal Wildlife departments should not be allowed to close an entire hunting
21 season on game animals or birds because of a subspecies' low population when
22 natural processes are the predominate cause for the loss of the subspecies.
23

24 **Hunting Tags** **9.125**
25 People who live and/or work in in their prescribed local hunting unit should receive first
26 preference upon ODF&W issuance of any hunting tags before those individuals who do
27 not live and/or work in their prescribed local hunting unit. ODFW is encouraged to
28 issue unallocated tags to hunters listed on landowner permission forms prior to
29 making them available to other hunters. We request removal of the legal limitations that
30 prohibit landowners from taking more than one elk per year.
31

32 **Wildlife Refuges** **9.130**
33 The U.S. Fish and Wildlife Service should be required to plant or maintain adequate
34 acreage of crops suitable for winter feed for wildlife on all National Wildlife Refuges.
35 Any water used should be obtained without adversely impacting historical uses of or
36 creating a precedent for water. We propose that the funds from the Pittman Roberts Act
37 be used to seed refuges for the feeding of the wildlife and waterfowl.
38

39 **Goose Depredation Plan** **9.140**
40 In order to implement an effective plan to reduce the amount of damage done to
41 agricultural products by geese, all seven of the following points must be put into effect:
42 1. The goose population must be reduced so that there are fewer geese on
43 agricultural land.
44 2. Take maximum advantage of statewide hunting opportunities of geese. We
45 must maintain hunting at a level that will allow effective hazing of geese on
46 agricultural lands.

- 1 3. Refuges should be farmed to grow crops that will attract and feed the waterfowl
2 population and must be maintained at optimum levels to attract geese away from
3 agricultural land.
- 4 4. Stable funding must be provided to USDA/APHIS Wildlife Services to help
5 alleviate damage caused by geese.
- 6 5. There should be a compensation program that reimburses producers for lost crop
7 yields.
- 8 6. Non-migrating/resident geese should be exempt from the Migratory Bird
9 Treaty Act. (10), (Referred to AFBF, 2010)
- 10 7. That the Oregon Department of Fish and Wildlife identify and recognize the
11 different areas in the state that are having goose damage and develop a specialized
12 plan for control of those geese that can include adding a hunting season for the area
13 of damage outside of the eight hunts now. Also, ODF&W is to work with the Federal
14 program to allow the additional hunting seasons.

15
16 We support the increased hunting of resident geese by adding an additional
17 hunting season. We recommend to ODF&W to begin the Goose Hunting Season in
18 the fall when the birds start arriving no later than the opening day of Duck Season
19 which is around the middle of October. Hunting shall be allowed every day during
20 hunting season. Oregon and Federal Fish & Wildlife design a landowner preference
21 tag program similar to the one for deer and/or elk that can be used by farmers and
22 ranchers throughout the state.

23 24 **Predator & Predatory Animal Management 9.200**

25 Predator and predatory animal management must be an essential part of an overall
26 wildlife management program to maintain a reasonable compatibility with other
27 wildlife, to reduce livestock and crop losses, and for the public interest, health and
28 welfare including control of rabies and other diseases that may be transmitted to
29 humans. Property owners should be allowed to haze or take action to eliminate predators
30 and predatory animals before they cause damage. The keeping of recognized breeds of
31 Livestock Guardian Dogs that are used specifically for predator and predatory animal
32 management is an acceptable farm practice. Livestock Guardian dogs should be
33 officially included in statute as a farm animal. We support the supervised use of
34 chemical toxicants as part of a management program and request that research be
35 conducted to find additional new methods for control. Financing research should include
36 appropriations from the federal government, state general fund, game fund, and
37 counties. We support an amendment to the rodent control law to authorize county
38 governments to establish rodent or predator control districts. It is at the animal owner's
39 discretion if they want to have any additional health care exams or treatments when
40 they only want to have vaccinations given to their animals. We oppose any efforts to
41 impose any restrictions on the take or manner of take of predators or predatory animals.

42 43 **Authority over Predator Management 9.201**

44 Management of predators must remain under the Oregon Department of Agriculture.
45
46

1 **Cougar Hunting**

9.205

2 We support the use of dogs to assist in controlling cougar numbers where a perceived
3 threat to livestock or humans occurs.

4
5 **Animal Damage Control**

9.210

6 Landowners possess constitutionally protected rights to prevent damage to private
7 land from wildlife belonging to the state or federal government. We recognize that
8 certain management programs are being conducted to reduce wildlife depredation to
9 private land. We request legislation requiring the respective authority entrusted with
10 the control of wildlife, including endangered and migratory species, that ensures
11 implementation of effective methods to prevent damage. Non-lethal control
12 measures, including, but not limited to, hazing, fencing, or planting lure crops, while
13 often available to landowners are the primary responsibility of the respective
14 agency to implement at their own cost. When damage cannot be avoided, the
15 respective agency must provide depredation, or damage permits directly to the
16 landowner in numbers necessary to remedy damage and that are to be used at the
17 landowner's discretion. We request removal of the legal limitations that prohibit
18 landowners from taking more than one elk per year. We encourage and support efforts
19 to meet with the Oregon Fish and Wildlife Commission for control and management of
20 wildlife. Upon request, any landowner should be supplied with a complete list of hunters
21 available to assist landowners with wildlife control efforts through the damage program.
22 When property damage occurs that cannot be addressed through control efforts on
23 private land, ODF&W is encouraged to use their authority to conduct emergency hunts
24 within an identified boundary suitable to address the damage, including public land if
25 necessary. All permits issued under an emergency hunt, including those provided to a
26 landowner, should be available for use anywhere within the hunt boundary irrespective
27 of ownership but on private lands only with the permission of the landowner. Any
28 demand from ODFW for compulsory public access to private lands, including in
29 exchange for the issuance of damage or kill permits, is an impermissible diminishment
30 of landowner rights to protect private property. Kill permits should be assignable to any
31 designated wildlife control agent of the landowner. ODFW retains the responsibility to
32 retrieve and dispose of carcasses from control efforts unless prior alternatives are made
33 with the landowner. The U.S. Department of Agriculture should maintain control of the
34 Animal Damage Control (ADC) Program. When publicly funded, USDA Wildlife Services
35 equipment (traps, snares, large bear/ cougar traps etc.) are properly set to remove
36 dangerous/ damage causing animals and are vandalized, damaged or destroyed, the
37 state shall prosecute those responsible or act to protect both public and private
38 interests. We support direct compensation for the economic losses in agricultural
39 production and forestry from damage caused by wildlife.

40
41 **Wildlife Overlay Zones**

9.211

42 We oppose any designated wildlife overlay zones and their resulting limitations on
43 property rights to protect wildlife habitat in wildlife overlay zones and corridors. When
44 wildlife overlay zones are designated, a management plan that involves and is
45 supported by the landowners, neighboring landowners and producers that are
46 impacted by the overlay zone will be developed with the wildlife management

1 agencies whether state or federal or both to manage the wildlife in that zone.

2
3 **Landowner Preference Tags** **9.220**

4 ODFW is encouraged to recognize the constitutional rights to hunt and fish and critical
5 conservation role of the private landowner on property under their ownership. The
6 primary focus and consideration of the Landowner Preference (LOP) program should be
7 to recognize that landowners provide quality habitat for the State's wildlife and not to
8 address wildlife depredation. There should be no restrictions for assigning LOP tags.
9 Private landowners should be allowed to designate preferred non-family persons to
10 obtain landowner preference tags to be used on landowner's property. We request
11 legislation that would allow a LOP tag to be used in any open season while adhering to
12 the bag limitations and other restrictions of each particular season. The Oregon
13 Department of Fish and Wildlife (ODFW) should be required to return to the traditional
14 rule of requiring a minimum of 40 acres for landowner preference tags throughout the
15 state and to refrain from making rules which violate the constitutional right of a portion of
16 the citizens of the State of Oregon.

17
18 **Animal Unit Months Allocation Ratio and Game Numbers** **9.230**

19 We support a program to establish game herd numbers and a reasonable animal
20 unit month allocation ratio, which does not damage private or public rangelands.
21 The ODFW Commission must consider private land uses and the damage that can
22 be done on public and private lands by game animals when setting hunting seasons
23 and bag limits. ODFW should be limited in calculating available forage to public lands.

24
25 **Wolf Hybrid Registration** **9.250**

26 We support legislation requiring the registration of all canines with wolf blood, either
27 raised in Oregon or brought into the state, and to require such animals to be tattooed for
28 permanent identification. If a canine with wolf blood is caught by a trapper or shot by a
29 hunter, the trapper or hunter should not be in violation of the Endangered Species Act.

30
31 **Gray Wolf** **9.255**

32 We support the removal of Gray Wolf from the Oregon Endangered Species list and
33 the federal Endangered Species List and we oppose any efforts to create a Gray Wolf
34 recovery plan. However, as party to the wolf conservation & management plan, we
35 support a wolf control management plan to facilitate the federal and state delisting of the
36 Gray Wolf. Within 12 months of when criteria are met, the state should honor its
37 agreement to delist the Gray Wolf statewide. Additionally, any plan should include the
38 opportunity to compensate livestock owners for economic losses from wolves and
39 should allow livestock owners the ability to take wolves on public lands and private
40 property that are a threat to humans and/or domestic livestock.

41
42 We support allowing the Oregon Department of Fish and Wildlife to manage wolves in
43 Oregon using lethal and other methods.

44
45 **Policy No. 9.260, Oregon Wolf Management Plan, was combined with 9.255 (07)**

46

1 **Trapping** **9.275**

2 We support the use of trapping for subsistence, recreation and predatory animal
3 control, including the use of leg holding traps, snares, livestock protection collars, and
4 other methods. We support having no trap check interval for the unprotected and
5 predatory animals, but if there has to be one, that it is no less than 76 hours. We support
6 a trap check interval of not less than every 48 hours for furbearing mammals and
7 support the removal of all trapped animals when traps are checked. For killing traps
8 and snares, we support a trap check interval of no less than 30 days.

9

10 **Special Designation** **9.300**

11 We oppose any policy that requires protected areas on private land and forbids any
12 farming and/or forest operation in such area.

13

14 **Horse and Burro Management** **9.350**

15 We support repeal of the Federal Wild Horse and Burro Act. We support the repeal
16 of the Horse Slaughter Prevention Act. Further, all public land agencies with horses
17 and burros, be they wild, feral or abandoned domestic, on their districts should be
18 required to maintain herd numbers no greater than set forward in their most recent
19 management objectives. (09), (Referred to AFBF, 09) If wild horses and burros are found
20 to be contributing or causing rangeland health standards to be exceeded within Bureau
21 of Land Management/Forest Service grazing allotments and wild horse and burro
22 populations exceed applicable management objectives, the Bureau of Land
23 Management/Forest Service should be required to reduce herd levels to management
24 objectives before it may require any changes to livestock grazing management.

25

26 **Feral Pigs** **9.375**

27 We oppose the importation of feral pigs into Oregon for the purpose of stocking hunting
28 ranches and we support the eradication of existing stocks of feral pigs.

29

30 **Endangered Species Act** **9.400**

31 We support a regional approach to achieving sustainable native fish stocks in Oregon
32 and the Pacific Northwest. Plans of action must be socially, scientifically and
33 economically verifiable in order to be effective and implemental. All planning must be
34 sensitive to management practices initiated by irrigated agriculture that is intended to
35 protect fish habitat. We support reform of the Endangered Species Act (ESA) to prevent
36 creation of incentives to sue and recover attorney's fees on issues that the federal
37 government and communities are working to address. We support a prohibition on
38 citizen suits to enforce the Endangered Species Act when the federal government or
39 communities are actively working to meet their obligations under the Endangered
40 Species Act. We also support limitations on the entities that can recover fees
41 under the Endangered Species Act, including limitations related to the value of the
42 assets of non- profit organizations who seek attorney fees under the act and a cap on the
43 amount of fees and hourly rate an entity may receive. We also support the creation of
44 legislation that requires those seeking attorneys' fees to win on each claim prior to being
45 able to recover any funds for any lawsuit. We also support the creation of legislation that
46 requires individuals or groups to post a bond if their lawsuit will have an effect on

1 producers. We support continuing to keep pressure on agencies and the DOJ regarding
2 misuse of ESA citizen suit provisions. (Referred to AFBF, 2016) (16). Cost effectiveness
3 of implementation of plans is essential to obtain long term positive results. Local
4 participation in the planning process is equally essential. We support the protection of
5 any sea going threatened or endangered fish species by enforcing a 200-mile limit on
6 any foreign fishing vessel.

7 The national and Oregon Endangered Species Act should be amended to provide
8 that:

- 9 1. Listing a species as endangered shall be upon an endangered basis alone, and
10 not on the basis of "rarity";
- 11 2. Encroachment upon economic agricultural or silvicultural practices should be
12 prohibited;
- 13 3. Proof of species endangerment should be upon the petitioner or the Department
14 of Fish and Wildlife and not on the general public;
- 15 4. A person proposing an animal or plant's designation as an endangered
16 species should be required to post a bond for damages incurred by a landowner if
17 the species is subsequently not found to be endangered;
- 18 5. The state and federal government should be strictly liable for any and all injuries
19 or damages to property caused by, or in any way, arising out of the allocation or re
20 establishment of an endangered species, especially carnivores such as wolves and
21 bears;
- 22 6. Before the Endangered Species Act may be used to enjoin any public or private
23 activity, the party seeking the injunction should post a bond with the court in the
24 amount of three times the estimated damages that may result to the enjoined
25 person or entity from the issuance of such injunction.
- 26 7. Scientific data supporting the inclusion of a species should receive wide
27 dissemination to landowners and private organizations which represent the rights of
28 landowners;
- 29 8. Where there is a conflict, human need for food and energy should have priority
30 over the protection of endangered species;
- 31 9. Endangered species should be taken or removed from private lands if it is
32 causing damage to private property, or if payment of compensation for the damage
33 is not allowed by the state or federal government;
- 34 10. If endangered species are transplanted into other areas by the Department of
35 the Interior or Oregon Department of Fish and Wildlife, that the act does not provide
36 endangered species protection or prohibit insect control in the area of transplanting;
- 37 11. In an area where an endangered species has not been sighted for two years,
38 the area should be withdrawn as a designated habitat;
- 39 12. An economic impact study should be required of all actions taken under the Act
40 that would perpetuate the existence of an endangered species;
- 41 13. Any agency, organization or person requesting a rare or endangered
42 species classification to be placed on species or requests a critical habitat
43 designation should be required to:
 - 44 a) Provide and fund an environmental impact report with emphasis on the
45 economic impact of the action;

1 b) Conduct a DNA analysis on the proposed species to be introduced to ensure
2 that it is qualified as a unique, genetically pure species.

3 14. Before a fine is levied against a landowner for causing the death of an
4 endangered species animal a scientific necropsy (to be paid for by the fining
5 agency) should be conducted by an independent lab or fish biologist to determine
6 the exact cause of death. Written results of the findings should be made available to
7 the alleged violator. Inconclusive or suggestive results should not be used as a
8 basis for fines.

9 15. Section 7 of the Endangered Species Act should not be applied to federal
10 insurance programs, such as the National Flood Insurance Program and crop
11 insurance programs. The Endangered Species Act should be amended to expressly
12 not apply to federal insurance programs, and those programs should be made non-
13 discretionary for purposes of the Endangered Species Act. (Referred to AFBF,2016)

14 16. We support the use of the 4(d) rule at the time of listing a species as threatened,
15 to protect farmers and ranchers from “take” lawsuits.

16
17 We oppose label restrictions on essential agricultural pesticides for the protection of
18 endangered species when such restrictions jeopardize agricultural production. Until
19 effective and economically affordable alternative chemicals or methods of control are
20 approved and are available for use; label restrictions under the proposed plan are
21 premature and should be withdrawn. We oppose the introduction or reintroduction of
22 endangered species, wolves and bears on public and private lands or the spread of
23 these animals outside of experimental population areas. We encourage counties to
24 develop ordinances that would prohibit such activities. In addition, animals and their
25 subsequent offspring from experimental programs should not be classified as
26 endangered when they escape the experimental area. We support laws that would
27 make it legal to take said species that have wandered onto private lands.

28
29 We support the right of landowners to protect themselves, their families, livestock
30 and properties from all predators including bears, mountain lions, wolves and those
31 listed on the Endangered Species Act.

32
33 We support a program of landowner/operator compensation for protection given the
34 endangered species.

35
36 Because a threatened or endangered species is deemed to be of social value, no
37 single industry or facet of society should be called upon to bear a disproportionate
38 share of the responsibility or cost of recovery. Any artificial reintroduction of
39 anadromous fish stocks into state waterways, previously stopped by hydro and
40 irrigation dams should be defined as artificial fish stocks and not considered
41 endangered.

42 **Removal of Species from Threatened and/or Endangered List 9.410**

43 We petition the Oregon Department of Fish & Wildlife and the Oregon Department of
44 Forestry and the U.S. Fish & Wildlife Service to remove the spotted owl from the
45

1 threatened species list. Efforts should be made to expedite the process of removing a
2 species from either or both the federal or state threatened or endangered species list(s)
3 when it is scientifically warranted.

4
5 **Marine Mammal Protection Act** **9.450**

6 We support amending the Marine Mammal Protection Act to allow easier use of
7 lethal control measures on seals and sea lions deemed detrimental to protected fish
8 species. Marine Mammal Protection Act should not apply to fresh water in the
9 Western states.

10
11 **Grazing Fee Formula** **9.500**

12 We support retaining the present federal grazing fee formula, which is tied to cattle
13 prices and other factors. We do not oppose reasonable grazing fee increases
14 calculated within the formula. Research of other types of grazing fee programs should
15 be continued as an appropriate option for the benefit of the grazing industry. Any
16 alternative to the Public Rangeland Improvement Act (PRIA) formula must consider all
17 factors affecting a permit holder's ability to use the resource. We encourage the
18 establishment of a grazing fee formula on the basis of economics and scientific
19 principles for federal lands. We oppose an administrative approach to reform federal
20 land management without congressional approval. We support the continuation of
21 permit holder advisory groups with the possible addition of two local members from the
22 general public in the affected areas.

23
24 **Grazing Permit Applications** **9.510**

25 A federal or state land management agency should respond with an affirmative or
26 negative answer within 30 days after a grazing permit application is filed. If a
27 successful applicant suffers economic loss due to delays on the part of a federal or state
28 agency, the federal or state agency should be held financially liable.

29
30 **Grazing Lands Conservation Initiative** **9.520**

31 We endorse the national Grazing Lands Conservation Initiative for private grazing
32 lands and recommend that the American Farm Bureau Federation also endorse the
33 initiative.

34
35 **Range Improvement** **9.530**

36 We support appropriating sufficient funds to implement the Range Improvement Act.
37 We support government agencies' efforts to increase range productivity. We recognize
38 the value of prescribed burning as a tool of forest (woodlands) and range
39 management.

40
41 **Weed and Brush Control** **9.600**

42 We support aggressive legislation and management that will result in more effective
43 noxious weed and brush control. State and local weed enforcement rules should be
44 enforced. We recommend public financing for control of priority noxious weeds as
45 determined by the Oregon Department of Agriculture. We support research by the State
46 of Oregon and/or Oregon State University and chemical companies for biological and

1 chemical control of declared noxious weeds. The control of all noxious weeds should be
2 mandatory for each individual or government agency holding land within the state.
3 It should be the physical and financial responsibility of the holders or owners of
4 confiscated and foreclosed property to maintain adequate weed control and levels of
5 activity to prevent reversion to non-managed classification for wetland delineation.
6 However, we favor the ability of operator/landowners to commercially cultivate, and
7 harvest plants normally considered to be noxious weeds. Such persons should be
8 responsible for the containment of the plants. If the plant is an "A" Class weed, the
9 operator/landowners must work with the local and/or state weed board. At the point
10 when such commercial cultivation ceases, the landowner should be financially
11 responsible for the eradication of the noxious weed on such land. Weed and brush
12 control provisions should be extended to artificially created wetlands. If the state of
13 Oregon grants an easement across state lands, the grantee shall maintain a noxious
14 weed abatement program (along with a performance bond) for noxious weeds within the
15 easement as defined by the Oregon Department of Agriculture and the County Weed
16 Board, where the easement resides. All state and county road right-of-ways must be
17 managed to prevent the spread of weeds that cause economic problems for agriculture.
18 Before the state, a county, and/or a municipality purchases any additional land;
19 money must be budgeted and designated to maintain in perpetuity the acquired land
20 free of weeds that can move off site. Any federal or state entity who funds a
21 conservation program near agriculture lands will be required to ensure that the land
22 enrolled in the conservation program has noxious weed control program ensuring that
23 weeds do not spread onto privately owned farm or ranch land. We support rules that
24 would require the use of only Oregon Department of Agriculture Certified Weed Free
25 Forage on all state lands, including forests and parks. An adequate percentage of gas
26 tax be dedicated to road right of way noxious weed control.

27

28 **Wild Bird Seed**

9.605

29 Wild bird seed should not contain noxious weed seeds, unless the seed is sterilized.
30 Sterilization should be verified through germination testing by the Oregon Department
31 of Agriculture.

32

33 **No Spray Signs**

9.610

34 When a landowner places a "NO SPRAY" sign on a road or right of way, the
35 landowner should be responsible for controlling the weeds and brush or for the damage
36 they cause.

37

38 **Crop Pollinators 9.615**

39 We support and encourage the scientific community, including Oregon State
40 University, to search for solutions to Pollinator Population decline. We recognize
41 the general benefits to agriculture of a healthy pollinator population. We
42 encourage all farms to enhance pollinator habitat.

43

44 **Fencing 9.700**

45 We support legislation to require cooperative cost sharing on fencing or the value
46 thereof of a legal fence between adjoining landowners and between landowners and

1 federal or state land only when necessary for control of livestock in an open range
2 that becomes a closed range livestock district. Fencing required because of a change
3 to a closed range livestock district, should be funded and maintained by the
4 enforcing government agenda.

5
6 **Unapproved Techniques of Fish Habitat Restoration 9.710**

7 We oppose the building of unproven technology for fish habitat improvement,
8 where it has short and/or long-term negative impacts on downstream users.

9
10 **Fish Passage 9.720**

11 We oppose the implementation of one size fits all fish passage requirements on
12 farm infrastructure on minor waterways and agricultural drainage ditches. Specifically,
13 we oppose ODFW's fish passage requirements for tide gates and culverts where
14 there is no proven appreciable benefit to providing fish passage or where a non-fish
15 passage tide gate originally exists. Where ODFW insists on fish passage, they should
16 not specify engineering requirements and they should only require benefit from the
17 passage that existed with the current structure, not a new standard of fish passage.
18 Economic constraints should also be considered as part of the project evaluation. We
19 believe that the financial burden of permitting, installation and maintenance of fish
20 passage compliant tide gates shall be borne by the state, federal, or tribal government
21 rather than the producer.

22
23 **Beaver Management 9.730**

24 We recognize the potential ecological benefits of beaver for natural water storage and
25 fish & wildlife habitat enhancement. However, because of potential conflicts between
26 beaver activity and public & private land uses and infrastructure, we support ensuring
27 that beaver management can continue to occur to protect agricultural lands and
28 conservation projects from damage and ensure that flood waters do not infringe on
29 private lands and public infrastructure. We support classifying beavers as predatory
30 animals on private lands to allow them to be excluded or taken without
31 authorization from ODFW. Also, beaver removal is a critical tool on public lands,
32 including State & county roads, state lands, and federal lands, which helps protect
33 public and private lands and infrastructure from beaver damage and flooding, and
34 must be maintained. We support state and federal programs that offer financial and
35 technical assistance to private landowners for beaver management, mitigation, and
36 removal.

37
38 **Essential Salmonid Habitat 9.740**

39 We support limiting essential salmonid habitat (ESH) to natural, perennial streams
40 and ensuring that waterways that are part of agricultural ditch systems are not listed as
41 ESH. If a ditch is erroneously listed as ESH, we support the landowner having a
42 process to petition ODFW for its removal.

43
44 **Incentive Based Wildlife Management 9.800**

45 We support incentive-based management programs for landowners for wildlife control
46 measures if control measures have shown positive results in the local area.

1 **x. COMMODITIES**

2 **General Commodities Statement 10.005**

3 The state commodity laws and rules must be built on a sound basis that recognizes
4 the general benefit to agriculture and encourages individual enterprise.

5
6 **Fair Market Competition 10.006**

7 We oppose any legislation and or regulations that impose any burden, financial or
8 otherwise, on agriculture producers that is not required of all competitors, foreign or
9 domestic, unless the cost of that burden is reimbursed. In addition, we seek repeal
10 of, or reimbursement for, all existing regulations that burdens agriculture producers,
11 financial or otherwise, for costs not required of all competitors, foreign or domestic.

12
13 **Agricultural Research 10.010**

14 Agricultural research is essential for reducing costs, improving the quality of products,
15 expanding markets, and for more efficient processing and marketing methods, which
16 benefit both producers and consumers. It is a high priority for an expanded program of
17 research projects to accomplish these purposes. We oppose closure or major change of
18 any research station branch until people in the affected area have a chance to evaluate
19 the performance of the station and express their opinion. Funds for research stations
20 and their related work should have first priority. We support the agricultural education
21 and research program carried out by Oregon State University and support expansion
22 and funding of those programs. We request vigorous research to define and solve the
23 problems of agriculture. Each county Farm Bureau should be prepared to present facts
24 and figures to substantiate this need before the legislature, administrators and the
25 general public.

26
27 **Definition of Livestock 10.015**

28 We support a definition of livestock that means raites, horses, mules, donkeys, cattle,
29 llamas, alpacas, sheep, goats, swine, domesticated fowl and any fur-bearing animal
30 bred and maintained commercially or otherwise, within pens, cages and hutches.

31
32 **Animal Health and Plant Disease 10.020**

33 We continue our support for accelerated livestock and plant disease research.
34 Emphasis should be placed on related human disease problems and on methods to
35 prevent the spread of livestock, poultry, and orchard and crop diseases from farm to
36 farm. Livestock, poultry, orchards and crops which are destroyed because of
37 disease should receive full indemnification.

38
39 **Brucellosis Programs 10.030**

40 We support the findings of the National Brucellosis Technical Association in
41 regard to strengthening the National Brucellosis Program.

42
43 **Use of Antibiotics 10.035**

44 We support the protection of the ability to judiciously use approved antibiotics on meat
45 animals. We support allowing producers to work cooperatively with their local
46 veterinarian to ensure appropriate and responsible use of antibiotics and to determine

1 which antibiotics can be used and their recommended doses. We support an exemption
2 for beekeepers from Veterinarian Feed Directive requirements.

3
4 **By Products from Food Production 10.037**

5 We support the use of by-products from food production and food services for animal
6 consumption or soil amendments. Transportation, storage, and use of these by-products
7 should be exempt from waste hauling laws.

8
9 **Veterinary Services 10.040**

10 We support excluding the following practices from regulation as the practice of
11 veterinary medicine and establishing certification programs for these practices: embryo
12 transfers, pregnancy, sterility or fertility evaluations, equine dentistry, livestock
13 chiropractic and massage, and other practices determined by ODA.

14
15 **Animal Welfare 10.050**

16 Proper care and welfare of livestock and poultry are essential to the efficient and
17 profitable production of food and fiber. No segment of society has more concern for the
18 wellbeing of poultry and livestock than the producer. This is best exemplified by the
19 high levels of production and low mortality rates being achieved in modern livestock and
20 poultry operations. We oppose any legislation or regulatory actions which would tend to
21 prohibit good poultry and livestock husbandry practices and increase the cost of food to
22 consumers. We support legislation that would make it illegal to secretly record and
23 distribute videos of farms and punish those who take jobs on farms only to gain access
24 to record how the animals are handled. It is the livestock owner's discretion if they want
25 to have a vet treat damaged livestock. If the authorities cannot reach the owner of the
26 livestock, then they may require a vet. We support defining "good animal husbandry" as
27 normal accepted practices for the management, training, and use within the state,
28 region, or community for the species, breed, physical condition and type of animal. In
29 determining whether a practice is "good animal husbandry," law enforcement is required
30 to consult with veterinarians experienced with the type of animal that is subject of the
31 action and any local or state industry groups that work with that industry sector.

32
33 **Service Animals at Farm Stands 10.055**

34 Farm stands or any other entities selling food items to the public should not be
35 required to accommodate service animals other than seeing-eye dogs.

36
37 **Theft of Farm Property 10.060**

38 The prevention of crime, including theft, is a public responsibility. Law enforcement
39 agencies must give more recognition and increased surveillance to increase losses of
40 farm property from theft. We urge that complaints be more vigorously investigated.
41 The taking of any agricultural item of less than a \$500 value from privately held
42 farmlands without permission should be prosecuted under the shoplifting law, in addition
43 to any possible criminal penalties. We support legislation encouraging scrap dealers to
44 keep transaction records which include the identification of sellers, in order to facilitate
45 law enforcement efforts.

1 **Illegal Killing of Domestic Livestock** **10.070**
2 The penalty for illegal killing of domestic livestock should be equal to or greater than the
3 penalty for illegal killing of wildlife. We urge stronger measures to insure the
4 enforcement of federal, state and local laws concerning the theft, molestation, or
5 illegal killing of any type of domestic livestock and poultry. We further recommend
6 that not less than the minimum penalties be given in cases of conviction. We urge that
7 statutes providing penalties for livestock larceny be amended to include a higher
8 minimum as well as maximum fines and sentences. We urge stiffer penalties for
9 illegal killing of livestock.
10
11 **Environmental Terrorism** **10.075**
12 We support full prosecution of persons involved in acts of terrorism against the natural
13 resource industry on public or private land.
14
15 **Pest Control Districts** **10.080**
16 We urge the establishment of pest control districts (e.g., fruit fly, apple maggot) in
17 agricultural production areas, particularly when noncommercial producers are near
18 commercial operations.
19
20 **Truth in Menu** **10.090**
21 We support adoption of a truth in menu law.
22
23 **Irradiation** **10.095**
24 The use of irradiation should be allowed in the food processing industry.
25
26 **USDA Forecasting** **10.100**
27 We oppose the forecasting of all agricultural prices by the USDA.
28
29 **Export Ban** **10.110**
30 We oppose any legislation that restricts the export of raw agricultural and forest
31 commodities from private lands.
32
33 **Market Negotiations** **10.120**
34 Strong marketing programs should be implemented to strengthen farmers' bargaining
35 positions. Statute changes should be made to protect growers' associations from unfair
36 business practices.
37
38 **Third Party Grading** **10.130**
39 We support "third party" grading for agricultural commodities when it is requested by a
40 majority of the producers delivering the commodity to a buyer or processing facility.
41 The option for producers to reject state grading should be maintained. We favor
42 inspection of all potatoes and onions for human consumption in interstate and intrastate
43 commerce. We request that potatoes and onions for fresh market be inspected at
44 delivery for calculating payments to growers.
45
46

1 **Establishing Wheat Yields for Government Wheat Programs 10.210**

2 Wheat and/or feed grain yields for each farm should be updated each year. Support
3 programs should be calculated on the actual production records from the past three to
4 five years, or the county production average.

5
6 **Catastrophic Crop Insurance 10.220**

7 The purchase of Catastrophic Crop Insurance should be voluntary and not a requirement
8 to receive crop deficiency payments.

9
10 **Department of Agriculture 10.300**

11 We recommend maintaining the Department of Agriculture as a principal agency of
12 state government. We support retaining the Agricultural Development and Marketing
13 Division within the Department of Agriculture. As exports are vital to the economic
14 wellbeing of agriculture in the state, we believe it is essential that this activity be
15 maintained and identified with the Department of Agriculture. We support any action that
16 would limit the legislature from overriding a crop production decision made by the
17 Oregon Department of Agriculture or crop production decision made by the Oregon
18 State University Extension Service.

19
20 **Grass Seed Use 10.305**

21 Federal & State agencies should continue to allow the use of non-native grass seed
22 varieties.

23
24 **Product Liability 10.310**

25 Consumers should be held responsible for their actions and decisions, as well as the
26 producers and sellers of legal agricultural products.

27
28 **Policy No. 10.320, Product Promotion was added to Policy No. 10.325 in 2011**

29
30 **Farmers Markets 10.325**

31 We support the concept of Farmers Markets and other opportunities for farmers to
32 increase the marketability and profitability of their crops. To protect commercial food
33 producers from the spread of undesirable disease and pests, a grower outside a special
34 district desiring to market produce inside a special district, should follow state ordinance
35 recommendation spray guide for that area.

36
37 **Internet Commodity Marketing 10.330**

38 We support efforts of all agricultural commodity producers to market their goods over
39 the internet.

40
41 **Commodity Commissions 10.340**

42 We favor product promotion by commodity commissions and other organized
43 commodity groups. We approve the use of grower assessments by commodity
44 commissions for only the promotion, production and marketing research and
45 protection of the commodity being assessed. Commodity Commission money belongs to
46 the growers and should only be used for the purposes for which it is collected.

1 We support the State of Oregon and the state universities recognizing that commodity
2 commissions, cooperatives, and agricultural associations have legal rights to the
3 intellectual properties that result from research funded largely by commodity
4 commissions, cooperatives, or agricultural associations. Commodity commission
5 budgets and assessment rates should be developed and adopted prior to the growing
6 season so a maximum number of producers would have opportunity to participate.
7 If assessment rates do not generate sufficient funds to meet the budget, the
8 commission should adjust the budget accordingly. We believe a commodity commission
9 should be able to take action to raise the assessment cap for that commodity only after
10 notification has been given to all of the producers currently being assessed.
11 A vote of the producers should determine increases in commodity assessments. The
12 commission should send a ballot to all eligible producers, and a majority vote, as
13 defined by the commodity commission's bylaws, should prevail. We oppose the use of
14 Commodity Commission funds for political candidate contributions. We oppose
15 Commodity Commission legislation that increases the authority of any government
16 agency with regard to the way commodity commissions operate or function. We support
17 a provision that would allow individual producers, under specified provisions in the
18 commission's bylaws, to receive a refund of all assessments paid in the current
19 calendar year.

20

21 **Oregon Agricultural Economic Competitiveness** **10.350**

22 We request that Oregon State University and the Department of Agriculture
23 research to determine the total added value derived from all manufactured or processed
24 agricultural commodities produced and sold in this state. This total should be publicized
25 as an agricultural contribution to the Oregon economy. The Oregon State Legislature
26 should direct a study to assess the economic competitiveness of Oregon agriculture
27 products within the US market on a regular basis. The study report should take into
28 consideration not only the external factors and pressures that have impact on our
29 farmers and ranchers, but also the overall regulatory burden on Oregon agriculture
30 entities, compared to other agriculture sectors in other states. The reports should be
31 presented to the legislature and made available to the public.

32

33 **Milk Usage Audit Law** **10.400**

34 Although the Milk Audit and Stabilization Law has been terminated, we favor keeping
35 the law in case the need arises to administer it again. We support the transfer of milk
36 stabilization funds to the Nutritional Educational Services/Oregon Dairy Council for
37 educational purposes throughout Oregon.

38

39 **Raw Milk Sales** **10.410**

40 Raw milk production for sale should be regulated for food safety registration and
41 inspection requirements. We oppose proposals that would require the pasteurization of all
42 milk to be used in fluid or processed form.

43

44 **Dairy Products Minimum Standard** **10.420**

45 We support an increase in the minimum level of nonfat solids in fluid milk from 8.25 to
46 8.75 percent.

1 **FDA Standards** **10.430**
2 We support regulations that do not allow nondairy substitutes to be labeled as dairy
3 products. We oppose any law and/or legislation that allow processors to add thickeners
4 or any other nondairy products to low fat and nonfat fluid milk.

5
6 **Beef Check-off** **10.500**
7 We support the National Beef Check-off as it is presently administered. Any
8 increase must be made through the present program. We do not support increases to
9 the Beef Check-off that would be administered separately under another program with
10 its own administration cost. We continue to support beef Check-off charge exemption
11 for calves selling for \$25.00 or less. (Referred to AFBF, 2014)

12
13 **Meat Inspection** **10.510**
14 We support the retention and expansion of small commercial meat packing facilities.
15 We support increased funding for the retention and expansion of these facilities. We
16 support a state meat inspection program. All foreign agricultural imported products
17 should be produced and transported according to US inspection standard.
18 Countervailing duty laws should be strictly enforced. We support actions that would
19 encourage Indian Nations, located in Oregon, to construct and operate meat processing
20 facilities for the benefit of both Oregon livestock producers and the Indian Nations.

21
22 **Protection of the Term “Meat”** **10.513**
23 We support prohibiting the use of commonly known and industry recognized “meat”
24 terms in the labeling and advertising of all cell cultured tissue and plant-based
25 alternatives.

26
27 **Horse Import Permit** **10.514**
28 We support horses to be classified as livestock or tools of husbandry and oppose being
29 classified as pets or companion animals.

30
31 **Slaughterhouses** **10.515**
32 The application of federal and state meat and poultry inspection programs to
33 custom slaughtering plants, locker plants and producer slaughters can have a
34 serious and adverse effect on farmers. State law should provide small-scale and
35 portable slaughterhouses for custom livestock processing and retail sales. We urge that
36 the regulations governing these operations be reasonable so as not to limit the
37 processing of meat for home use. We favor investigating the possibility of dual federal
38 meat inspection standards which would tend to alleviate problems encountered by the
39 smaller packing facilities. We recommend there be state and federal regulations
40 requiring the use of humane stunning methods before bleeding in all livestock and
41 poultry slaughtering facilities.

42
43 **Livestock Auction Markets** **10.520**
44 Livestock auction markets are an essential part of our marketing system and must
45 remain a part of our competitive free enterprise system. Standards and regulations,

1 other than for safety, sanitation and animal health, should be reasonable, so they do not
2 create a hardship on small yards that perform a needed service to local communities.
3 We oppose proposals to "franchise" auction markets that would limit or restrict the
4 opportunity for an individual, organization or corporation to establish and operate
5 livestock auction markets.
6

7 **Identification of Livestock** **10.530**

8 We support the continuance of the existing hot iron branding, bangs and scrapie ID
9 systems registered to the owner of the livestock. There should be flexibility in how
10 animals are identified. Conventional ear tags, RFID ear tags and ownership brands
11 should all be allowed.

12 We support the establishment and implementation of an animal identification
13 system provided:

- 14 1. It is voluntary and market driven and enables participants in marketing
15 organizations to take advantage of international markets without requiring the whole
16 industry to individually identify their livestock;
- 17 2. It includes financial and technical support for animal disease control and
18 eradication;
- 19 3. It can respond rapidly and effectively to animal health emergencies such as
20 foreign animal disease outbreaks or emerging domestic diseases;
- 21 5. It protects producers from liability for acts of others after the livestock leaves
22 the producer's ownership;
- 23 5. The program is economically feasible having an adequate cost- share among
24 government, industry, and producers. Total cost of an individual animal's
25 identification and recording should not exceed \$5;
- 26 6. The premise ID number is only registered to the owner of the livestock, and is
27 the same for all the species that the owner must ID; and
- 28 7. It has a well-run, well managed database that will benefit the industry and is
29 controlled by the industry, not government. In addition, it is important that this
30 database is not considered part of the public domain. A Premise ID database should
31 not be subject to Freedom of Information Act.

32
33 **Identification of Livestock** **10.530**

34 We support the continuance of the existing hot iron branding, bangs and scrapie ID
35 systems registered to the owner of the livestock. The Oregon Department of
36 Agriculture's policy requiring a brand's minimum of two distinguishing features, whether
37 by design or location, and known as the "Two Bar Rule," should be modernized to
38 reflect current branding technology and brand inspection practices. Further, ODA's
39 policy should be amended to require one distinguishing feature. There should be
40 flexibility in how animals are identified. Conventional ear tags, RFID ear tags, and
41 ownership brands should all be allowed. We support the establishment and
42 implementation of an animal identification system provided:

- 43 1. It is voluntary and market driven and enables participants in marketing
44 organizations to take advantage of international markets without requiring the
45 whole industry to individually identify their livestock;
- 46 2. It includes financial and technical support for animal disease control and

- 1 eradication;
- 2 3. It can respond rapidly and effectively to animal health emergencies such as
- 3 foreign animal disease outbreaks or emerging domestic diseases;
- 4 4. It protects producers from liability for acts of others after the livestock leaves
- 5 the producer's ownership;
- 6 5. The program is economically feasible having an adequate cost-share among
- 7 government, industry, and producers. Total cost of an individual animal's
- 8 identification and recording should not exceed \$5;
- 9 6. The premise ID number is only registered to the owner of the livestock, and is
- 10 the same for all of the species that the owner must ID; and
- 11 7. It has a well-run, well managed database that will benefit the industry and is
- 12 controlled by the industry, not government. In addition, it is important that this
- 13 database is not considered part of the public domain. A Premise ID database
- 14 should not be subject to Freedom of Information Act.

15

16 **See also Policy 10.540 (Brand Inspection)**

17

18 **Country of Origin Labeling (COOL) 10.531**

19 If Animal ID becomes mandatory, it should be incorporated into a COOL meat labeling

20 program. If a producer is in favor of promoting their product as locally grown, they

21 should be able to do so, but it should not be mandatory. We oppose labeling of meat not

22 born, grown and processed in the United States with labels that lead consumers to

23 believe the subject meat was born, raised and processed in the United States.

24

25 **Brand Inspection 10.540**

26 We support continuation of the brand and ownership inspection programs to be

27 administered by the Oregon Department of Agriculture. The Brand Inspection

28 Department should develop a concise coherent plan designed to establish fiscal stability

29 of the program. We support a reciprocal agreement between states honoring the state

30 of origin's brand inspection on cattle destined for a sale yard in a neighboring state for

31 the period of time that the inspection papers are valid.

32

33 **Loose Livestock 10.545**

34 Livestock owners should not be cited under criminal law for animals that are loose

35 through no fault of the owner. This should not relieve the livestock owner from paying

36 for property damage done by the livestock.

37

38 **Payments to Growers 10.600**

39 We support the licensing of dealers, priority liens, and bonding the act of merchandising

40 to guarantee payments to growers for raw product deliveries. Legislation should take

41 into consideration the uniqueness of participation contracts between growers and

42 purchasers. Oregon law should give agricultural producers immediate protection for the

1 amount they are owed for their products. That protection should extend until they are
2 paid in full. Protection should be simple and inexpensive to maintain. It should be clear
3 that a commodity covered by the grain producer's lien continues to be covered by that
4 lien regardless of whether the commodity is a proprietary variety grown under contract
5 or not and not as an agricultural services lien. Growers should be paid no later than 30
6 days from the time of shipment or in case of non-shipment within 10 months following
7 the harvest year. This protection should apply to producers of all varieties and species
8 of seed.

9
10 **Disaster Payments** **10.620**

11 We support changing the natural disaster provisions to provide that the amount
12 received by the producer reflects the loss of income due to lower crop quality and/or
13 volume.

14
15 **Bonding of Produce Wholesalers** **10.630**

16 We support the establishment of a prorated scale for the bonding of produce
17 wholesalers.

18
19 **Central Filing of Commodity Liens** **10.650**

20 If central filing is implemented, information released must only pertain to whether a lien
21 is filed on a particular commodity and the name of the lien holder. Information released
22 should only be available to a lender or a purchaser of the commodity.

23
24 **Cannabis** **10.660**

25 More restrictive cannabis laws should not be expanded to adversely impact other
26 agriculture. Cannabis, including both Marijuana and Industrial Hemp, is considered to
27 be a legal agricultural crop under Oregon laws and as such should be afforded equal
28 protections under state and county Right to Farm provisions.(16) The Oregon Farm
29 Bureau advocates for the reclassification of Marijuana as a Schedule II controlled
30 substance. We support changing the definition of industrial hemp from .3% delta-9 to a
31 more standardized, 1% total THC. Hemp extracts, concentrates, and byproducts
32 derived from legal hemp should be afforded the same legal status and protections as
33 the hemp they originated from, and growers, handlers, processors, and those
34 associated with bringing hemp to the marketplace should be held to the same
35 transportation standards as other agricultural commodities. (19, 20) (Refer to AFBF)
36 We support regulation of the hemp industry that is in line with other agricultural
37 commodities and standards. We support the creation of industry standards by the
38 hemp industry to ensure product quality. (20) (Refer to AFBF) We support legislation
39 that delineates industrial hemp grain and fiber from cannabinoid floral hemp by
40 definition and regulation, including removing background checks and mandatory THC
41 testing for industrial hemp grown for grain, fiber or industrial seed production. (Refer to
42 AFBF)

43
44 **Certification of Field Crops** **10.700**

45 We are opposed to the use of any other criteria than varietal purity, mechanical purity,
46 varietal integrity, or germination in the granting of certification to alfalfa and clover

1 seeds grown in Oregon. Any seed company offering seed for sale should have to
2 include the year the seed was produced, along with the other seed specification
3 information on the container. OSU seed certification should strengthen its standards for
4 the modified land history program for perennial crops to require an additional field
5 inspection in the second year following establishment to maintain varietal purity
6 standards.”
7

8 **Oil Seed Crops** **10.705**

9 We support the ability of the Oregon Department of Agriculture to regulate the
10 production of oilseed crops to protect other seed production from weeds, disease, and
11 insects. We are opposed to an outright ban on oilseed production.
12

13 **Cross Pollination** **10.706**

14 Rules and guidelines in the Certified Seed Production Handbook developed by
15 Oregon State University that are used to prevent the cross pollination of crops should be
16 considered in any legislation adopted by the Oregon Legislature that would govern the
17 planting of crops.
18

19 **Seed Trade Rules** **10.710**

20 We support legislation that recognizes the NORAMSEED Rules as the regulatory
21 standard for the trade of seed for planting in Oregon. Failure of a seed dealer to comply
22 with these rules should result in the loss of their Oregon Department of Agriculture’s
23 Oregon Seed Dealer’s License.
24

25 **Weed Control** **10.712**

26 All owners of land in resource production areas (exclusive farm use, farm forest, etc)
27 should be required to maintain a minimum standard of weed control, including lands
28 owned and managed by public agencies. Enforcement of non-compliance should be
29 enforced using regulatory structure including existing nuisance laws.
30

31 **Brassica Seed Crops** **10.715**

32 We support the ability of the Oregon Department of Agriculture to regulate the
33 production of brassica crops to manage seed production regarding weeds, disease,
34 and pests. Regulation should be based on the best available science and treat all
35 species and subspecies the same, unless unique pest, disease & weed aspects exist.
36 Any system used to identify fields must have accessibility for all growers. We support
37 pinning systems to adequately isolate fields for cross-pollination protection.
38

39 **Technology in Agriculture** **10.716**

40 We support the development and utilization of new and existing practices and
41 technologies to benefit agriculture. These should include but not be limited to biological,
42 chemical, mechanical, genetic, and organic. We recognize the need for coexistence of
43 diverse production practices and methods and that all are important. Biotechnology has
44 been widely used for decades and is an important component of production agriculture.
45 New research for drought tolerance, yield, disease control, insect tolerance and edible
46 oil quality are but a few examples of traits for a wide range of commodities including

1 fruits and vegetables and will be even more important in a world looking for more food.
2 Biotechnology products should be approved for agricultural use only after thorough
3 research and deregulation. USDA should retain the authority over this process.
4 We encourage all agriculture industries to distribute to all media sources more
5 understandable and visible information about the safety of all approved agricultural
6 products produced in Oregon and the United States.
7

8 **Plant Breeding Programs** **10.720**

9 We favor a continued and expanded program of public plant breeding at both the state
10 and national level with the release of foundation seed of the best new plant varieties to
11 the general agricultural industry. The USDA Research Service should reinstate their
12 plant breeding program and release their varieties on a schedule to prevent
13 monopolization of plant varieties.
14

15 **Release of Public Seed Varieties** **10.730**

16 We seek a change in USDA policy to ensure releases of public seed varieties and that
17 allow for the development of a check off system at the foundation project level for seed
18 advertising and promotion.
19

20 **Agricultural Burning** **10.750**

21 We support the continuation of necessary burning at the highest acreage level
22 possible. We are opposed to any legislation or the adoption of any state agency
23 administrative rule that would further restrict the accepted farm practice of "agricultural
24 burning." However, if any agency attempts to restrict any form of agricultural burning, an
25 approved effective alternative practice must be in place. We support stack burning for
26 grass seed and cereal grain straw disposal. Stack burning should be considered ag
27 burning when done during the approved agriculture burning times as determined by the
28 local fire marshal. All propane flaming should be considered an agricultural burn.

29 We also support allowing a farmer's permission to clean and clear land for agricultural
30 production without government interference. Because weather conditions are extremely
31 local, agricultural burning must be managed at the local fire district level. A briefing
32 should be held between growers and the county or fire district prior to setting the dates
33 so that agriculture producers can share their expertise and concerns, rather than setting
34 arbitrary dates. Local fire chiefs should not be allowed to prohibit agricultural burning
35 unless extreme fire safety conditions exist in the agricultural area. We support using the
36 state criteria of humidity, temperature, and wind to determine when agricultural burning
37 should be allowed. We oppose any additional regulation of agricultural burning that
38 might affect wilderness areas, when temporarily affected by smoke intrusions caused by
39 agricultural burning which is already regulated under the direction of the DEQ and the
40 industry's own smoke management programs or local smoke management districts.
41

42 **Field Burning** **10.755**

43 We are opposed to extending the provisions of the Department of Environmental
44 Quality (DEQ) ag and field burning regulations to any community which already has
45 successful programs of its own. We support legislation that would identify limited field

1 burning as a tool to manage weed, pest, and disease issues (including invasive
2 species) on all agricultural land. Such legislation should give sole authority to the
3 Oregon Department of Agriculture to allocate the location and quantity of the acreage.
4 We support the continuation of a reasonable grower fee for support of the Smoke
5 Management Program. When any government agency's actions include controlled
6 burning, they should be under the same regulations applicable to private industry in that
7 location.

8

9 **Field Burning Hotline** **10.760**

10 Oregon Department of Agriculture's burning hotline should separate calls that are
11 made on non-field burning days from those made on approved burning days. It
12 should be noted that the cause is not from field burning. Calls made from the same
13 phone number should also be identified.

14

15 **Field Burning Liability** **10.775**

16 We support legislation declaring that field burning is not an ultra-hazardous activity
17 and that negligence must be proven before "liability" can be imposed.

18

19 **Farming by Corporations** **10.800**

20 We support the implementation of policies to:

- 21 1. Continue to study the effects of the entry of huge nonagricultural firms into farming.
- 22 2. Avoid creating tax advantages which encourage such entry.
- 23 3. Strengthen the ability of farmers to bargain with an integrator and other handlers.
- 24 4. Strengthen the economic position of farmers by encouraging more effective group
25 action in buying and selling.
- 26 5. We support presentation of proposals for bargaining association legislation to the
27 Legislative Committee on Trade and Economic Development.
- 28 6. We support legislation requiring corporations to report their involvement in farming.

29

30 **Sustainability** **10.900**

31 Any definition of sustainability must balance economic, ecological and social benefits of
32 agriculture and recognize agriculture's ability to sustain for generations. (Referred to
33 AFBF, 2008)

1 **xi. LABOR**

2 **Labor Laws and Regulations 11.010**

3 The overall guiding force influencing commodity prices is the economic law of
4 supply and demand. It is imperative that the government recognizes the volatility of
5 this force when adopting, amending, or repealing statutes and administrative rules. In
6 general, we are opposed to statutes and administrative rules that ignore this force and
7 reduce our ability to compete in the local, national, and international marketplace. We
8 support those statutes and administrative rules which assist Oregon producers to
9 become more competitive. We oppose efforts to ban or restrict robotics or automation
10 through legislation, regulation, or collective bargaining.

11
12 **Statewide Labor Policy 11.015**

13 Farming operations are often times in multiple cities, counties and other municipalities in
14 the State of Oregon. To ensure a farm can successfully employ workers in multiple
15 jurisdictions around the state, farmers need to have a consistent set of laws regulating
16 their employees. We support uniform statewide labor laws that farmers can enforce to
17 all employees regardless of where their field of operations is located.

18
19 **Labor Regulations 11.020**

20 Agricultural employers are encouraged to give special attention to improving
21 employee/employer relations within the following areas:

- 22 1. Improve the earnings of workers by proper training, supervision and continuity of
23 employment.
- 24 2. Improve conditions where necessary for field sanitation, hazard communication,
25 pesticide labeling procedures and payroll practices.
- 26 3. Defend the rights of the workers in the community by conducting a public
27 relations program among civic, business and church organizations.
- 28 4. Improve worker relations by expressing appreciation of a job well done.
- 29 5. Promote such projects that will improve the general welfare and wellbeing of the
30 workers.
- 31 6. Improvement of labor management skills including:
 - 32 a. The use of handbooks or written policies;
 - 33 i. Providing training sessions and workshops related to current labor
34 issues;
 - 35 ii. Keeping informed of changes in laws that affect the agricultural
36 labor supply; and
 - 37 iii. Emphasis should be placed on the proper approaches to prepare
38 for agency hearings.

39 We encourage an accelerated program which provides information related to the rights
40 and responsibilities of workers and employers during inspections by agencies and during
41 labor disputes or any organized labor activity. We are opposed to any effort to allow
42 criminal penalties or civil suits against employers for workplace safety violations which
43 occur without criminal intent.

44
45 **Family Leave 11.021**

46 We oppose the development and or expansion of the Family and Medical Leave Act for

1 agricultural operations. We oppose legislation that would require employers to pay a
2 family leave benefit for farm workers. Farmers operate on extremely thin margins and
3 would be unduly burdened by a requirement to pay for family leave or track unpaid family
4 leave for farm workers.

5
6 **Mandatory Paid Sick Leave** **11.022**

7 We oppose mandating paid sick leave for farm workers. There are times on a farm when
8 everybody's presence is critical to a farm operation. Food safety is not jeopardized when
9 a worker can move to a job where there is no direct food handling. Mandating farm
10 operators to pay someone's sick time wages and their replacement wages, places an
11 undue hardship on the farm owner. We oppose the requirement to track, record and
12 report hours of unpaid sick time that have been accrued and used. The allowance of
13 unpaid sick time was provided to lessen the burden on employers but requiring onerous
14 tracking and adherence to all provisions of the paid sick time law, puts an unfair burden
15 on farmers and ranchers.

16
17 **Mandatory Predictable Scheduling** **11.025**

18 We oppose mandating predictable schedules. Weather, livestock, and crop maturity are
19 uncontrollable, and perishable crops must be picked in a timely manner. Farmers need
20 a reliable and available workforce during the harvest period and require "all hands-on
21 deck." Mandating predictable schedules does not recognize the unique needs of
22 agriculture and burdens the farm owner. Agriculture should be exempt from any
23 statewide or local policy that mandates predictable schedules.

24
25 **Mandatory Flexible Schedules** **11.026**

26 We oppose mandating flexible scheduling. Requirements for crop and livestock work vary
27 daily with weather conditions, life cycles, and markets. Thus, farmers have a "bona fide"
28 business reason for not providing every employee with a flexible schedule at their
29 request. Agriculture should be exempt from any statewide or local policy mandating
30 flexible schedules.

31
32 **Labor Poster** **11.030**

33 We request state agencies to coordinate and consolidate, into one poster size sheet,
34 all of the posters that employers are required to display.

35
36 **Head Start Services** **11.040**

37 We support expansion of the Migrant Head Start programs to include families of
38 seasonal agricultural workers who do not currently receive Migrant Head Start
39 Services solely because of their failure to meet migrant eligibility requirements.

40
41 **Farm Labor Housing** **11.050**

42 We favor continuing the property tax exemption for nonprofit corporate seasonal farm
43 labor housing. We favor clear, concise regulations and reporting standards, not subject
44 to interpretation. Inspections and enforcement must be totally consistent with the clear
45 language of the regulations. H2A housing, other guest worker housing and farm labor

1 housing should have the same regulations and be approved and inspected by only one
2 state agency. It must also be recognized by regulatory agencies that farm labor housing
3 often meets all legal requirements at the beginning of the season, but wear and tear
4 may take it out of compliance from one day to another. If possible, state farm labor
5 housing health, sanitation standards and other housing regulations should not be more
6 complex, costly or arduous than federal farm worker housing standards. If state
7 regulations exceed federal farm labor housing standards, then they should be
8 reasonable and necessary to protect the health and safety of farm workers and should
9 not be more complex, costly, or arduous than generally accepted housing standards of
10 rental housing in the area. It is our position that permanent employee housing and
11 migrant and seasonal farm worker housing on the farm is not part of the workplace and
12 thus should not be subject to regulation by the Oregon State Employment Act or Oregon
13 OSHA. Ag Labor Housing should be defined to include only housing that is occupied by
14 migrant seasonal workers and never include housing provided to the permanent farm
15 workforce. All temporary seasonal farm labor housing should be classified as
16 agricultural buildings, not dwellings, for the purposes of construction or occupational
17 permits. State and County Building Codes should make provision for reasonable
18 standards for temporary seasonal migrant labor housing. Items such as insulation for
19 summer housing and handicap provisions should not be required. Enforcement
20 activities and construction controls of farm labor camps should be coordinated through
21 one agency. The agency should also have the responsibility for educational programs
22 and technical assistance. These programs should be implemented before any fines and
23 penalties are levied. So long as the state inspects and approves electrical and plumbing
24 installations in order that they meet code in farm labor housing, Oregon law should be
25 amended to delete the requirement that licensed electricians and plumbers must be
26 used during the construction or rehabilitation of farm labor housing. If compliance with
27 farm labor housing laws is expected by agencies, changes should be kept to a minimum
28 and at the most be approved only once per year by January. All regulations by all state
29 agencies relating to farm labor housing should be published in one manual and
30 released to farms in January of each year. Any changes considered by state agencies
31 should have a complete financial impact analysis after obtaining information from
32 affected farms. We support nonprofit corporate seasonal farm labor housing and
33 community-based housing following all regulations, enforcement, and reporting
34 requirements as employer-provided housing.

35

36 **Policy No. 11.080, Farm Labor Recruitment, was deleted in 2008 Seasonal**

37

38 **Labor Force**

11.100

39 We support an adequate supply of authorized temporary seasonal agricultural
40 workers. We favor a temporary seasonal worker program that:

- 41 1. Ensures the availability of authorized temporary seasonal agricultural workers;
- 42 2. Respects self-determination on the part of the worker; and
- 43 3. Has an advisory commission with representation from the employment sector of
44 Northwest agricultural community;

1 4. Develops and implements guest worker programs that provide a streamlined
2 easy access of foreign workers which allows for a special status to come and go
3 but not stay, where the H2A program isn't viable. (Referred to AFBF, 2011), (

4 5. We may accept visa caps as long as they do not restrict farmers and ranchers
5 from using the visa program and getting their labor needs met. (Refer to AFBF)

6 It is our position that the State of Oregon Employment Department (state workforce
7 agency) and other state agencies should assist and not inhibit Oregon agriculture efforts
8 to hire and employ legal guest workers. Housing inspection for guest worker programs
9 should only be administered through one state agency.

10
11 **I-9 Verification**

11.120

12 The Employment Department should complete the I-9 verification process for all
13 agricultural employees, including special agricultural workers and replacement
14 workers, before referring them to a job.

15
16 **Illegal Immigration**

11.150

17 Agriculture should not be required to be an enforcement arm of immigration policy.

18
19 **Workers' Compensation Insurance 11.200**

20 We support remedial legislation and administrative changes that will reduce the cost of
21 workers compensation insurance. We support voluntary safety programs to reduce
22 accidents. We request that information being used to establish Workers'
23 Compensation rates for the State Accident Insurance Fund be made available to the
24 public. Employees should be responsible for fifty percent of the premium for their
25 coverage under workers' compensation insurance. The appropriate amount should be
26 deducted from each paycheck and transmitted in the same manner as money withheld
27 for Oregon income tax.

28
29 We request that standards developed under the Oregon Safe Employment Act be
30 reasonable and practical. Employers should exercise their rights to participate in
31 establishing or modifying these standards. The state standards should be modified to
32 include exemptions or changes made in the federal act or standards. An employee who
33 refuses to follow his employer's instructions with respect to compliance with safety
34 standards, and who thus jeopardizes himself or his fellow employees, should be subject
35 to citation. In such cases, any penalty that might be imposed on the employer should be
36 assessed against the negligent employee. Workers' compensation risk should be based
37 on the number of hours worked in each work classification, not the amount of wage in
38 each work classification. Therefore, Workers' Compensation premiums should be
39 computed on a per-hour basis, much the same as the Workers' Benefit Fund. The
40 formula for determining the workers' compensation benefits of injured workers should
41 reflect the historical wage level of the worker and the fact that most agricultural
42 employees do not work 12 months a year. Workers should have a maximum 48-hour
43 time limit for reporting an on-the-job injury accident to the employer. To help eliminate
44 fraudulent claims, we recommend that injuries claimed later than 30 days after
45 employment termination be confirmed by at least two or more physicians. Workers on
46 permanent total disability should be transferred to state and federal disability programs

1 rather than being paid by workers' compensation. An injured employee, after a doctor's
2 work-release, should not be required to return to the same employer and the exact
3 same job in order for wage loss compensation to be discontinued. We support ongoing
4 education programs provided by workers' compensation service providers to minimize
5 industrial accidents. We oppose a state monopoly in compensation insurance (state and
6 self-insured coverage only).

7
8 **Workers' Compensation Rates** **11.220**

9 The Workers' Compensation Classification Guide for reporting wages should be changed
10 to more accurately reflect the risk, and to provide that the same premium rate is applied
11 to the reported activity regardless of the end use of the commodity being produced.

12
13 **OR-OSHA** **11.250**

14 We support state and federal exemptions from regular occupational safety and health
15 inspections of farming operations employing 10 or fewer employees, unless ag labor
16 housing is maintained by such an operation.

17 We support the mandatory inspection of farming operations only in the event of a:

- 18 1. Serious and disabling accident;
- 19 2. Fatality; and/or
- 20 3. Valid complaint signed and revealed to the operator.

21 This inspection should be conducted only in the accident or complaint area of the farm. If
22 an OR-OSHA inspector finds a safety violation on a piece of equipment that is being
23 operated as it was delivered from the factory, the employer should not be subject to a
24 fine for the violation but should be required to fix the violation. OR-OSHA should also be
25 required to notify the equipment manufacturer of the safety violation. The equipment
26 manufacturer and OR-OSHA should work together to best solve the safety violation on
27 the manufacturer's equipment. Employers should then be notified of the potential safety
28 violation and how to correct the problem. When OR-OSHA undertakes rulemaking or
29 enacts requirements that will impact employers or increase the cost of doing business,
30 OR-OSHA must engage farm employers in development of the rulemaking, and ensure
31 that OR-OSHA's requirements are both necessary to protect employees and the most
32 cost-efficient method of achieving the objective. We support ensuring that requirements
33 related to working in heat recognize the climatic conditions employees are accustomed
34 to working in and do not go beyond what is necessary to avoid heat exhaustion and
35 heatstroke. Requirements related to protection from smoke or poor air quality should
36 provide employees with the option of wearing respirators or other protection if they
37 would like but not require their use. Any regulations enacted in response to a public
38 health emergency should be temporary and be the minimum needed to protect worker
39 health, and enforcement should not be the obligation of the employer. These regulations
40 should not be allowed to extend beyond the public health emergency. We oppose
41 mandatory vaccine or COVID-19 testing requirements as a condition of employment. If
42 such requirements are imposed by the government, the employer should not be
43 required to enforce the mandate and should not have liability for any side effects of
44 vaccines or testing. We support access to vaccines and testing at the employee's
45 choice without cost to the employer.

1 **Hazard Communication Rules Applied to Employers 11.275**

2 Application of hazard communication rules to agriculture must be limited to
3 permanent employees and seasonal employees involved in pesticide application.
4 Individual written programs detailing how an employer is going to comply with
5 the law must not be required of agricultural employers for employees who are not
6 exposed to pesticides.

7
8 **Reentry Standards for Pesticide Application 11.290**

9 We support using the EPA registered label recommendation, as the legal reentry
10 standard for farm workers. Enforcement of the standard should be uniform and
11 coordinated by one agency.

12
13 **Unemployment Insurance 11.300**

14 The salaries of family held agriculture corporation’s corporate officers and their family
15 members should be exempt from unemployment tax assessments. We recommend
16 the farm gross quarterly threshold for the payroll tax limit be raised from \$20,000.00 to
17 \$80,000.00 immediately and be indexed for inflation and for minimum wage.

18
19 **Unemployment Benefits 11.320**

20 Unemployment benefits should only be for workers who are unemployed
21 through no fault of the worker.

22
23 **Seasonal Unemployment Compensation 11.340**

24 We oppose the unemployment compensation program for seasonal agricultural
25 workers, H2A visa guest workers, and any notification requirements regarding
26 program coverage. We support efforts to restrict benefits to those who have no
27 employment or assurance of returning to employment after a lay off and to require
28 recipients to work in any available position. We support efforts to strengthen incentives
29 for recipients to seek employment and reduce fraud in the program.

30
31 **Contractor Liability 11.400**

32 We seek legislation providing that when the terms of a contract delegates
33 responsibilities to a labor contractor for providing all or any part of the required field
34 sanitation facilities for workers including any responsibilities regarding hazard
35 communication rules, I 9 forms and housing facilities, the licensed labor contractor,
36 not the producer, should be held liable under the law for any penalty or lawsuit
37 resulting from noncompliance. When a producer contracts with a licensed labor
38 contractor for seasonal employment, the licensed labor contractor should be held solely
39 liable under the law for any penalty or lawsuit resulting from noncompliance with state
40 wage and hour law and state sick time law. If a joint employment relationship exists, we
41 seek clarification that licensed labor contractors are required to share wage and hour
42 and paid sick time records at the request of the secondary employer. We support
43 legislation exempting from state regulation associations and co-ops who act as farm
44 labor contractors to recruit a workforce for themselves or their members entirely through
45 federally regulated guest worker programs.

46

1 **Farm Labor Contractor Bonding** **11.425**
2 We support a maximum bond of \$10,000 for labor contractors employing 20 or
3 fewer workers and a bond not to exceed \$30,000 for labor contractors without experience
4 hiring more than 20 workers, and a bond not to exceed \$20,000 for labor contractors
5 with five years of good performance, if hiring more than 20 workers. An individual who
6 co-signs for the bond of a labor contractor should not be held to be a joint employer
7 because of the co-sign.
8

9 **Harvest Picketing** **11.500**
10 We recommend that legislation be maintained which limits an employee of a crop
11 owner from picketing during the harvest of a perishable crop.
12

13 **Policy No. 11.520, Cannery Strikes, was deleted in 2003.**
14

15 **Secondary Boycott** **11.530**
16 We oppose the use of secondary boycotts. Every means possible should be used to
17 stop an illegal secondary boycott including criminal penalties, fines and/or
18 imprisonment.
19

20 **Collective Bargaining** **11.550**
21 We support collective bargaining legislation that would establish guidelines to
22 protect workers and employers from unfair labor practices during union organizing and
23 bargaining efforts. We support secret ballot elections as the means to determine
24 whether employees want to be represented by a union. We oppose card check and
25 other similar policies. We oppose any labor organizing activities that increase the cost of
26 labor above the ability of the operation to pay. We support the right of employers to
27 communicate freely with employees, without coercion or threats, what the effect of
28 unionization would be in the workplace.
29

30 **Minimum Wage Indexing** **11.580**
31 “While we oppose a minimum wage, we support legislative action that would mitigate the
32 financial effects for agriculture employers of the annual indexing of the state minimum
33 wage. We believe that minimum wage increases based on Consumer Price Index (CPI)
34 growth should also be subject to minimum wage decreases during periods of negative
35 CPI downturns. If Oregon’s minimum wage index is not adjusted downward during
36 periods of negative CPI growth, any subsequent increase in the minimum wage
37 calculation should not include growth in CPI that is only recovery from a prior rate. In
38 years following negative CPI growth, for purposes of calculating the minimum wage,
39 only CPI growth above the preceding highest rate should be included in the calculation.
40

41 **Minimum Wage Increase** **11.590**
42 While we do not support a minimum wage, if there is one it should be no greater than the
43 federal minimum wage.
44

45 **Minimum Wage Averaging** **11.600**
46 We support the principle that earnings from farm work should be determined by thw

1 productivity of the worker and not based on a minimum wage. We support the concept of
2 piecework which offers wholesome summer employment in the fields for so many of
3 Oregon's youth and which is responsible for many of the jobs in Oregon's processing
4 plants. We favor legislation to provide that, where workers are employed on a piece-rate
5 basis, the employer should consider to comply if the crew's average meets or exceeds
6 the minimum hourly wage required to be paid.

7
8 **Farm Worker Meal and Rest Periods** **11.605**

9 We support allowing agricultural workers to choose if and when they want to take a rest
10 period or a meal period.

11
12 **Wage Penalty Claims** **11.610**

13 We support legislation that would eliminate wage penalties that allow employees to
14 benefit financially from failing to report an underpayment to their employer. However,
15 we realize that there must be an adequate penalty for those employers who willfully
16 underpay employees.

17
18 **Prevailing Wage Rate** **11.625**

19 We oppose the Davis Bacon Act and any other law that would establish a "prevailing
20 wage rate" for labor including adverse effect wage rate in the agricultural work force.
21 If the Adverse Effect wage rate is in effect, we support freezing the Adverse Effect
22 wage rate until a more reasonable formula may be developed. We support proposals
23 that restrict further runaway required wage rates in an effort to move them closer to
24 state and federal minimum wage rates.

25
26 **Health Insurance** **11.630**

27 We oppose proposals that require employers to provide mandatory health insurance
28 coverage for employees. We oppose mandated universal health care. If Oregon were to
29 implement Universal Health Care, it should not be paid through increased taxes on
30 employers. We support health savings accounts.

31
32 **Christmas Trees** **11.650**

33 The growing, tending and cutting of Christmas trees should be defined as an agricultural
34 activity under the Fair Labor Standards Act.

35
36 **Overtime** **11.675**

37 We oppose agriculture being subject to overtime laws. We support peak season
38 exemptions or quarterly averaging that recognizes the seasonal nature of labor
39 needs for perishable crops, nursery stock, and other seasonal commodities; the needs
40 of the livestock and dairy industry; the approaches taken by other states to limit impacts
41 to agriculture; and maintain labor opportunities for agricultural employees. Any mitigation
42 measures adopted by the legislature should not differentiate based on size of operation
43 or number of employees. We support including the nursery industry in the definition of
44 agriculture for purposes of labor laws and overtime. (07) (Refer to AFBF)

1 **Right-to-Work** **11.700**
2 No person should be deprived of his right-to-work because of membership or
3 lack of membership in any organization. We support Section 14(b) of the Taft Hartley
4 Act. We support right to work legislation that would eliminate closed union shops. (02)
5
6 **Farmer's Right to Manage** **11.725**
7 We support the farmer's right to produce, harvest, process and distribute their
8 commodity in the manner most economically advantageous to their particular operation.
9
10 **At-Will Employment** **11.730**
11 It should be the policy of the State of Oregon to provide for the right of an agricultural
12 employer to both hire and discharge employees as it suits the overall needs of the farm
13 operation. An at-will employment policy should recognize the right of an employee to
14 discuss working conditions without fear of reprisal.
15
16 **Political Contributions** **11.740**
17 We support legislation to prohibit any employer or union from exacting any dues,
18 contributions or services of any kind from employees for contribution to political
19 candidates.
20
21 **Youth Employment** **11.800**
22 There is a social need to develop a sense of economic responsibility among youth. It is
23 equally important that youth have a beneficial means of utilizing their time. We support
24 provisions which maintain and increase young people's opportunities for employment.
25 Such employment opportunities, however, should be in productive enterprises and not
26 "make work" relief schemes. We support labor legislation which would set a special
27 lower minimum wage for employees under the age of 18. We support repealing the
28 federal labor laws which restrict the opportunity for our nation's youth to be employed in
29 agricultural related work.
30
31 **Legal Aid Services** **11.820**
32 When Legal Aid Services brings a suit, the cost of the defendant's legal and court
33 costs should be paid by Legal Aid Services if the defendant is cleared of a majority of the
34 charges.
35
36 **U.S. DOL Due Process for Investigations** **11.900**
37 We support increased transparency of the investigation practices by the U.S.
38 Department of Labor (DOL). When DOL notifies a grower of apparent wage and hour
39 violations, the department must inform the grower that its requests are strictly voluntary,
40 must accurately represent its legal authority and the rights of the grower, and must
41 provide to the grower all information it relied on to determine the alleged violations. DOL
42 should cite the grower only for violations that investigators actually observed, not ones
43 based on the department's belief or conjecture. DOL should seek hot goods orders only
44 when a grower has demonstrated repeated and willful violations and lack of cooperation
45 with DOL. In such cases, the federal government must not contact the grower's
46 customers unless the department has already secured the necessary court orders.

1 **Roadside Vendors**

11.920

- 2 We support that roadside vendors must comply with permitting, health and safety,
3 employment, and zoning regulations.

1 **XII. ENERGY**

2 **Fuel and Energy** **12.300**

3 Production, harvesting, processing, and distribution of food should be granted primary
4 priorities for use of fuel and power. Research should be accelerated for the
5 development and conservation of all available sources of energy. We support a
6 renewable, economically viable energy policy. Fuel standards need to be economically
7 feasible to agriculture and timber. Due to the changes of types of fuels and fuel products
8 that are available we do not support mandatory regulations and/or standards for use for
9 equipment, vehicles, storage tanks, etc. that were built prior to the enactment of the new
10 regulations or standards. Due to the effects of bio- fuels on existing equipment and
11 storage tanks, the natural resource industry shall be provided an exemption to be able
12 to purchase fuels that are not harmful to the equipment, including biofuels. We support
13 the repeal of the state's biofuel mandate requirement.

14
15 **Green Power** **12.305**

16 We define green power as any source of power that uses renewable and safe energy
17 sources such as hydropower facilities, wave or tidal energies, solar, biofuels,
18 geothermal and wind. The use of green power must be beneficial to the local area,
19 highly efficient, and be environmentally safe. Green power generation must be
20 considered on a regional basis with weighted emphasis on local stakeholder input and
21 economically feasible. We oppose the taxing of energy that is used on the farm or
22 business that has produced it. We support nuclear being considered green power in
23 Oregon.

24
25 **Electrical Costs** **12.310**

26 We believe that electric utilities should review and revise pump irrigation rates so
27 as to enable the agriculture industry to raise the necessary food and fiber, which
28 benefits all society. Low cost uninterruptible power should be made available for
29 irrigation pumping.

30
31 **Electrical Power Generation** **12.315**

32 We support establishing a "Net Metering" system. Such a system should provide
33 that when a producer creates electricity on site, the producer should only be
34 charged for the power used from the electric company. If enough power is produced
35 that the meter runs backwards, the electric company should pay the producer for the
36 excess power at the same rate that the power company charges for electricity, less the
37 delivery cost. We also support "Remote Metering," which would allow an individual or
38 entities to produce power at a remote site to use on the farm or ranch if owned by
39 another person. The cost of the power to the user should be the same rate that the
40 power company charges for electricity, less the delivery cost. A third party similar to the
41 Public Utility Commission should be established to set the fees that a power company
42 could charge for line fees for net metering and remote metering. We also support
43 aggregate metering, which would allow an individual or entities to produce power
44 without being limited to meter location. We believe power companies should be required
45 to allow net metering of multiple meters owned by the same customer rather than strictly
46 per meter.

1 **Electric Utility Deregulation** **12.320**
2 Prior to changing Oregon laws, we urge the legislature to study the consequences of
3 deregulating the retail electricity industry.

4
5 **Policy No. 12.330, Power Development, was deleted in 2004**

6
7 **Rights of Power Generation** **12.350**
8 We support eliminating local ordinances or state law that prohibits the construction and
9 use of power generating facilities using water flowing through or along a person's
10 property.

11
12 **Liquefied Natural Gas (LNG)** **12.360**
13 While we recognize the value of liquefied natural gas to our industry, we are opposed
14 to the placement of pipelines and terminals that will negatively impact agriculture
15 producers and their management practices in Oregon.

16
17 **Policy No. 12.360, Life Line Rates, was deleted in 2004**
18 **Policy No. 12.370, Telephone Solicitation, was deleted in 2004**
19 **Policy No. 12.380, Limited Telephone Access, was deleted in 2007**

20
21 **Bulk Purchase of Fuel for Agricultural Buyers 12.40**
22 We support the creation of a law to allow the bulk purchase of fuel to be resold to no
23 more than five additional agricultural buyers for economic benefit.

24
25 **Testing of Motor Fuel** **12.410**
26 We support the state testing of motor fuel at the final point of sale for accurate quantity,
27 quality and contamination.

28
29 **Solar Buy Back** **12.420**
30 We oppose the ability of power companies voiding unused taking of energy credits on
31 an annual basis. Energy credits should stay with the entity that generated them until
32 used or bought back by the power company. Energy credits must be used or purchased
33 by the power company no later than 3 years after issuance. Credits used will be first
34 credited, first used.

35
36 **Enhanced Safety Settings Power Shutoffs** **12.430**
37 We support legislation to authorize counties to institute an agriculture advisory group to
38 develop an enhanced safety plan to work with the power companies for that region. We
39 support action to get the legislature to consider a system of payment for the damages
40 that these “enhanced safety settings” power shutoffs are causing and a minimum of a
41 48-hour notice to the power recipient for a scheduled power shutoff and a 6-hour
42 emergency shutoff notice to allow irrigators to turn off their pumps and not allow the
43 power companies to charge a demand fee when the power company has used an
44 enhanced safety setting that has disrupted the power supply for irrigation infrastructure.
45 This is not the same as a power shutoff in a dire emergency.

1 **XIII. PUBLIC AFFAIRS**

2 **Agriculture Policy for Oregon 13.005**

3 An agricultural policy for the State of Oregon needs to be adopted that would:

- 4 1. Acknowledge the importance of agriculture to the state's economy and to the
5 wellbeing of all its residents;
- 6 2. Promote agriculture in positive actions that result in a vibrant and healthy
7 agriculture in Oregon; and
- 8 3. Provide that any and all proposed rules and regulations or legislation
9 affecting agriculture should enhance the importance of and the operation of
10 agricultural enterprises in Oregon.

11

12 **Policy No. 12.010, Voice of Agriculture, was deleted in 2005.**

13

14 **Communication with other Organizations 13.015**

15 We encourage greater communication and cooperation with other agricultural and
16 natural resource organizations at the national, state and county levels.

17

18 **Action by Farmers 13.020**

19 Farmers and agricultural organizations must become more aggressive and involved in
20 community, state, and national affairs.

21

22 **Freedom to Farm 13.030**

23 Increasing demand for agricultural lands and increasing concerns about agricultural
24 practices have created severe restrictions on the freedom of farmers. It is important,
25 therefore, that farmers take an active role in securing reasonable laws and regulations,
26 in areas such as:

- 27 1. Land use;
- 28 2. Agricultural chemicals;
- 29 3. Food processing;
- 30 4. Packaging;
- 31 5. Marketing;
- 32 6. Noise, dust, air pollution;
- 33 7. Water use; and biotechnology.

34 Farmers should retain the right to use accepted agricultural practices. We oppose any
35 legislation or regulations that restrict or mandate farm practices. Accepted farming
36 practices should be exempt from state laws and regulations, local ordinances and suits
37 related to dust, odor, noise, etc. and other conditions not appreciated by the public. The
38 right to farm laws should be strengthened to require that a plaintiff has the burden of
39 proving that the farming practice endangers public health or safety. Unsuccessful
40 plaintiffs should be responsible for the attorney's fees, court costs and compensation for
41 other expenses of the defendant.

42

43 **Beginning Farmer Assistance 13.040**

44 We oppose the concept of the state acquiring farmland in a beginning farmer program.
45 The State of Oregon should encourage retiring farmers through tax incentives to rent or
46

1 sell their land to beginning farmers. Farm Credit Services should be encouraged to
2 work with beginning farmers.

3
4 **Encouragement of New Industry 13.050**

5 We propose that the state encourage new industries to locate in Oregon which have
6 the ability to use the abundance of raw agricultural products that are produced here.

7
8 **State Wildfire Hazard Map 13.060**

9 We oppose the use of the state wildfire hazard map to impost regulations on rural
10 property owners. The wildfire hazard map should only be used as a tool to help state
11 and local governments allocate resources to better protect Oregon families and
12 businesses.

13
14 **Policy No. 12.060, Exposition Center, was deleted in 2005**

15
16 **Policy No. 12.100, Citizenship, was deleted in 2008**

17
18 **Jury Duty 13.110**

19 We support adequate juror compensation that would enable all adults to participate in
20 this very important service to their fellow citizens. Key personnel should have the option
21 to dy jury duty until the next available session.

22
23 **Publications of Government Proceedings 13.115**

24 We favor maintenance of the statutes which require county courts and boards of county
25 commissioners to publish monthly proceedings and expenditures.

26
27 **Government Surplus Properties 13.117**

28 We propose altering the existing practice of disposal of federal real property that has
29 been declared surplus to federal needs. There should be no hierarchy providing
30 preference to any entity when disposing of excess or surplus federal real property.

31
32 **Policy No. 12.120, Federal State and County Projects, was deleted in 2005**

33
34 **Qualifications for Public Office 13.125**

35 We believe the voters should decide whether or not a candidate is qualified for
36 public office. We oppose the establishment of any new qualifications not already
37 prescribed by law. Any salary increases for an elected official should not become
38 effective until after the next general election. Elected officials should receive the same
39 retirement and health benefits that the general population is eligible for.

40
41 **Policy No. 12.127, Judicial Elections was deleted in 2005**

42
43 **Voters Pamphlet Information 13.126**

44 The state should develop a system that enables persons to submit voter pamphlet
45 information at each county clerk's office or online instead of in Salem at the Secretary of
46 State's Office.

1 **Number of Bills Introduced by Legislators 13.127**

2 Oregon legislators should be limited to introducing five bills during the one hundred sixty-
3 day legislative session and two bills during the thirty-five day legislative session.

4
5 **Oregon Constitution 13.130**

6 Article II, Section 16 of the Oregon Constitution should be amended to require a majority
7 vote for the election of all public officials.

8
9 **Redistricting 13.131**

10 We oppose gerrymandering in the current and future redistricting processes in
11 Oregon. We support Oregon creating an independent redistricting commission that is
12 not appointed by the legislature or the governor.

13
14 **Initiative Process 13.135**

15 We support the initiative and referendum process that has been part of the Oregon
16 Constitution since the turn of the century. We are concerned that this historic citizen
17 check and balance of state government in recent times is being misused. The initiative
18 and referendum process should require:

- 19 1. The prohibition of signature gatherers being paid for each signature
20 obtained;
- 21 2. That qualifying signatures be required to be gathered equally from each
22 congressional district or similar regions of the state; and
- 23 3. Constitutional amendments not referred to by the voters by the legislature should
24 require a 2/3 majority vote of the voters for adoption.

25
26 **Oregon Public Employees in Legislature 13.140**

27 We support action to repeal Section 8 of Article XV of the Oregon Constitution which
28 allows public employees to serve in the legislature. Because it is the responsibility of
29 government agencies to implement public policy, not to formulate public policy, no state
30 or federal agency should publicly take sides on any issue or policy concerning the
31 general public. We oppose any effort of any government agency in attempting to
32 formulate farm thinking for presentation in support of any legislative farm programs.

33
34 **Public Employee Strikes 13.141**

35 We are opposed to strikes by public employees. We recommend that all public
36 employee contracts contain a no-strike clause or where union contracts do not exist;
37 the public employees should sign an agreement waiving a strike action as a condition of
38 employment. When binding arbitration is imposed, both parties should submit their final
39 offer to a three-member arbitration board which would accept one final offer from the
40 disputing parties. More attention needs to be given to providing efficient delivery of
41 government services including education. Productivity and performance need to be
42 considerations for salary increases.

43
44 **Voter Registration 13.150**

45 We support the state election laws which require voters to be registered at least
46 thirty days prior to election.

1 **Volunteer Fire Fighters** **13.442**
2 Oregon should adopt training standards appropriate to the needs of rural fire districts and
3 their volunteers.
4

5 **Confidential Financial Records** **13.500**
6 Any information exchanged between borrowers and lenders should be considered
7 confidential and privileged. The release of any information should occur only upon the
8 mutual agreement of both parties. We support legislation to make the unauthorized
9 release of confidential and privileged information between borrowers and lenders
10 criminal offenses. We oppose any government entity requesting private financial or tax
11 records to prove compliance with existing laws.
12

13 **Personal Property Rights** **13.504**
14 Before the State of Oregon adopts laws, rules, and/or regulations, agencies should
15 first take into account the economic and non-economic impact they would have on
16 private property rights. We urge legislation protecting the private property interests of
17 farmers and ranchers, for their livestock, including those who choose to raise
18 nontraditional species.
19

20 **Trespassing** **13.505**
21 We recognize that the vast majority of citizens are responsible people who recognize and
22 respect rights of others and the need for protection of their property. We urge
23 cooperation with organizations of sportsmen and other interested citizens who wish to
24 gain understanding of the trespass problems. Heavy penalties for acts of vandalism are
25 encouraged. Violation of the hunting with permission statute in the game laws should be
26 subject to the penalty for trespassing in the criminal code. A landowner is subject to loss
27 of time and considerable cost when a suit or injury is initiated by a trespasser. We
28 support legislation to require the plaintiff to pay legal and other costs incurred by the
29 landowner. We support legislation relieving property owners of liability for injury or death
30 sustained by a trespasser regardless of age. We recognize the need for property
31 owners to have a cost efficient and long-lasting way to post property for no trespassing.
32 We support the statewide use of painting the tops of fence posts as a legal means of
33 posting ones' property for "No Trespassing."
34

35 **Drone Technology** **13.506**
36 We embrace drone technology for production agriculture. We support laws that protect
37 private property owners from the trespass of drones.
38

39 **Right to Farm** **13.508**
40 Accepted farming practices utilized in the production of food and fiber should be
41 protected by "Right to Farm" provisions in the Oregon statutes. (See also policy 3.030)
42

43 **Nuisances** **13.510**
44 Persons or jurisdictions initiating an unsuccessful nuisance suit should be liable for the
45 loss of any economic value of pre-existing business and facilities of the defendant.
46

1 **Liability at County or State Fair** **13.538**

2 We support the state providing immunity to state and county government, county
3 fair boards, the state fair board, the livestock/poultry owners from liability in contract or
4 tort for any personal injury, death, or property damage resulting from the display or
5 exhibition of livestock or poultry at the county or state fair provided that the
6 immune parties exercised reasonable care in exhibiting animals.

7
8 **Policy No. 12.540, Enforcement-Rules and Regulations, was deleted in 2005**

9
10 **Truth in Real Estate Sales** **13.550**

11 We support the concept that all mineral, water and timber rights, easements, zoning
12 constraints and deed restrictions be included in a land sale contract.

13
14 **Takings of Property** **13.560**

15 We believe that any action by government that restricts or diminishes an
16 owner/operators right to conduct farming or forest practices on the property constitutes
17 a taking of property. Therefore, government should provide due process and
18 compensation to the exact degree that an owner/operators right to use the property has
19 been diminished by government action. All claims for loss of value should be filed within
20 two years on new actions. Partial takings of property should be prohibited unless
21 compensation is made for reduction in the value of the total property.

22
23 We are opposed to removing the applicability of land use laws as an alternative to
24 financial compensation for loss of property value due to any action by the government.

25
26 Further, government should acquire property or easements through negotiated mutual
27 agreement. The loss of undeveloped property value should be calculated by
28 comparing the value of the property one year before the zoning law was enacted
29 compared to the value one year after the new zoning law was put into effect and the lost
30 value should be indexed for inflation.

31
32 **Compensation** **13.570**

33 When a governmental action results in an economic decrease to the owner because it
34 restricts or adversely affects a farming or forest practice and upon providing proof of the
35 economic decrease, the owner shall be compensated by the public entity both for the
36 amount of the economic decrease and the cost of professional assistance paid by the
37 owner to establish the economic decrease including attorney fees and court costs.

38
39 **Compensation for Losses** **13.575**

40 When an action by government results in an economic loss to the agriculture
41 producer, by limiting or prohibiting the use of real and personal property, including but not
42 limited to, chemicals, water or equipment, the producer should be able to file a claim
43 and be compensated by the regulating government entity. We are opposed to any
44 government action that results in an economic loss that does not provide appropriate
45 compensation.

1 **Compensation Revenue Sources** **13.577**

2 When Measure 37 or Measure 49 claims are approved for the loss of property value the
3 appropriate method of compensation from the following list of options should be
4 employed:

- 5 1. State income tax credit for state actions;
- 6 2. County or city property tax credit for local government actions. A county
7 compensation fund should be established for future compensation claims and
8 revenue continuously appropriated from the following list of options:
 - 9 • Farm and forest use assessment tax penalties when land use is changed
10 to a non-farm or non-forest use;
 - 11 • A real estate transfer tax on Measure 37 or Measure 49 claims when the
12 land is sold.

13 Installment payments for the loss of property value should be made when the state or
14 local government entity has adequate funding.

15
16 **Condemnation** **13.580**

17 Any government or utility with condemnation authority should be prohibited from
18 exercising that authority on land zoned for farm or forest use without the approval of the
19 county governing body. If condemnation authority is exercised on land zoned for farm or
20 forest use, the land should be valued as though it were inside an urban growth
21 boundary and zoned for the intended use. Any public agency or utility that has
22 condemnation powers should be required to pay all legal costs to the private property
23 owner whose property the agency has plans to take for a public use. The agency's or
24 utility's liability should begin with the first notice to the property owner and continue until
25 the conclusion.

26
27 **Historic Preservation of the Oregon Trail** **13.585**

28 Historic preservation should not conflict with existing and/or accepted farming practices.

29
30 **Parole Eligibility** **13.600**

31 We urge that parole requirements for repeat offenders be strengthened to a degree
32 which will ensure more protection of lives and property from the depredations of habitual
33 criminals.

34
35 **Capital Punishment** **13.620**

36 We support capital punishment for specified crimes.

37
38 **Illegal Drugs** **13.625**

39 Greatly increased penalties should be imposed on those convicted of producing,
40 transporting, or selling illegal drugs or recruiting others to do the same. Bail
41 requirements should be maximized. Additional funds should be appropriated for the
42 education and treatment of our youth. A reward program for informants should be
43 instituted. We support the right of private employers and government agencies to test
44 employees for drug use. Prospective employees should be informed that drug tests will
45 be given. We support law enforcement shall be notified of the right to know that a

1 marijuana operation is legally sanctioned by a mechanism to determine if a marijuana
2 growing operation is sanctioned as a medical grow. Necessary information should be
3 subject to the public disclosure laws available seven days a week, 24 hours a day, to
4 local police agencies so they can determine if a grow operation is legal.

5
6 **Crime Prevention** **13.630**

7 We support legislation that will declare the removal or alteration of serial numbers
8 from personal property and owner identification numbers as an illegal act. We support
9 the establishment and continuation of crime prevention programs throughout the state.

10
11 **REDDI Program** **13.640**

12 We support the "Report Every Drunk Driver Immediately" (REDDI) program.

13
14 **State Board of Agriculture** **13.705**

15 We support maintaining the advisory role of the State Board of Agriculture.

16
17 **Government Agency Lobbying** **13.710**

18 We support legislation prohibiting state and local agencies financed by tax money from
19 engaging a lobbyist for hire. The agency's involvement should be limited to only
20 testimony invited by or information requested by a legislator. State agencies should be
21 limited to one representative. Their testimony should be limited to the factual effects of
22 the proposed legislation. Additionally, all lobbyists working for organizations receiving
23 taxpayer money should be clearly identified by a name tag which discloses their name
24 and organization when they are within the Capitol building. These requirements should
25 not be considered to apply in any way to elected officials of any jurisdiction of the state.

26
27 **Administrative Agencies** **13.720**

28 The legislature should not delegate legislative authority to administrative agencies, or in
29 cases of emergencies, the appropriate interim committee. At least a majority of the
30 regulatory body committee members should be present throughout the legislative
31 hearings. Administrative agencies should not be allowed to impose fines without action
32 by a court. Right of appeal by agencies should be denied after a court decision.
33 Any state agency charged with enforcing federal laws should not adopt rules more
34 restrictive than the federal rules or apply the rules in a more restrictive manner than the
35 rules are when enforced by the federal government. Statutory language should be
36 adopted which defines the purpose of each current agency and any new agency when it
37 is created. State agencies should be permitted to enact administrative rules only to the
38 extent that such rules are necessary to accomplish the purpose for which the agency
39 was formed and only to the extent that such rules do not diminish or detract from the
40 vested private property rights of citizens. All previously enacted administrative rules
41 which exceed the legislatively defined purpose of the agency should be declared null
42 and void. Any person or persons attempting to enforce rules which exceed the purpose
43 for which the agency was formed should be subject to criminal penalties for abuse of
44 authority. Any proposed rule should require legislative approval prior to implementation.

1 All government agencies or their employees, while working in their professional
2 capacity, should be held to the same standard as individuals or businesses in complying
3 with the laws of the land. Government regulatory agencies should not be allowed to levy
4 fines upon issuance of a citation for noncompliance of regulations. Civil penalties
5 collected by any regulatory agency should go into the general fund.
6

7 **Agency Liability** **13.725**

8 When an agency charges a landowner with a violation of an agency regulation, and
9 forces the landowner to stop an activity, and in an ensuing investigation and/or court
10 proceeding the land owner is found to be innocent of the charge, the agency
11 should be held responsible for reimbursing any revenue losses and legal fees suffered
12 by the landowner due to the cessation of the activity.
13

14 **Government Growth** **13.730**

15 We oppose the establishment of additional departments and divisions in state
16 government unless it can be proven that such an addition will reduce the cost of goals
17 or services to the public and the new department or division will be subject to the "Sunset
18 Law." We encourage the Oregon Legislature to find a way to update the PERS formulas
19 and eligibility without increasing fees, taxes, and licenses.
20

21 **Service Fees** **13.740**

22 We support legislation to change service fees charged by public agencies, so they
23 are commensurate with the cost of providing the service.
24

25 **Required Local Government Programs** **13.750**

26 We support legislation requiring the State of Oregon to appropriate funds for local
27 governments to finance programs required by new legislation or administrative orders.
28

29 **Funding for Enacted Legislation** **13.760**

30 No law or legislation should be passed by Congress or the State Legislature unless it
31 is also funded by that body.
32

33 **State Boards and Commissions** **13.770**

34 We request that the Governor appoint at least two farmers or ranchers to state boards or
35 commissions which have authority over land, water and other natural resources. A
36 majority of persons who are appointed to state boards and commissions should have
37 practical production experience or use of the resources that the board or commission
38 oversees. We support a uniform system for state agency (commission and director)
39 appointments. All state agency commission members not elected should be appointed
40 by the Governor in a timely manner, approved by the Senate, and should not be
41 changed by the Governor. Any director of an agency governed by a state agency
42 commission should be appointed by that state agency commission. All agency directors
43 should be governed by a state agency commission. We support that any forms needed
44 by a state agency and/or commission or board are also offered hard copy and may be
45 faxed, mailed or scanned and emailed to the appropriate agency/commission, etc.
46

1 **Publishing Legal Notices** **13.771**
2 We support continuation, by public agencies, of the existing practice of publishing legal
3 notices in newspapers.
4

5 **Limiting Legislative Sessions** **13.780**
6 We support limiting regular sessions of the legislature to a maximum 120-day session
7 every other year. The Oregon legislature should pass a budget 75 days after the
8 opening of the session. If this is not accomplished, the session should close; the
9 governor should call a special session, and only budget bills should be allowed to be
10 introduced. We support making the short biennial legislative session for funding/budgets
11 and the long biennial legislative session for policy issues. We support requiring the
12 names of the legislative sponsor(s) of bill(s) be printed on the bill(s). We oppose
13 providing free postage for voters. The voter should be responsible to put a stamp on the
14 return envelope for mailing their ballot in to the County Clerk for any election held in
15 Oregon.
16

17 **Legislative Emergency Clause** **13.785**
18 Any legislation with emergency clauses should be approved by a super majority of
19 both houses and shall not disallow a referral by the people in the form of an Initiative.
20 The Legislative Emergency Clause shall be used exclusively during Special sessions of
21 the Legislature for the purpose of balancing the budget or for responding to natural
22 disasters. Any emergency declaration or executive order by the governor should have a
23 time limit of not greater than 45 days. After 45 days an extension of the emergency
24 declaration or executive order would require approval by a super majority of both
25 houses. The extension by the legislature shall not exceed 6 months at which time of
26 continuation of the extension would again require a super majority in both houses.
27

28 **Internet Access** **13.800**
29 Access to high-speed internet should be available statewide, similar to telephone
30 service.
31

32 **Single Subjects for Congressional Legislation** **13.900**
33 Be it resolved that just like the Oregon ballot initiative, all bills must be limited to one
34 issue.
35

36 **Election Integrity** **13.905**
37 We support security protocols that ensure only one vote per legal voter. We endorse
38 voting in person with verification of eligibility.
39

40
41 **Artificial Intelligence** **13.910**
42 Artificial Intelligence (AI) tools must not be used by regulatory agencies to infer
43 violations, assign environmental scores, or dictate production practices without ground-
44 verified data and full due process protections.

45 We support:

- 46 • The use of AI in agriculture when it improves productivity, efficiency, and farm

- 1 profitability without compromising data privacy or ownership.
- 2 • All data generated on a farm, including operational, equipment, and
 - 3 environmental data, is the property of the producer and shall not be accessed or
 - 4 shared without the producer’s explicit consent.
 - 5 • We support legislation or private agreements that ensure producers have the
 - 6 right to access, review, correct, delete, and control the use of their data.

7 We oppose:

- 8 • Any requirement—by government or private entities—that the producers share
- 9 data for compliance, modeling, or marketing purposes without full transparency
- 10 and control.

11

12 **Right to Repair 13.920**

13 While technology enhances efficiency, limitations on access to diagnostic tools,
14 software, and parts can delay critical repairs and increase costs. Oregon producers
15 support these voluntary efforts but also expect practical solutions.

16

17 We support:

- 18 • The right of farmers and ranchers to repair their own equipment or use a
- 19 technician of their choosing, without being forced to rely solely on the original
- 20 equipment manufacturer.
- 21 • Ongoing MOU process with original equipment manufacturers as the preferred
- 22 solution, but if that process fails to provide timely and affordable access to repair
- 23 tools, software, and parts, we support pursuing legislative or regulatory remedies.

24 We oppose:

- 25 • Restrictions or software locks that prevent reasonable on-farm repairs or add
- 26 unnecessary costs to equipment ownership.

27

28 **Mental Health & Farm Stress 13.930**

29 We recognize the importance of mental health of agricultural producers and support
30 funding resources for mental health for agricultural producers.

1 **XIV. NATIONAL AFFAIRS**

2 **Gun Control 14.010**

3 We are strongly opposed to any additional gun and ammunition control legislation
4 and / or tax. Any entity, be it governmental or private, that restricts private citizens from
5 their Second Amendment right to self-defense, shall be held liable for the safety and
6 well-being if anyone on their premises. We recommend that swift, prompt, and adequate
7 punishment be administered to persons unlawfully using firearms. (08) (Referred to
8 AFBF, 08)

9
10 **Individual Rights 14.020**

11 Any individual should have the right to take such action as is necessary to protect
12 his life and property.

13
14 **Federal Government Responsibility 14.025**

15 We urge Congress to return to protecting the basic rights of employers and allow private
16 enterprise to use market forces to compete free of excess government regulations.
17 Trade agreements generally require that producers are neither subsidized by their
18 governments nor disadvantaged with the burden of standards not met by foreign
19 competitors, unless they are reimbursed for those costs. We oppose the removal of
20 existing subsidies until they can be replaced with reimbursements to domestic
21 producers for the costs of environmental and labor laws that imported products are not
22 subject to. All trade agreements should allow any country to reimburse its domestic
23 producers for the higher standards required by its own citizens.

24
25 **Eminent Domain 14.030**

26 We support legislation requiring the federal, state or county or any subdivision therein
27 or any utility, to pay all costs incurred by the landowner for eminent domain proceedings
28 including appeals. We believe the eminent domain law should provide compensation,
29 replacement, and relocation where necessary, taking into consideration the specific
30 needs and requirements of the damaged property. We oppose the use of eminent
31 domain for the purpose of redistribution of land. Condemnation of private land by any
32 government agency should be permitted only when the condemned land would be used
33 for public health requirements or the improvement of the entire community and remains
34 in public ownership. We believe that eminent domain should be utilized only as a last
35 resort.

36
37 **Columbia Gorge 14.040**

38 We oppose federal control of the Columbia Gorge and support continued
39 challenges to the constitutionality of the seizure of private property in the Columbia
40 Gorge.

41
42 **Antiquities Act 14.050**

43 We believe that the Antiquities Act has been implemented contrary to the original intent
44 of the legislation. We support Antiquities Act reform to require Congressional and state
45 approval of national monument designations, and to prevent the president from
46 unilaterally designating national monuments. Any reform should also require 1) that all

1 existing natural resource uses are protected in such designations, 2) that the Act should
2 only be used to protect Native American artifacts and other archaeological sites, 3) that
3 the acreage is limited to the minimum which contains the artifacts or archeological sites,
4 and 4) that the Act can only be used on contiguously owned federal land and may not
5 be used where a tract of private land will be surrounded by a designated national
6 monument. (Referred to AFBF, 2016). We support the downsizing efforts of the
7 currently designated National Monuments and be able to use the land for things such
8 as, but not limited to grazing, mining and logging timber to maintain and manage the
9 land.

10
11 **Federal Land Planning Coordination 14.051**

12 We support 1) the coordination and cooperation between BLM, Forest Service, US Fish
13 and Wildlife, National Marine Fisheries Services and other federal agencies with
14 states, counties, and other local governments in making land management plans and
15 decisions; 2) providing assistance to states, counties, and local governments in
16 coordination and cooperating agency status, 3) ensuring that the local natural resources
17 community has a strong voice in land management and that decisions are made which
18 benefit the natural resources community, and 4) ensuring that local district offices have
19 the ability to make decisions about land management and engage with local
20 communities in the development of plans. Decision making should not be top down.
21 Oregon Farm Bureau vigorously opposes any changes to existing statutes or rules that
22 reduce the ability of the BLM, Forest Service, US Fish and Wildlife, National Marine
23 Fisheries Services and other federal agencies to coordinate with states, counties, and
24 other local governments in making land management plans and decisions (Referred
25 to AFBF 2016).

26
27 **Executive Orders 14.055**

28 We support the passage of federal legislation that would limit the effective life of
29 executive orders to two full years unless ratified by Congress to extend the life of
30 the order.

31
32 **Citizen Suits 14.060**

33 We support reform of the Equal Access to Justice Act (EAJA) to prevent creation of
34 incentives to “sue and settle,” including limitations related to the value of the assets of
35 non-profit organizations who seek attorney fees under the act, a cap on the amount of
36 fees and hourly rate an entity may receive, and parity between non-profit organizations
37 and individuals under EAJA. We also support the creation of legislation that requires
38 those seeking attorneys’ fees to win each claim prior to eligibility for EAJA funds for any
39 lawsuit. We also support the creation of legislation that requires individuals or groups to
40 post a bond if their lawsuit influences producers. We support continuing to keep
41 pressure on agencies and the DOJ regarding misuse of EAJA.

42
43 **Regulatory Reform 14.100**

44 We support a regulatory reform act which would restrict regulatory agencies and
45 commissions from arbitrarily imposing rules and regulations that are contrary to and/or

1 beyond the intent of the legislation.

2

3 **Presidential Elections** **14.145**

4 We emphatically support the Electoral College for presidential elections.
5 Electors should be required to vote for the candidates on the ballots to which they were
6 committed. We are opposed to making the popular vote the only determination of
7 electing the President of the United States. We support the Electoral College system to
8 elect the President of the United States, which has been used successfully for the past
9 200+ years.

10

11 **Congressional Salaries** **14.150**

12 We oppose congressional salary raises until such time as Congress balances the
13 federal budget.

14

15 **Congressional Residences** **14.155**

16 We believe that congressional representatives should maintain their primary residence
17 in the district or state they represent.

18

19 **Senate Apportionment** **14.170**

20 We support the reversal of the Baker vs. Carr decision so that one house in each state
21 legislature can be apportioned on an area basis.

22

23 **Food Bill** **14.200**

24 We urge the words "Food Bill" to be used instead of "Farm Bill" to illustrate that the
25 majority of dollars go to food assistance programs, not producers. The Food Bill would
26 have two sections; 1. Agriculture Production Ag. And 2. Food and Nutrition Non-
27 Production Ag. (Referred to AFBF, 2011) (11)

28

29 **National Weather Service** **14.230**

30 We oppose the sale of the National Weather Service to private enterprise.

31

32 **Farm Credit** **14.300**

33 The federal government should guarantee the bonds issued by the Federal Credit
34 Administration, and if necessary, increase the limit on the volume of their issuance in
35 order to reducing the interest rate. We support the concept of debt restructuring if debt is
36 restructured only for farmers who run a viable economic operation. Debt should be
37 restructured so that farmers who qualify can pay off their debt. We support restructuring
38 short term and intermediate term debt into long term debt to give qualified borrowers
39 additional time to repay principal and reduce their annual debt and service obligation.

40

41 **Management of Lands Under Foreclosure** **14.320**

42 When a government agency forecloses on farms or ranches, it should take responsibility
43 to maintain the agricultural integrity of those lands and facilities. We believe the best
44 way to do this is to rent, lease, or sell the land to other farmers or ranchers.

45

46

1 **Farm Service Agency (FSA) Foreclosures 14.330**
2 Land foreclosed on, by FSA, should be sold to private interests without special
3 consideration for ethnic origin, age, gender or religion and should not be held by or
4 converted to government use.
5
6 **Farm Service Agency (FSA)/Natural Resource Conservation Service (NRCS)**
7 **Office Co-Location 14.340**
8 To make it easier for producers to access government farm programs, we support co-
9 locating the local NRCS offices and the local FSA offices.
10
11 **Farm Service Agency Wildfire Relief Programs 14.350**
12 Farmers and ranchers should be eligible for wildfire relief under FSA programs whether
13 the fire is naturally caused or human caused.
14
15 **State of Columbia 14.400**
16 We oppose the creation of a State of Columbia from the District of Columbia.
17
18 **Foreign Ownership 14.500**
19 Except for ownership by resident aliens, we oppose the foreign ownership of U.S.
20 lands.
21
22 **English as the Official National Language 14.550**
23 English should be the official language of the United States of America as it would be
24 helpful in commerce and civic discourse to have a common language.
25
26 **Anti-Trust 14.600**
27 We support action at the federal level to ensure that the U.S. Department of
28 Justice strongly enforces the anti-trust provisions when reviewing and acting on
29 requests by agricultural processors.
30
31 **Producer Purchase 14.610**
32 We shall work to include the same tax advantages for producer-purchased
33 companies transitioned into co-ops as are presently available for employee-purchased
34 companies.
35
36 **Trade Negotiations 14.700**
37 While we support free trade through the reduction of tariffs, Congress and the
38 Administration must at the same time vigorously work to eliminate “reverse tariffs” which
39 are systematically destroying agriculture’s and other U.S. business’ ability to compete in
40 the world market. Reverse tariffs impose costs on U.S. producers that are not equally
41 imposed on other countries. Reverse tariffs are imposed in the form of ever-increasing
42 minimum wage laws; Social Security taxes; Medicare; Unemployment Insurance;
43 Workers’ Compensation Insurance; OSHA and EPA regulations; other taxes and fees;
44 bureaucratic red tape and numerous other regulations. Through Congress and the
45 adoption of agency rules the American people have established high standards for

1 businesses and the products we produce. Those standards should not be selectively
2 imposed on just American producers and products. Any country should have the right of
3 free trade with America when they have the same production standards that we have.
4 We support placing a moratorium on any new regulation of business until the
5 responsibility of the Department of Commerce is changed to:

- 6 1. Standardizing all current government regulations;
- 7 2. Require all products imported into the U.S. to meet the same standards;
- 8 3. Determine compliance of imports with U.S. standards;
- 9 4. Determine the cost to U.S. producers of current and any proposed future
10 regulations; and either compensate producers for these costs or impose import fees
11 equal to the cost of the regulations to the American producers.

12
13 **Farm Bill Export Programs** **14.705**

14 Farm bill export programs should have a high funding priority in Farm Bills. Despite a
15 tremendous growth in export opportunities for farmers and small businesses since the
16 2002 Farm Bill, federal funding for export programs has not kept pace with farmer
17 and rancher needs nationwide. This money is critical in enhancing U.S. farmers'
18 competitiveness in foreign markets as intended by Congress.

19
20 **Trade Agreements** **14.710**

21 The AFBF and OFBF should continue to encourage an investigation into whether all
22 segments of agriculture are being treated fairly under trade agreements and to seek
23 corrective action where indicated. Until such time as the support given by participating
24 governments allow a level economic playing-field for all agricultural producers' and their
25 intellectual property rights and ensures that all patent laws are respected, and until such
26 time as the rules set down in both agreements are enforced by all cooperating
27 governments, and until such time as those violating the rules are penalized for breaking
28 those rules, the portions of the trade agreements that deal with the agriculture industry
29 should be suspended.

30
31 **Invasive Species** **14.715**

32 The land grant colleges and universities (Agricultural Research Service (ARS) &
33 Natural Resources Conservation Service (NRCS) Plant Materials Laboratory) should
34 continue to search for and develop plant material for forage production, conservation
35 and wildlife uses. Universities (ARS & ES) and federal agencies should promote the use
36 of domestically developed, imported and native plant species for forage production,
37 conservation and wildlife activities. Public agencies should be prohibited from planting
38 or allowing to grow any invasive species for landscaping or any other purposes.

39 The best plant species available, native or non-native should be used for forage
40 production, conservation or wildlife purposes. Further NRCS should continue support
41 and allow the use of domestically developed and/or imported plant species in their cost
42 share programs. Government units that own public rights-of-way land should undertake
43 proactive control programs to destroy and prevent the spread of those plants that are
44 classified as invasive species onto adjacent farm, ranch, or forest lands.

1 **Farm Bill Specialty Crop Allocation 14.940**

2 We support collaborating with USDA on how funding can be better spread among
3 numerous entities and an appeal process by which an entity can navigate in cases of
4 one-sided grants being awarded. (Referred to AFBF, 2016)

5
6 **Fresh Fruit and Vegetable Program 14.950**

7 We support incorporating all types of fruits and vegetables (fresh, frozen, canned and
8 dried) into the Fresh Fruit and Vegetable Program (FFVP) providing an affordable
9 option for increasing the variety available year-round for low-income school children and
10 more market opportunity for producers. (Referred to AFBF, 2016)

11
12 **Farm Bill Specialty Crop Dollars and FSMA 14.960**

13 We oppose the use of Specialty Crop Block Grant Fund (SCBGF) to be used for Food
14 Safety Modernization Act (FSMA) implementation. This congressional mandate must be
15 funded through the Health and Human Services (HHS) Federal Drug Administration
16 budget. (Referred to AFBF, 2016) (16)

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