

Help is on the way from KLA

WHEN PROBLEMS ARISE, KLA IS THERE TO SERVE AS A RESOURCE FOR MEMBERS

When a member has a business problem, he or she is not alone. KLA staff provides troubleshooting services to members who may have challenges related to sales or property taxes, liability, water rights, oral leases, employment issues or facility permits. In many cases, the staff has experience in situations facing members because other producers previously have been confronted by the same circumstances.

KLA answers member questions on a routine basis. Following are examples of how KLA recently has helped members either individually or association-wide.

Due to inclement weather, a KLA member dairy needed to extend its project exemption certificate, which allowed them to be exempt from sales tax. KLA staff forwarded the appropriate information for the dairy to apply for an extension of the time period the certificate was valid.



A member called the KLA office in late March after hearing a television weatherman tell viewers to “be ready for a ton of smoke” from controlled burning. KLA staff took the opportunity to provide the meteorologist with information about the Flint Hills Smoke Management Plan, which gives ranchers and land managers access to online tools that help them make decisions regarding the timing of a burn. Use of this information has helped minimize the incidence of smoke events causing air quality problems in highly populated areas. This gave the meteorologist more context on which to base his observations and on-air comments during the burning season.

A KLA member called asking if a livestock owner was liable for damages after the member struck a horse on the road. KLA explained that under Kansas law, the standard for livestock at-large is ordinary negligence rather than strict liability. Therefore, for the livestock owner to be liable, the person who hit the animal would

have to prove the fence was bad, a gate was negligently left open or some other act or omission.

When a property tax appraiser sent a letter to a member asking for information regarding all-terrain vehicles (ATVs) and worksite utility vehicles on the property, the member called the association office. KLA crafted a response indicating ATVs that are actually and regularly used in a farming or ranching operation are not subject to property taxes.

A member who is a veterinarian called about a lien he had on a registered heifer. KLA was able to assist the member by working with the breed association and navigating lien laws to sell the heifer subject to the lien. The breed association also had certain requirements to force the transfer of the registration papers after the sale.

Water rights are complicated. The right indicates the amount of water that can be used, the place it can be used, what it can be used for and the rate at which it can be pumped from the ground. Rights get more complicated when used in conjunction with each other. A KLA member called the office for assistance sorting out how their allocated stockwater quantity was authorized.

A member needed assistance filing his annual water use report with the Kansas Department of Agriculture Division of Water Resources. After certain deadlines, there is a monetary civil penalty assessed for failure to report. KLA was able to assist the member with filing the water use report online to avoid a penalty.

When a member was exploring building a new dairy in Kansas, KLA helped facilitate conversations with the Kansas Department of Agriculture so the individual clearly understood what regulatory requirements apply in Kansas.

A member with an oral lease called to ask if a landlord had any right to put livestock in the pasture rented by the member. KLA staff explained that when someone leases ground, all possessory rights go along with the lease. If the landlord put livestock on the pasture without permission, it was a violation of the member's "covenant of quiet enjoyment" on the lease.

A KLA county chairman contacted the office after receiving a call from an area producer concerned that activists in Kansas City had been successful in securing a ban on prescribed burning for the month of April. KLA staff provided the chairman accurate



information regarding the Kansas Flint Hills Smoke Management Plan, under which state regulations restrict non-agricultural burning

activities in certain counties during April. Agricultural burning related to the management of prairie or grasslands and Conservation Reserve Program acres is allowed in this area during April. Local authorities are responsible for approving and enforcing burning activities in their respective jurisdictions. This is one example of information being taken out of context, then becoming "fake news" or misinformation.

KLA held a workers' compensation seminar for members of the Cattle Feeders Council and Dairy Council. The program focused on how to handle administrative issues associated with a work comp claim and steps that help keep lawyers out of the process. In addition, the program included a presentation on developing a positive workplace culture to reduce employee turnover and increase productivity.

Feedyard, dairy and swine construction and renovation projects may be eligible for a certificate from the state exempting the project from sales tax if it has a total cost exceeding \$50,000. KLA helped pass the bill that makes this valuable exemption possible, and helps members apply for it. Before starting a construction project, contact KLA for more information.

A member in southeast Kansas was asked to host the Eisenhower Series, a program for young Republican women, at their cow-calf operation. The member called KLA to request some beef industry talking points. KLA staff sent documents showing the

economic impact the beef industry has in Kansas, data on beef trade, general background information on beef production and an explanation of both cool-season and warm-season grasses. This information allowed the member to provide accurate information about various aspects of the Kansas beef industry to their visitors.

KLA members who also belong to NCBA are required to enter their NCBA ID when registering for national events, including the Cattle Industry Convention & Trade Show and the Summer Business Meeting. In addition, those applying for National Cattlemen's Foundation W.D. Farr graduate scholarships must provide their ID on the application. Because KLA keeps NCBA IDs for members in its database, a quick call to the KLA office can help expedite the process.

A KLA member was considering constructing some new pens that would be used to wean and background calves. Before making the investment, the member wanted to understand what regulations might apply. KLA staff visited the location to discuss regulatory requirements of confined feeding operations.

A member contacted KLA staff requesting information on the requirements to sell beef directly to a retailer in the state. Staff was able to cover the beef processing laws and licensing requirements before connecting the member with the meat and poultry inspection program at the Kansas Department of Agriculture.

KLA organized and co-hosted ranch management field days this past summer at member operations near Plains, Emporia and Dorrance. The events provided networking and educational sessions to area livestock producers. In addition to the operation tour included at two of the three field days, the more than 300 livestock producers in attendance heard presentations from industry



experts on a variety of topics including external parasite management, drone usage in livestock production and control of honey locust trees, yucca shrubs and Old World bluestem. The field days were free to attend thanks to long-time sponsors the Farm Credit Associations of Kansas and Bayer Animal Health. ■