

# KLA is your right-hand man

## KLA PROVIDES MANY VALUABLE SERVICES TO ITS MEMBERS, INCLUDING BEING A RESOURCE WHEN PROBLEMS ARISE.

The KLA mission is to “advance members’ common business interests and enhance their ability to meet consumer demand.” KLA staff strive to accomplish this mission on a daily basis by providing personal service to members, part of which includes troubleshooting. Whether it’s sales tax questions, employment issues, legal matters, dealings with a government agency or industry issues on which members want to take a stand, KLA can provide invaluable information and resources.

A few recent examples of how KLA has helped members appear below. While some of these situations involve a problem that affects only one person, others have broader application. Members faced with a problem related to the livestock business should make KLA their first call!

**A** member called about a landlord restricting access to a pasture that was being leased by the member. KLA staff explained that interfering with possessory rights by restricting access to the pasture would be a violation of the implied covenant of quiet enjoyment. Therefore, the landlord could not do so without the member’s permission.



**F**ollowing concerns raised during KLA roundtables last fall, members approved policy at the 2017 KLA Convention to protect nomenclature associated with beef products and support efforts to properly enforce rules around dairy product terminology. Subsequently, KLA coordinated with several NCBA state affiliates in early 2018 to develop similar policy at the national level. That action has resulted in NCBA leading efforts to protect beef nomenclature and ensure the proper regulation and labeling of cultured meat products.

**A** member called asking about purchasing land subject to a written lease. KLA staff was able to review the purchase contract and the written lease to determine when the member would obtain possession and other legal options available.

**K**LA provides a number of educational opportunities for members, including three ranch management field days held each year

across the state in partnership with Kansas State University. A total of more than 300 livestock producers attended this year’s field days, which provided educational



sessions on various topics, such as how to improve stockwater availability, the importance of windbreaks and options for managing invasive plant species in pastureland.

**W**hen a KLA member decided to add certain policies to their employee handbook, they called KLA. Staff was able to review those policies and make alterations and additions to help protect the member.

**K**LA regularly participates in Kansas Department of Agriculture emergency preparedness exercises and events. The most recent of these was a multi-state stakeholder meeting where discussions focused on the Secure Beef Supply plan and how states and private industry would handle stop movement orders in the case of a foreign animal disease outbreak. Good biosecurity plans and multi-state communication and cooperation will be a key to resuming livestock movement in the event of a foreign animal disease.

**A** KLA member called regarding a confined feeding facility complaint investigation by the Kansas Department of Health and Environment (KDHE). KLA staff assisted the member in providing the proper responses to questions from KDHE. This is in addition to reviewing the KDHE correspondence to ensure the agency is citing the proper statutes and regulations and not overstepping its regulatory authority.



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**A** member called with a question regarding termination of an oral farm tenancy after the harvest of wheat, but prior to replanting in the fall. KLA staff explained that if the cropland was prepared in conformance with normal practices in the area, termination should not occur on March 1, but rather after the next wheat harvest or August 1, whichever comes first.

**K**LA recently held a seminar for Dairy Council and Cattle Feeders Council members focused on animal rights activism. Staff from the Animal Agriculture Alliance helped educate those in attendance about red flags to watch out for when hiring, questions to ask in an interview and steps to take to secure their facilities. This session was held in conjunction with a workers' compensation seminar hosted by KLA Risk Management Services.

**A** member called asking about sales tax in Oklahoma. KLA staff contacted the Oklahoma Cattlemen's Association regarding the sales tax process and relayed that information back to the member.

**W**hen a member called KLA with questions regarding building a partition fence, staff was able to provide that member with the KLA fence law handbook for their review. KLA staff then assisted the member with subsequent questions regarding the responsibility of the neighboring landowner.



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**P**rior to starting a major feedyard renovation project, a KLA Cattle Feeders Council member called the association to discuss sales tax on the project. KLA was able to complete a project exemption certificate and get it approved the same day. As a result, the entire project was completed without being assessed sales tax.

**A** KLA member called with questions about liability when cattle got out of a pen and rubbed against a valve on an oil pump jack, which led to an oil/salt water spill. KLA staff explained that if the cattle were fenced with a legal enclosure and the member was not negligent in keeping them in, they were not liable for the spill.

**D**uring the 2017 KLA Convention business meeting, members expressed support for a mandatory national individual animal identification disease traceability system for all cattle. That heightened emphasis on disease traceability has led to the development of, and KLA's participation in, a traceability pilot project in Kansas. CattleTrace, which was launched this past summer, is designed to test the potential for an end-to-end cattle disease traceability system that will operate at the speed of commerce.

**A** KLA member called the office with questions about tagging a feedtruck. The truck occasionally left the main yard to feed cattle at secondary locations. KLA advised the member that tagging feedtrucks was not required if only incidentally operated on the road. Travel on roads is incidental to the equipment's primary function, which is feeding cattle.



**T**he weekly *KLA News and Market Report* newsletter, prepared by KLA staff, provided six timely reports to members during the months of July and August regarding USDA and Kansas Department of Agriculture programs that authorized emergency haying and grazing of Conservation Reserve Program acres, offered cost-share funds for stockwater development projects and provided financial assistance to producers hauling water to livestock because of drought conditions. These reports highlighted eligibility guidelines, provided information on how to apply for assistance and listed deadline dates for each. ■