

Putting dues dollars to work

KLA WORKS EVERY DAY TO HELP MEMBERS NAVIGATE THE CHALLENGES THAT COME WITH OWNING AND MANAGING A LIVESTOCK OPERATION

From regulatory questions and legal guidance to property rights, taxes and livestock management, staff provide members with practical information and connections to the right resources. These examples illustrate how KLA dues dollars translate into one-on-one service and expertise when members need it most. Whether helping resolve an immediate concern or providing guidance before a decision is made, KLA staff works to protect members' interests and help them keep their operations moving forward.

A member needed assistance terminating an oral pasture lease. KLA legal staff informed the member they would need to provide the tenant with written notice at least 30 days prior to March 1. Staff then helped the member draft a letter to send the tenant.

KLA staff helped a member navigate the process of applying for emergency grazing on Conservation Reserve Program (CRP) acres. Staff explained when the member's CRP acres would be eligible for grazing during the primary nesting season and outlined the steps for completing the application through the local Farm Service Agency office.

A feedyard planning a construction project contacted the KLA office to discuss the application of sales tax to various components of the project. Because the total project cost exceeded \$50,000, staff advised that a project exemption certificate (PEC) would be the best way to provide a sales tax exemption for the entire project. Feedyard, dairy and swine operations may qualify for a PEC when constructing a new facility or expanding/remodeling an existing one. KLA staff can assist members with the PEC application process.

Staff assisted a member in determining whether a commercial driver's license (CDL) was required to operate a semi-truck within Kansas while transporting the member's own cattle. Staff provided guidance on the applicable requirements for intrastate livestock transportation and helped the member better understand the circumstances under which a CDL may or may not be required.

A member with questions regarding the construction of a new transmission line to be routed through their property called the KLA office. Staff informed them that while public utilities have the power of eminent domain, there still are important items the member can negotiate under the easement, such as compensation for damages to property or livestock, placement of access roads for line construction

or maintenance, and micro-siting to avoid homes and livestock facilities. KLA staff also offered to assist with written comments during the public comment period through the Kansas Corporation Commission.

KLA legal staff drafted a lease for a member who will be cash-renting farmland. Staff worked with the member to draft a personalized agreement that addressed the member's individual concerns, such as responsibility for fence construction and maintenance, and hunting rights.

A KLA member called the office after receiving a county property tax statement indicating their trailer and hay truck were subject to personal property tax. KLA worked with the county to clarify the trailer was a farm trailer and clearly exempt from property tax. The hay truck also qualified for an exemption as an implement of husbandry. The truck met the definition because it was "designed or adapted and used exclusively for agricultural operations, including feedlots, and only incidentally moved or operated upon the highways." After reviewing the circumstances, the county eventually concurred and granted the property tax exemption for both pieces of equipment.

Prior to constructing new cattle feeding pens, a member reached out to KLA for guidance. Staff walked the member through the regulatory process and helped develop a plan for the next steps. Key considerations when siting a new operation include separation distances from habitable structures and property lines, distance from surface water, and depth to groundwater.

A member contacted KLA, concerned that a mountain lion had attacked some calves. Staff connected the member with Kansas State University Wildlife Specialist Drew Ricketts. Through that connection, it was determined the attack was not by a mountain lion.

Staff assisted a member involved in litigation over breach of contract with an attorney referral. While KLA legal staff cannot litigate these matters on a member's behalf, they can connect them with other legal counsel. KLA attorneys have built relationships with attorneys across the state who practice agricultural law and understand the industry.