

KLA is your resource

KLA PROVIDES MANY SERVICES TO ITS MEMBERS, INCLUDING HELPING TROUBLESHOOT WHEN PROBLEMS ARISE

After receiving a letter from the Kansas Department of Health and Environment (KDHE) about pollution concerns, a KLA member called the office for assistance. KLA staff met with the member and discussed the issue and options to address it.

KLA government affairs staff successfully lobbied for a law to allow the operation of UTVs and ATVs on most state highways.

AKLA member was replacing a stationary, backup generator to run their feed mill and pump livestock water. The member called the office to inquire about sales tax exemptions and learned a generator used for this purpose is exempt. KLA staff provided the certificate needed to claim the exemption. For clarification, a portable welder generator is not exempt from sales tax.

AKLA member called the office before installing a wastewater line across a dry riverbed to determine if there were any regulatory concerns. KLA staff researched the issue and provided guidance to the member. A Kansas Division of Water Resources general permit is necessary in certain situations.

KLA was contacted by a feedyard member because their project exemption certificate was nearing its expiration. The project the sales tax exemption was approved for was not yet complete due to weather and contractor delays. KLA worked with the Kansas Department of Revenue to get the current certificate extended to allow more time for the project to be completed.



AKLA member contacted staff after being denied a properly documented Livestock Indemnity Program payment from the local Farm Service Agency (FSA). KLA was able to work with FSA staff to solve the issue at hand and ensure the member was fairly compensated for the loss.

AKLA member contacted the Topeka office with questions about workers' compensation. The member has a farming and ranching operation with one full-time and several part-time employees. His questions centered around whether he should carry workers' compensation and the benefits and estimated costs of doing so. To this point he had claimed the ag exemption, electing not to carry workers' compensation. KLA staff was able to provide helpful information for the member to consider before deciding whether or not to purchase coverage.

A member called asking if roof repairs after a hailstorm on their ranch barn was tax exempt. The labor to repair the roof was exempt, however, the materials were taxable.

Before adding a new livestock scale, a KLA member called the office to see if the purchase and installation would be subject to sales tax. A livestock scale is considered farm machinery and, therefore, exempt from sales tax.

AKLA member called the office when considering adding a confinement feeding building to their current open feedlot pen system. KLA staff walked through the regulatory issues that would be involved in this type of an expansion.

A member was updating their employee policy guide and contacted KLA for assistance. Staff provided a draft employee policy guide to offer guidance on a few key issues. KLA legal staff also provided a complete review of the changes they made to their policy manual and gave suggestions for improvements.

A KLA member called the office after a farm semi was stopped by local law enforcement. In this case, the truck and driver had the necessary authority and permits. However, KLA staff did review many of the potential issues. Regulations of farm trucks and their drivers can be confusing. KLA staff is available to help sort out issues ranging from KDOT numbers to how far the vehicle can operate from home.



A non-agricultural neighbor was complaining to a member about activities that created dust and noise on the operation. This neighbor threatened to file a lawsuit. KLA provided the member with the right-to-farm statute language, which protects agricultural operations from nuisance lawsuits if the operation is not violating any law. Ultimately, the member and neighbor worked together to reduce any potential nuisance. However, the operation would have been protected by Kansas law, nonetheless.

KLA was contacted after a member had an increase in coyote attacks on newborn calves. Staff explained to the member that they could apply for a wildlife control permit through the Kansas Department of Wildlife, Parks and Tourism to expand their coyote control options.

Before starting construction on some cattle feeding pens, a KLA member called the office. KLA staff reviewed the possible regulatory issues. At the top of the list is proper siting of a new facility that meets separation distance from habitable structures. Kansas requires new confined beef feeding facilities under 1,000 head, but over 300 animal units, to be located 1,320' from the nearest habitable structure. New locations with more than 1,000 head must be located 4,000' from habitable structures. Some exceptions may apply, so it is best to call for information.

A member was receiving fraudulent unemployment application documentation for individuals that did not live at their address. KLA was able to connect the member with the Kansas Department of Labor to inform them of potential fraud taking place.

A KLA member was getting ready to start construction on a major mill renovation. They called the office for assistance in completing a project exemption certificate so it could be completed without sales tax. KLA successfully supported a bill that provides a sales tax exemption for feedyard construction and renovation projects if the total cost is more than \$50,000.

A member was taking care of someone's livestock who wasn't paying their feed bill. KLA staff helped them build the proper notice to be able to sell those livestock that were subject to a feed lien. Ultimately, the notice spurred the livestock owner to pay the bill before the public auction took place.



A member called asking if gravel for a feedlot road was subject to sales tax. Typically, gravel is subject to sales tax. However, if the project involves more than \$50,000 in construction, the feedlot could apply for a project exemption certificate from the state. Unfortunately, this only is available for certain entities.

KLA was contacted by a member who called with a question regarding the responsibility of a neighboring landowner to build and maintain a fence. Staff provided the member a packet of frequently asked questions regarding fence laws and explained how adjacent landowners are required to equally share the responsibility.

KLA was called by a member about a landlord attempting to prematurely terminate an oral grass lease. KLA staff helped direct them to the appropriate statute indicating oral pasture leases must be terminated in writing 30 days prior to March 1.

A member called regarding having a production sale this fall when local coronavirus restrictions were in place. KLA helped the member navigate the local rules to be able to hold their production sale.

An environmental consultant for a feedyard was needing a watershed study completed for a highway bridge project by the Kansas Department of Transportation (KDOT). The study was necessary for the planning of a new waste treatment structure for the feedyard. KLA staff contacted KDOT and was able to get the information needed to complete the feedyard design.