



2015 Special Orders of Business
As Adopted by
81st Annual Convention of the Ohio Farmers Union
January 31, 2015

Special Order of Business 2015-01 Water Quality in Ohio

The Ohio Farmers Union acknowledges the urgent need to confront the growing problem of water pollution and especially toxic algal blooms that are fed by runoff of agricultural nutrients like phosphorus and nitrogen.

Although most farmers are conservation-minded and farming is only one of several sources of nutrient pollution, (including but not limited to, combined sewer overflows, residential lawn care, septic systems and bio solids), science indicates that agriculture-dominated watersheds are quite vulnerable to serious degradation, as illustrated by the 2014 water quality emergency in Toledo.

We support voluntary conservation programs, including many NRCS cost share programs but have concerns that water quality has continued to deteriorate in many watersheds where voluntary programs have been targeted.

The persistence of nutrient pollution problems despite targeted voluntary conservation programs suggests that additional regulatory programs may be needed. The Ohio Legislature has demonstrated their agreement, as they have adopted SB150, requiring Ohio farmers to attain a certification from the Ohio Department of Agriculture to apply chemical fertilizer. The Ohio House of Representatives also passed legislation (HB490) in the 2013-14 session to forbid the application of fertilizer or manure on frozen or snow covered ground, which is a widely accepted best management practice.

Should the Ohio Legislature choose to adopt additional regulatory programs to reduce agricultural pollution, The Ohio Farmers Union urges the Legislature to adopt a targeted and limited program of regulation which focuses on specific impaired watersheds, specific sources of nutrients, combined sewer outflows, septic systems and certain practices in order to maximize the effectiveness of any regulatory programs and minimize the need for a dramatic expansion of government agencies.

Targeting should:

- focus on specific impaired watersheds
- address certain high risk practices
- deal with all sources of nutrients including both chemical and manure fertilizer in permitted and non-permitted facilities
- require soil testing
- require maximum nutrient application rate limits

In watersheds where manure applications are regulated, NRCS cost-share programs for winter manure storage should be targeted to small and mid-sized livestock farmers who have traditionally hauled manure daily, and the cost share amounts should be increased to further encourage the construction of winter manure storage facilities.

Furthermore, it is the sense of the Ohio Farmers Union that all relevant state agencies and agricultural producers maintain full compliance with Ohio Administrative Code Appendix 901:10-2-04.

Special Order of Business 2015-02 Syngenta Corn GMO Litigation

WHEREAS, Ohio produces over 500 million bushels of corn per year, and

WHEREAS, Syngenta sold and marketed Viptera corn which contained the MIR162 trait in the United States, and encouraged farmers to grow this trait next to other fields of corn before getting approval from China for this trait; and

WHEREAS, MIR162 is a GMO trait that was marketed before full export approval from China was received; and

WHEREAS, in 2013 China was the third largest importer of US corn; and

WHEREAS, the entire US crop was subject to the perception of being contaminated with MIR162 primarily through co-mingling; and

WHEREAS, in November of 2013, China began rejecting shipments of corn, dried distillers grains and even soybeans that were shipped in vessels that had carried corn containing the trait previously; and

WHEREAS, corn prices have dropped and caused a loss of income to the farmer because of the loss of the important China market; and

WHEREAS, the National Grain and Feed Association estimates the losses in crop year 2013-14 to be \$2.4 billion nationally. A crop of 13.925 billion bushels of corn was grown in that period. This would be a loss of approximately 20.8 cents per bushel; and

WHEREAS, the direct economic impact for Ohio corn farmers would be approximately \$337.688 million; and

WHEREAS, the National Grain and Feed Association estimates losses for crop year 2014-15 to be \$3.4 million; and

WHEREAS, in 2014 Syngenta introduced a new GMO trait called DURACADE that has not been approved for import into China; and

WHEREAS, this new DURACADE trait will further contaminate the US corn crop and further risk rejection of corn shipped into the important China market; and

THEREFORE BE IT RESOLVED that the Ohio Farmers Union supports all legal efforts to recover lost farm income related to the past and future contamination of the US corn crop due to the premature sales and marketing of the above traits before our export customers gave their approval of these traits; and

BE IT FURTHER RESOLVED that the Ohio Farmers Union encourages corn farmers to seek appropriate legal counsel to assist them in these efforts.

Special Order of Business 2015-03 Current U.S. Trade Policy Concerns

The current attitude toward trade agreements demonstrated by the President of the United States and many members of Congress does not prioritize the interests of family and independent farmers. U.S. trade negotiators consistently use U.S. agricultural products as bait to achieve favorable trade terms for other sectors of the domestic economy.

Additionally, American family farmers sell their products into a global marketplace that is dominated by a small number of huge multinational corporations. This has opened up the domestic markets to cheap, often low-quality food, fuel and fiber products that have damaged our nation's international trade balance. Not enough emphasis is placed upon the huge trade deficit the U.S. amasses on a regular basis, which has averaged \$800 billion annually over the past five years. This deficit accounted for 3.75 million job losses in the U.S. in 2013 alone and an average annual loss of 4 percent of U.S. gross domestic product. Furthermore, not enough emphasis is placed upon fair trade policies over so-called "free-trade" policies by a succession of U.S. policy makers.

The Ohio Farmers Union opposes congressional passage of so-called Trade Promotion Authority, also known as "Fast Track" trade authority. Fast Track allows for executive branch negotiation of trade agreements and constrains Congress to a simple, up and down vote on the entire agreement with no chance for amendments. The U.S. Constitution grants Congress the "power ... to regulate commerce with foreign nations." Congress should not relinquish this authority and push the multitude of economic and human rights issues inherent in today's trade agreements further away from being influenced by the American people through their representatives to Congress.

The Ohio Farmers Union opposes adoption of the pending Trans Pacific Partnership trade agreement. The TPP has been negotiated primarily in secret and the president and Congress are seeking Fast Track authority to push it through Congress. From the information that has been available regarding TPP, we know that American consumers and workers are not a priority. For instance:

- The U.S. would be required to accept meat and other food imports from countries that claim their regulations are "equivalent" to U.S. regulations. Inspection of foodstuffs would essentially be outsourced to foreign nations.
- Buy American and other buy local preferences would be banned in U.S. government contracts.
- Several leaked provisions would affect an open Internet (Net Neutrality) and freedom of speech, whistleblower protections and the Fair Use doctrine regarding copyrighted material.
- Currency manipulation by Asian signatories would not be prohibited under TPP, allowing currency manipulators like China to continue to devalue its currency to maintain a trade advantage over other countries like the United States.

Finally, the Ohio Farmers Union opposes the Transatlantic Trade and Investment Partnership because it would increase the concentration of economic power among multinational corporations and hinder the ability for the U.S. government to regulate markets for the benefit of the public at large.

Special Order of Business 2015-04

Private Property Rights and Private Sector-Owned Pipelines

It has long been the goal of Ohio Farmers Union to preserve farmland for the production of food, fiber, and fuel. We oppose the construction of privately owned pipelines across farmland or woodland without the permission of the private property owner for the following reasons:

- A natural gas transmission pipeline is considered storage of hazardous material and could possibly violate provisions in a mortgage, and expose the landowner to foreclosure.
- Natural gas transmission pipelines pose a very serious risk due to possible explosion and fire with potential injury and loss of life.
- There does not currently exist in Ohio a fund to properly educate and equip local first-responders in areas where oil and gas production and pipelines exist.
- A natural gas transmission pipeline is considered storage of hazardous material and may violate the terms of a farm owner's insurance agreement, requiring the purchase of additional coverage and exposing the farm owner to litigation risks.
- The existence of a natural gas transmission pipeline on a farm may bring about a demonstrable loss of property value, which would be unrecoverable.
- Future construction options may be limited due to required setbacks i.e. a 1,600 ft. setback area from a high-pressure 42-inch pipeline.
- The existence of a natural gas pipeline on a farm could prevent sale or sub-division of the property due to the potential inability of a potential buyer to obtain a mortgage.
- Ohio farmland is some of the most productive in the world. Disturbing farmland soil structure in both drainage and water holding capabilities will greatly diminish the productivity of all farmland a pipeline passes through.

Productive farmland is one of the nation's greatest resources and deserves the same protection as any other unique and valuable natural resource.

We recommend that no additional rights of way or leases be forced upon landowners where a lease or right of way currently exists, as this would further devalue the land for agricultural use.

We further recommend that Ohio law be applied in the use of eminent domain and that eminent domain be used only for the taking of property for use in the public good and not solely for private profit.

We further recommend that that the product being transported through an existing pipeline is restricted to the product for which the line was leased.

Special Order of Business 2015-05 Farm Real Estate Taxes - CAUV

WHEREAS, Ohio farmers are experiencing an unprecedented and unfair increase in real estate property taxes due to higher levels of the Current Agriculture Use Value (CAUV), with increases of 110% to 300% and that this has caused a tax burden switch back to local rural taxpayers, and

WHEREAS, this occurring at a time when crop prices are decreasing and costs are still increasing, and

THEREFORE, we object to the recent skyrocketing increases in the CAUV and call on the Governor, the Ohio Department of Taxation and the General Assembly to take action to alleviate the situation. We propose modification of the CAUV formula that will moderate its values and restore the law to its original "use value" purpose. We recommend the following changes:

1. Establish a Stabilization Equalization Factor (SEF) with a three-year averaging within the formula that would even out the "roller coaster" gyrations in the CAUV as it is applied to the applicable counties during their year of valuation change.
2. In regards to the capitalization interest (CAP) rate used in the formula, we propose that this be increased by going back to the original 30 year fixed long term rate and adjustments that would take out any influence from the Federal Reserve QE program. Also within the CAP rate, return to a more traditional loan-equity percentage split of say 80% loan vs. 20% equity rather than the recent "too restrictive" breakdown of 60%/40% (The program originally used a 90%/10% mix).
3. Update the cost of clearing and drainage on woodland since the current amount of \$500 assigned to each is not up to date. We suggest, at the very least, a change to \$1,500 for clearing and \$1,000 for drainage, for a total of \$2,500. This amount would be subtracted from the CAUV values on the woodland acres and the minimum value would still be applicable in the calculation, if needed.
4. Improve the accuracy of the input information used in the formula by gathering it in a more timely fashion. Currently the calculations run about two years behind and this should be improved to just one year.

We also call on the General Assembly to restore the 10% rollback and the 2.5% residential reduction, which were repealed when the Governor and the General Assembly passed the State Budget in the summer of 2013. We also ask that the Homestead Exemption be reinstated as it was before. All of these real property tax relief measures were a promise made to farmers and homeowners when the state income tax was enacted during the 1970's and that promise has now been broken.

Farmers cannot continue to be productive in Ohio and be expected to feed the world if they are taxed out of existence.

Special Note:

Delegates to the Ohio Farmers Union also voted to adopt, as part of an Ohio Farmers Union CAUV Working Group, a white paper generated by members of the Northeast Ohio CAUV Task Force entitled, "D-4 White Paper." This document may be found online at ohfarmersunion.org, by searching 'D4 White Paper' from the homepage.

Special Order of Business 2015-06
Maintaining Guaranteed Landline Telephone Service

We do not support the abandonment of hard-wired landline (copper wire) telephone service in any part of Ohio.

Special Order of Business 2015-07 Community Right to Know

We urge the State of Ohio to comply with the 1986 Emergency Planning and Community Right to Know Act. Oil and gas well operators must report all hazardous chemicals in use or stored at drilling sites to the Ohio State Emergency Response Commission, co-chaired by the Ohio EPA and the Ohio Emergency Management Agency. The Ohio SERC should maintain a database with this information that is easily accessible to first responders and the public.

Special Order of Business 2015-08 Seed Saving and Genetic Diversity

We support genetic diversity in our crops, recognizing that the traits needed for successful crop production tomorrow come from the genetic diversity of today. Farmers should be permitted to use any seeds grown on their farms as seed stock in future years without penalty. Via policy action to keep Ohio laws from outlawing seed exchange and by directly supporting seed libraries, we will support and encourage both seed saving and the open exchange of heirloom and open-pollinated seed.

Special Order of Business 2015-09 A Move to Amend the U.S. Constitution

The Board of Directors of the Ohio Farmers Union has voted to endorse the public policy platform of the organization Move to Amend.

Members of the Ohio Farmers Union believe that corporate and special interest money has a huge and ultimately corrupting influence in America.

Members of the Ohio Farmers Union believe that too much economic and political power is being concentrated among too few huge corporations and wealthy interests.

Members of the Ohio Farmers Union are dismayed by U.S. Supreme Court rulings in cases such as *Citizens United* that interpret the U.S. Constitution in a manner that equates political donations with free speech and treats corporations as having the same rights as human beings.

We hereby affirm our endorsement of Move to Amend's stated goal to amend the U.S. Constitution to clearly state that **money is not speech and corporations are not people.**

We declare 2015 to be a year for Ohio Farmers Union member education on these matters and to pursue actions in concert with Move to Amend.

Special Order of Business 2015-10 Severance Taxes on Oil and Gas in Ohio

The Ohio Farmers Union continues to support efforts to raise Ohio severance taxes well above current rates that are at an industry low in comparison to other oil and gas producing states.

After state regulatory activity of production and waste disposal operations and wells has been funded through the state's severance tax collections, Ohio Farmers Union supports:

- A portion of severance tax revenue should be set aside for environmental mitigation of the effects of hydraulic fracturing
- A generous portion of severance tax collections should remain in the county where they were made for the purposes of public education and infrastructure improvements such as roads and bridges
- The Ohio Farmers Union supports the use of severance tax revenue for the identification and plugging of 'orphan wells' around the state.
- The Ohio Farmers Union would support the use of severance tax revenue to restore the state Local Government Fund to its pre-2011 funding level.

Special Order of Business 2015-11 Change Laws Regarding the Commodity Checkoffs

The Ohio Attorney General invited OFU and other producers of cattle to discuss the Ohio Beef Checkoff.

A Deputy Attorney General suggested that in the past, collection of fees and oversight by the Director of the Ohio Dept. of Agriculture was flawed for this program which is government authorized and mandated. Further, there is no public accountability for payments made to the Ohio Beef Checkoff program.

Since the state of Ohio oversees the funds from commodity checkoffs, all payments should go through the Treasurer of the State of Ohio and then be audited by the Auditor of State.

Also, any matter or voting issues concerning the checkoff should be overseen by the Secretary of State and should be sent directly to producers that actually pay in to the checkoff. Thus, the Ohio Farmers Union should initiate efforts in the Ohio General Assembly to correct this problem.

Special Order of Business 2015-12 Funding Claims Under the “Predator Law” in Ohio

The Ohio Revised Code, under section 955.51 specifies a provision under the law to pay animal owners for the loss of animals at the fair market value indemnity for those animals killed by coyotes and black vultures. However, the Ohio General Assembly, since 2009, has not provided funding for the Ohio Dept. of Agriculture to pay for such losses.

Because of this, the Ohio Farmers Union should work with the Ohio General Assembly to appropriate funding in the amount needed for payment of these claims under Ohio law.