



2009-2010 NC Agribusiness Council Legislative Resolutions



Governmental Regulation Resolutions

Support Regulatory Cost/Benefit Analysis

The NC Agribusiness Council supports a cost/benefit analysis of all regulations affecting agribusiness interests to ensure that any measure supports agribusiness and do not damage the economic health of the state.

Support Dillon's Rule

The NC Agribusiness Council supports the Dillon Rule, a long-standing rule of statutory construction used in determining the powers of local governments in North Carolina. Under the Dillon Rule, a local government has only certain powers: 1) those granted to it by the legislature in express words; 2) those necessarily or fairly implied in or incident to the powers expressly granted; and 3) those essential to accomplishment of the unit's declared objects and purposes.

Support Developing Parameters of Authority

The NC Agribusiness Council supports the development of parameters of authority for government to ensure that the rights of individual and commercial property owners are protected.

Oppose State Regulations Inconsistent With Federal Regulations

The NC Agribusiness Council recommends that programs implemented by any state agency that adopts regulations where federal regulations may also be in effect, be adopted in a manner consistent with federal law. In light of the current economic climate affecting businesses and individuals in our state, the Council supports state initiatives that differ from federal requirements only in the case of: 1) an imminent threat to human health or the environment not adequately addressed by federal rules; 2) after a sound analysis of the economic impacts of the initiative; and 3) after a complete analysis of the competitive implications of the initiative as compared to other southeastern states.

Support Protection of Property Rights of Water

The NC Agribusiness Council encourages all state and federal agencies to recognize the importance of, and legal right to, water for private landowners. Be it further resolved that the use of water for agricultural purposes be recognized by the state as among the highest and most essential uses of water and that the rights of the landowner in utilizing both surface and ground water be protected and preserved.

Support Public Awareness and Education of All Sources of Water Pollution

The NC Agribusiness Council promotes and supports academic and government studies as well as educational efforts to ensure that the public has a full understanding of all potential sources of water pollution across North Carolina. The Council supports environmentally sound public policies to promote water quality.

Support Government Reform and Efficiencies

The NC Agribusiness Council supports federal and state efforts to reform government agencies and programs to produce efficiencies and lower costs. Reforms may include consolidating programs or agency delivery options. The Council will take positions on significant specific reforms on a case by case basis.

Oppose Frivolous Lawsuits

The NC Agribusiness Council opposes to frivolous lawsuits, especially nuisance suits, and supports legislation to discourage these types of lawsuits. The Council further encourages all state and federal agencies to recognize the economic detriment of these types of lawsuits to the state of North Carolina.

Support Lifting Expiration Of State Veterinary disease Management Authority

The NC Agribusiness Council supports lifting the expiration provision of the State Veterinary Disease Management Authority, which strengthens the ability of the State Veterinarian to successfully manage serious and contagious animal diseases which result from deliberate, natural or accidental introductions.

Support Voluntary, Non-regulatory Programs and Incentives to Improve and Conserve Natural Resources in NC

The NC Agribusiness Council supports the continuation of voluntary, non-regulatory programs and incentives to improve and conserve the natural resources of NC and thereby supports continuation of funding by the state for the NC Soil and Water Conservation Districts program. This program is designed to work with agriculture and private land owners and local communities to address natural resource management concerns and ensure the best possible environmental stewardship possible. Volunteers from across the state participate in this program to work with their neighbors to improve water quality, wildlife habitat, soil conditions and other natural resources conservation.

Support Agriculture Exemption of Water Use Registration and Voluntary Data Collection through NCDA

The NC Agribusiness Council supports maintaining the current agriculture exemption of registering water use at 1 million gallons. Decreasing this threshold would result in an unnecessary burden on North Carolina farmers in terms of filing more paperwork as well as the cost associated with registration including metering system costs and fees. Furthermore the collection of this data by DENR would be a duplicative expense since another state agency already collects other farm information. The Council further supports the need for better information regarding the water needs of agriculture and supports NCDA collecting water use data while gathering other farm information. This water use data can be collected on a voluntary basis as opposed to regulatory.

Support Southeastern Crescent for Economic Development

The NC Agribusiness Council supports establishing an area for southeastern states that would provide federal support for economic development.

Support Conservation Funding

The NC Agribusiness Council supports funding for conservation of farmland. The Council further supports that farmers of both livestock and row crops receive resource funding to cover expenses that have been legislated. Farmers also should receive services that assist in the implementation rather than regulations with no means to implement.

Economic/Business Development Resolutions

Support Funding & Incentives for Research and Development & Pilot Projects

The NC Agribusiness Council supports increasing private, state, and federal funding and incentives for research and development, and pilot projects in order to provide continued economic growth for agribusiness in the state of North Carolina.

Support Biotechnology

The NC Agribusiness Council encourages both the scientific research and the market availability of agricultural products utilizing biotechnology. The Council believes such products offer new opportunities for farmers to produce valuable agricultural commodities while helping to provide for the nutritional and medicinal needs of both people and livestock. The Council further believes such products can help feed the world and protect the health of our citizens, livestock, crops, and environment. The Council supports the research and commercial production of agricultural biotech products to improve the agricultural economy and environmental stewardship in the state and to improve the public health and nutrition of North Carolina citizens.

Oppose Tobacco Trust Funds for Non-Ag Uses

The NC Agribusiness Council supports protecting the Tobacco Trust Funds and opposes funds being used for purposes other than those stated in the General Statute when the fund was created. Tobacco Trust Funds have been earmarked for the development of alternative crops and agribusiness interests and should not be diverted from their intended use.

Support Funding to NCDA&CS

The NC Agribusiness Council supports increasing funding to NCDA&CS to support the economic viability of the number one industry in North Carolina through its various programs and value added services. Agribusiness contributes over 20% to the state's economy yet the NCDA&CS receives less than 0.3% of the state's appropriated budget, which is inadequate to support sustainable growth for the state's agricultural interests.

Support Funding to Our Universities

The NC Agribusiness Council supports increasing funding to NC State University and NC A&T State University to ensure the implementation of research and technology transfer programs to facilitate continued economic development of agriculture and agribusiness. Projects should support traditional agribusiness as well as the development of alternative agricultural enterprises and investigating the frontiers of basic science for future applications in agriculture. Agribusiness contributes

\$68.3 billion to the state's economy and has grown by over \$32.5 billion in the last 14 years due in large part to the research and extension programs at these educational institutions. Further, the Colleges of Agriculture and Life Sciences, Veterinary Medicine, Natural Resources, and Textiles at NC State University and the School of Agriculture and Environmental Sciences at NC A&T State University are important in the education of tomorrow's agribusiness workforce in North Carolina. Increased funding to these academic programs is also essential to facilitate continued economic development of agriculture and agribusiness through investments in education and human capital.

Support Funding to Community College Education

The NC Agribusiness Council supports increasing funding to the Community College System to help ensure that North Carolina's workforce is properly trained to work in the agribusiness industry. Agribusiness employs 17% of the state's workforce.

Support of Utilization of Matching Funds

The NC Agribusiness Council supports utilizing matching funds, such as conservation funds, to improve the economic viability of agribusiness in the state of North Carolina. The Council supports these grants going to the appropriate technical assistance group approved by the Board of Agriculture. The Council further supports that funding be directed to the Department of Agriculture if agriculture related.

Tax Resolutions

Oppose Tax Increases that Specifically Target Ag

The NC Agribusiness Council opposes any special federal, state or local levies of tax or fee increases that specifically and punitively targets agriculture or agribusiness interests to fund government public service mandates and services. Due to increasing pressures on federal, state and local budget and looming budget deficits, there have been numerous revenue raising proposals at all levels of government. The Council encourages any fees increases to be appropriately applied only to support programs that enhance agribusiness development.

Support of Tax Incentives and Tax Credits

The NC Agribusiness Council supports tax incentives and tax credits provided to existing agribusiness to expand and to attract new agribusiness interests into North Carolina.

Support Keeping Farm Equipment Sales Tax Exemption

The NC Agribusiness Council supports keeping the state farm equipment sales tax exemption. The high cost of farm equipment and the necessity of the equipment in farm production necessitates the continuing the current cap level on sales tax. Furthermore, farming contributes \$11.4 billion to the North Carolina economy and a farmer's dollar turns over more than 6 times in the local economy; therefore, maintaining the current cap on sales tax for farm equipment helps ensure economic viability for the state and local communities.

Oppose Sales Tax on Services

The NC Agribusiness Council opposes the expansion of sales tax on services. Any tax on services increases the cost of doing business in the state and creates an undue hardship on the agribusiness community and their consumers.

Support Ag Exemption of Capital Gains Tax on the Sale of Farm and Farmland

The NC Agribusiness Council supports an Ag Exemption of Capital Gains Tax from the sale of farms and farmland. With the economic depression that exists in today's agricultural industry, many farmers are faced with having to sell their farms; however, most farmers can't afford to sell because of capital gains taxes, which doesn't leave enough money to cover the high bills that exist. Farmers in North Carolina have contributed to providing our citizens with the safest, most abundant, affordable food supply in the world. The Council supports providing the financial relief of an Ag Exemption to Capital Gains Tax, which would allow farmers exiting the industry to do so with dignity.

Support Making Elimination of Estate Taxes Permanent.

The NC Agribusiness Council supports permanently eliminating the Estate Tax.

Alternative Fuel Source Resolutions

Support Funding & Incentives for Biodiesel R&D

The NC Agribusiness Council supports funding and incentives for the development, manufacture and use of alternative and renewable fuels (biodiesel and ethanol). Biodiesel is a clean burning, alternative fuel produced from renewable sources. Energy sources include alternative diesel engine fuels derived from soybeans and other agricultural plant oils. Development of biodiesel fuels will enhance the environment and improve the state's rural economy. The Council encourages public and private partnerships to support these types of projects in the state.

Support Funding and Incentives for Biomass Fuel R&D

The NC Agribusiness Council supports funding and incentives for the development, manufacture and use of biomass fuels. These projects will provide for a disposal method for biomass material, protect the environment, and provide an economic support for agribusiness. The Council encourages public and private partnerships to support these types of projects in the state.

Infrastructure Resolutions

Support Of Session Limits

The NC Agribusiness Council urges the General Assembly to limit legislative sessions to a specified number of calendar days for both the long session and the short session. The "short session" should be limited to budget matters and legislation needed to address critical issues.

Support Funding of Export Infrastructure

The NC Agribusiness Council supports funding of highway, railroad, airport, waterways and ports for the exporting of agribusiness products. This includes support of the N.C. Ports Authority, as well as NC highways and bridge infrastructure.

Support Responsible Electric Power Legislation and Regulations

The NC Agribusiness Council encourages that any legislation or regulation enacted by Congress or federal agency should protect the interests of all electric consumers. These interests dictate that all consumers should receive affordable, reliable and safe electric power on an equitable basis. In recent years, there have been

significant changes in electric markets and the regulation of wholesale power. These changes have impacted wholesale and end-use consumers on a global basis. Continued uncertainty cloud current markets and in many regions of the United States have experienced increase price volatility either by market demand or manipulation. Congress, federal agencies and state utility commissions are concerned and have initiated studies, hearings and in some cases policy recommendations for legislative or regulatory changes. Any changes made to the delivery of electric service or rules governing the nation's electric grid should be implemented without placing an undue burden on residential and agribusiness consumers.

Right to Work

The NC Agribusiness Council supports North Carolina's Right to Work law. The Council will continue to work with the Department of Labor on issues of concern to ensure a healthy and safe work environment for all agribusiness employees.

Right to Farm

The NC Agribusiness Council supports the Right to Farm Act. The Council will continue work with the various state agencies on issues of concern to ensure a conducive work environment for all North Carolina citizens engaged in agriculture. The Council supports producer's right to contract his service in an integrator or contractor setting .

Support For Funding Of Security Programs To Prevent Ag-Bioterrorism

The NC Agribusiness Council supports increased funding for preventative and response activities resulting from the deliberate introduction of dangerous contaminants, which could threaten the production of agricultural products, public health and national security.

Support H2A and H2B Labor Reform

The NC Agribusiness Council supports H2A and H2B labor reform. Agribusiness is largely dependent upon semi-skilled and unskilled workers to perform the hard work necessary to produce our nations' agricultural products. However, agribusiness professionals find it difficult to obtain a sufficient legal workforce to meet their labor needs. Despite diligent domestic worker recruitment efforts and legal compliance initiatives undertaken by those in agribusiness, the combination of the verification programs of SSA and INS enforcement activity show that shortages of legal US workers at unprecedented levels persist. Furthermore, these problems are having serious negative consequences on the agricultural industry and the agricultural workforce. Less than 2% of the nation's seasonal workforce needs are met through the current H2A program, which is 50 years old. With labor intensive crops representing 43% of farm receipts from all crops, enactment of labor reform would not only help our farms, but also reduce the pressure of illegal economic migration into the US by controlling and monitoring the admission and departure of temporary foreign workers. In addition, the Council supports a program that would address problems with the existing work force including a process to regularize the status of experienced farm workers already in the United States.

The NC Agribusiness Council legislative resolutions represent an on-going process. Any member in good standing can make recommendations regarding the Council's legislative resolutions. Please call Erica Upton Peterson at the Council office if you have questions about the procedure, the ratified resolutions of the NC Agribusiness Council, or, if you have a resolution that needs to be considered by the Council. Any submitted resolution is reviewed by the legislative committee and referred to the Board of Directors, with a recommendation. All board approved resolutions are submitted to the full membership for ratification at the annual membership meeting. Resolutions are subsequently used by staff to represent the interests of the Agribusiness Industry.

Mission Statement

The NC Agribusiness Council is a non-profit advocacy organization representing all aspects of the agribusiness industry, including producers, processors, suppliers, financiers, transporters, wholesalers, retailers and various commodity groups. The mission of the NC Agribusiness Council is to raise awareness of the significant contribution of agribusiness to North Carolina's economy and advance agribusiness interests and programs, thereby increasing employment and expanding agribusiness opportunities in North Carolina. The goals of the NC Agribusiness Council include:

- Be a dynamic grassroots organization for Agribusiness in North Carolina that brings value to its membership.
- Be recognized as the unified and authoritative voice for the North Carolina agribusiness industry among elected officials and opinion leaders.
- Promote the North Carolina agribusiness industry through the media to the general public.
- Be engaged with other organizations in order to advance the agribusiness industry.



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