

**NCSL STANDING COMMITTEE on NATURAL RESOURCES, ENERGY
& ENVIRONMENT
POLICY DIRECTIVES AND RESOLUTIONS**

**LEGISLATIVE SUMMIT
Louisville, Kentucky
Aug 5-7, 2024**

CONTENTS

POLICY: 2031 WORLD HORTICULTURE EXPO 2

POLICY: CHRONIC WASTING DISEASE 3

POLICY: MICROPLASTICS RESEARCH 4

POLICY: NATIONAL APPLIANCE EFFICIENCY STANDARDS 6

POLICY: RECOVERING AMERICA’S WILDLIFE 7

POLICY: GROWING OUTDOOR RECREATION ON PUBLIC LANDS 9

POLICY: SUPPORTING FDA’S AUTHORITY TO REGULATE FOOD SAFETY 11

POLICY: NATIONAL AGRICULTURE 13

1 **COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT**
2 **POLICY: 2031 WORLD HORTICULTURE EXPO**
3 **TYPE: NEW MEMORIAL RESOLUTION INTRODUCED BY**
4 **REPRESENTATIVE HANSEN AND SENATOR**
5 **SWEENEY**

6 **WHEREAS**, World Horticulture Expos are international events that celebrate
7 horticulture, showcasing plants, flowers and greenery from around the world and
8 promoting this multi-billion-dollar industry; and

9 **WHEREAS**, hosting the 2031 World Horticulture Expo in the United States for the first
10 time would provide an opportunity for all 50 states to display their unique horticultural
11 offerings in front of an international audience; and

12 **WHEREAS**, the State of Minnesota has an extensive horticultural tradition and is the
13 home of global food and agriculture companies, premier research universities,
14 numerous U.S. Department of Agriculture facilities and more, making it the ideal choice
15 to host such an expo; and

16 **WHEREAS**, Expo 2031 currently has an accepted application to host the 2031 World
17 Horticulture Expo in Minnesota and is awaiting the final decision by the International
18 Association of Horticultural Producers. No other American applications currently exist,
19 ensuring there are no competing interests with other states; and

20 **NOW, THEREFORE, BE IT RESOLVED**, that the National Conference of State
21 Legislatures urges President Biden and the administration to formally support
22 Minnesota's effort to host the 2031 World Horticulture Expo. NCSL also urges state
23 legislatures to voice their own support for this historic effort.

1 **COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT**

2 **POLICY: CHRONIC WASTING DISEASE**

3 **TYPE: EXISTING RESOLUTION**

4 **WHEREAS**, Chronic Wasting Disease (CWD) affects cervids such as deer, elk, and
5 moose and has been detected in at least 29 states, according to the Center for Disease
6 Control's (CDC) March 2023 survey; and

7 **WHEREAS**, the states currently grappling with CWD are incurring significant costs to
8 respond to the disease, often requiring the wildlife management agencies and research
9 universities to divert limited resources from other vital activities; and

10 **WHEREAS**, these diseases create great suffering and death of wildlife and threaten to
11 infect more animals and impact ecosystems and economies; and

12 **WHEREAS**, recent research indicates CWD may be spread by ticks, and has the
13 potential to jump into human populations; and

14 **WHEREAS**, the CDC recommends not eating CWD infected deer; and

15 **NOW, THEREFORE, BE IT RESOLVED**, that the National Conference of State
16 Legislatures urges Congress to provide states with additional flexible federal funds for
17 research and response to emerging wildlife diseases, in order to effectively address this
18 multi-state wildlife disease crisis and enable states to assure their wildlife populations
19 are healthy. These funds must be provided without federal mandates on state wildlife
20 management; and

21 **BE IT FURTHER RESOLVED**, the National Conference of State Legislatures supports
22 National Institutes of Health funding to examine human health impacts from CWD.

1 **COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT**

2 **POLICY: MICROPLASTICS RESEARCH**

3 **TYPE: EXISTING RESOLUTION**

4 A resolution of the National Conference of State Legislatures, urging the federal
5 government to fund research on microplastics in the environment.

6 **WHEREAS**, microplastics are pieces of plastic that are less than five millimeters in size
7 which can result from the disposal and breakdown of products and industrial waste
8 containing plastics; and

9 **WHEREAS**, the majority of plastics in the United States are not recycled; and

10 **WHEREAS**, recent studies have shown that microplastics are pervasive in the
11 environment; and

12 **WHEREAS**, microplastics are easily ingested by plankton and filter feeding animals and
13 are found in many species of wildlife including fish and shellfish; and

14 **WHEREAS**, microplastics have been found in bottled water and other consumer
15 products intended for human consumption; and

16 **WHEREAS**, microplastics have been found in human stools; and

17 **WHEREAS**, scientists still know little about the effects of microplastics on the human
18 body or on wildlife; and

19 **WHEREAS**, water resources, including drinking water, and soils and sediments are
20 rarely tested or monitored for microplastics; and

21 **WHEREAS**, questions still remain as to the sources of microplastics in the environment,
22 including the contributions from wastewater treatment facilities; and

23 **WHEREAS**, research is needed to understand the impacts of microplastics on the
24 environment and human health and to develop testing and monitoring protocols.

25 **NOW, THEREFORE, BE IT RESOLVED**, by the National Conference of State
26 Legislatures that it urges to the United State Environmental Protection Agency to
27 increase research efforts on microplastics.

28 **BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to the U.S. Attorney
29 General, to the President of the United States, and all members of Congress.

1 **COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT**

2 **POLICY: NATIONAL APPLIANCE EFFICIENCY STANDARDS**

3 **TYPE: EXISTING RESOLUTION**

4 **WHEREAS**, energy efficiency standards as promulgated by the U.S. Department of
5 Energy following enactment of the Energy Policy and Conservation Act of 1975,
6 National Appliance Energy Conservation Act of 1987 and 1988 (NAECA), Energy Policy
7 Act of 1992, Energy Policy Act of 2005 and the Energy Independence and Security Act
8 of 2007, for appliances, equipment, and lighting protect consumers, are a cost-effective
9 means to reduce energy and water waste, lower utility bills and decrease pollutants and
10 atmospheric emissions including greenhouse gas emissions; and,

11 **WHEREAS**, an average U.S. household saves about \$500 per year on utility bills
12 because of these existing standards; and,

13 **WHEREAS**, U.S. businesses save about \$23 billion annually because of these existing
14 standards, money that can be invested in jobs or spent in local economies; and,

15 **WHEREAS**, efficiency standards stimulate innovative technologies, which are beneficial
16 to American manufacturers in a competitive global environment; and,

17 **WHEREAS**, lower energy and water use helps mitigate the need for new utility
18 infrastructure.

19 **NOW, THEREFORE, BE IT RESOLVED**, that the NCSL urges the Congress and the
20 Department of Energy (DOE) to fully fund and continue this highly successful program;
21 and,

22 **BE IT FURTHER RESOLVED**, that the NCSL strongly urges DOE to amend standards
23 as stipulated by law and in accordance with the review schedule dictated by Congress;
24 and,

25 **BE IT FURTHER RESOLVED**, that Congress continue to require DOE to regularly
26 review standards for appropriate updates and to resist any attempt to repeal existing
27 standards.

1 **COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT**

2 **POLICY: RECOVERING AMERICA'S WILDLIFE**

3 **TYPE: EXISTING RESOLUTION WITH AMENDMENT**
4 **INTRODUCED BY REPRESENTATIVE ISENHART**

5 **WHEREAS**, habitat loss, wildlife diseases, invasive species, pollution, and the impacts
6 of climate change pose significant threats to fish and wildlife species; and

7 **WHEREAS**, over 1,600 United States' native species are federally protected under the
8 Endangered Species Act and estimates suggest one in five native species is at risk of
9 extinction; and

10 **WHEREAS**, State Wildlife Action Plans have identified nearly 12,000 Species of
11 Greatest Conservation Need (SGCN), including federal and state endangered and
12 threatened species and other rare and at-risk fish and wildlife species; and

13 **WHEREAS**, current funding is far below what is necessary to conserve the species
14 most at-risk; and

15 **WHEREAS**, the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife
16 Resources recommended that up to \$1.3 billion a year of existing revenue from energy
17 and mineral resources development on federal lands and waters be redirected to the
18 Wildlife Conservation Restoration Program; and

19 **WHEREAS**, the Recovering America's Wildlife Act would provide the additional funding,
20 providing state wildlife agencies the money necessary to accelerate implementation of
21 State Wildlife Action Plans; and

22 **WHEREAS**, the additional funding will help states to address at-risk wildlife before they
23 require protection under the federal Endangered Species Act which can be more costly
24 and disruptive.

25 **WHEREAS**, the Department of Interior's U.S. Fish and Wildlife Service on October 4,
26 2021, restored regulations under the Migratory Bird Treaty Act (MBTA) prohibiting
27 incidental take (including killing, capturing, selling, trading, and transport) of protected
28 migratory bird species without prior authorization by the Service.

29 WHEREAS, the U.S. Fish and Wildlife Service lacks the resources to provide for
30 consistent enforcement of the MBTA and the Endangered Species Act, according to
31 judicial precedent and long-standing agency practice.

32 WHEREAS, the states in their role as public trustees have primary stewardship
33 responsibility for their natural resources, including land, water and wildlife.

34 NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State
35 Legislatures recommends that the Recovering America's Wildlife Act be amended, to
36 the extent policy provisions may be included in the legislation, to authorize the
37 Department of Interior Fish and Wildlife Service to execute agreements to allow for the
38 voluntary concurrent implementation and enforcement of the Migratory Bird Treaty Act
39 and Endangered Species Act by state and local law governments.

40 ~~NOW, THEREFORE, BE IT RESOLVED~~ BE IT FURTHER RESOLVED, that the
41 National Conference of State Legislators urges the President of the United States and
42 Members of Congress to act to pass and sign into law the Recovering America's Wildlife
43 Act, and

44 **BE IT FURTHER RESOLVED**, that copies of this resolution be immediately transmitted
45 to the President of the United States, the President of the United States Senate, the
46 Speaker of the House of Representatives, and each member of Congress.

1 **COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT**

2 **POLICY: GROWING OUTDOOR RECREATION ON PUBLIC**
3 **LANDS**

4 **TYPE: NEW RESOLUTION INTRODUCED BY SENATOR**
5 **LUICK**

6 **WHEREAS**, America’s public lands and waters comprise approximately 600 million
7 acres managed by federal, state and local entities.

8 **WHEREAS**, according to the U.S. Department of Commerce’s Bureau of Economic
9 Analysis (BEA), outdoor recreation generated \$1.1 trillion in economic output and
10 accounted for 2.2% of U.S. gross domestic product in 2022.

11 **WHEREAS**, BEA also found that outdoor recreation generated five million jobs across
12 the country and accounted for 3.2% of all U.S. employees in the same time period.

13 **WHEREAS**, regular outdoor recreation is associated with economic growth, positive
14 health outcomes, and better quality of life, and many outdoor recreation businesses are
15 small, locally owned and operated businesses that are the cornerstones of rural
16 communities.

17 **WHEREAS**, it is important that the federal government, in partnership with state and
18 local governments, ensure that access to outdoor recreation is available to all
19 Americans for generations to come.

20 **WHEREAS**, the Expanding Public Lands Outdoor Recreation Experiences (EXPLORE)
21 Act is a bipartisan legislative package in the U.S. Senate that combines several existing
22 bills—including the Recreation Not Red Tape Act and Simplifying Outdoor Access for
23 Recreation Act—with new concepts such as improved broadband connectivity at
24 developed recreation sites, online collection of recreation fees, federal collaboration with
25 state, local and Tribal governments in identifying and assessing housing, municipal
26 infrastructure and other needs of gateway communities to expand visitation to federal
27 lands and waters.

28 **WHEREAS**, EXPLORE has already passed unanimously out of the Senate Committee
29 on Energy and Natural Resources and has already passed the House of
30 Representatives.

31 **NOW, THEREFORE, BE IT RESOLVED**, that the National Conference of State
32 Legislatures urges members of Congress and the president of the United States to act
33 to pass and sign into law the Expanding Public Lands Outdoor Recreation Experiences
34 Act; and work with states to effectively implement its provisions.

1 **COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT**

2 **POLICY: SUPPORTING FDA'S AUTHORITY TO REGULATE**
3 **FOOD SAFETY**

4 **TYPE: NEW RESOLUTION INTRODUCED BY SENATOR**
5 **REZIN**

6 **WHEREAS**, a strong food safety system promotes public health and welfare in the U.S.
7 and a uniform, science-based food safety system is critical to ensure product uniformity,
8 integrity, and transparency; and

9 **WHEREAS**, the U.S. Food and Drug Administration (FDA) plays a vital role in setting
10 national science-based determinations on the safety of food additives and colors in the
11 nation's food and beverage supply using a risk assessment process; and

12 **WHEREAS**, the approved reorganization of FDA and the creation of a unified Human
13 Foods Program will strengthen the agency's ability to swiftly identify emerging health
14 risks and quickly evaluate ingredient safety in post-market reviews, building on the
15 agency's recent efforts to remove brominated vegetable oil from the food supply and
16 expand its ongoing assessments of other food and color additives; and

17 **WHEREAS**, states play an important role in supporting our national science-based food
18 safety system to maintain uniform access to safe, affordable foods in every state and
19 preserve interstate commerce; and

20 **WHEREAS**, federal funding for FDA's reorganization is critical to support public health
21 in the states and the Agency's ongoing efforts to enhance chemical ingredient safety in
22 the food supply that takes into account new scientific information, innovation, and
23 research developments;

24 **NOW, THEREFORE, BE IT RESOLVED**, that the National Conference of State
25 Legislatures (NCSL) urges the Congress and the Administration to adequately fund the
26 reorganization of FDA and the creation of a unified Human Foods Program to ensure
27 the agency can meet its anticipated reorganization implementation date of October 1,
28 2024; and,

29 **BE IT FURTHER RESOLVED**, that a copy of this resolution be immediately transmitted
30 to FDA's Commissioner, the President of the United States Senate, the Speaker of the
31 House of Representatives, and all members of Congress.

1 **COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT**

2 **POLICY: NATIONAL AGRICULTURE**

3 **TYPE: EXISTING DIRECTIVE WITH AMENDMENT**
4 **INTRODUCED BY REPRESENTATIVE ISENHART**

5 The National Conference of State Legislatures (NCSL) believes that maintaining a
6 strong production agriculture capacity is critical to our nation's strength and is a matter
7 of national security. NCSL recognizes that decisions affecting American agriculture
8 must reflect a working partnership of the federal government with the states in both the
9 formulation and implementation of policy.

10 **Agricultural Fiscal Policy**

11 NCSL urges federal efforts designed to enhance farm income while increasing
12 agricultural exports. Monetary policies must be implemented which promote low interest
13 rates and maintain dollar exchange rates which enhance the potential for sale of this
14 nation's commodities in international markets. The federal government must also
15 maintain a stable financial network capable of supplying adequate amounts of
16 affordable credit to the agricultural industry. The government must also continue to
17 search for innovative financing tools which enhance the ability of agricultural producers
18 to manage risk and stabilize income. In addition, any domestic farm program must work
19 in conjunction with a strong, aggressive export program which protects and expands our
20 export markets.

21 State legislators should be represented on any working or study group for the purpose
22 of addressing long term agriculture lending and payment needs established by
23 Congress or the executive branch. NCSL urges Congress to review the existing
24 payment limitations for individual farmers and program eligibility requirements to ensure
25 that they provide support to economically efficient farming operations and promote the
26 preservation of the family farm. In addition, the Conference recommends that all federal
27 agricultural adjustment payments, price-support program loans, payments and other
28 benefits not related to soil conservation efforts be limited to citizens of this country or
29 aliens lawfully admitted for permanent residence.

30 Secondary Market for Long-Term Loans: NCSL urges the federal government to work
31 with states to assure that the provisions of the Agricultural Credit Act of 1987 continue
32 to be fully implemented.

33 Bankruptcy law: NCSL supports federal legislation to permanently extend allowing farm
34 operations to declare Chapter 12 bankruptcy.

35 Farm Credit System (FCS): NCSL encourages farm credit institutions to work with
36 farmer-borrowers to restructure debt. NCSL urges that any disposition of land and
37 assets held by the System or its units be conducted in an orderly fashion so that such
38 disposition does not adversely affect the value of those assets or of other property
39 within the community. NCSL also urges that FCS institutions continue to work with
40 producers to provide necessary financing for changes in payments and crops resulting
41 from adjustments to federal programs.

42 Commercial Lending Institutions: NCSL believes that as federal financial assistance is
43 provided to member institutions of the FCS, assistance should also be provided to
44 commercial lending institutions that provide credit to agriculture. Furthermore, Federal
45 Deposit Insurance Corporation (FDIC) policies and federal bank regulation procedures
46 must be reviewed to ensure that the maximum assistance is being provided to troubled
47 borrowers, without compromising the safety and soundness of the institution or the
48 assets of the FDIC.

49 Agricultural Bonds: NCSL supports exempting agricultural bonds from the federal
50 volume cap placed on industrial revenue bonds in each state. Furthermore, NCSL
51 recommends that the President and U.S. Congress amend the federal Internal Revenue
52 Code to make the use of agricultural bonds more attractive to banks and other financial
53 institutions. NCSL also recommends that the federal government permit deductibility for
54 loans financed by issuers that are not necessarily small issuers as defined by the
55 Internal Revenue Code.

56 Crop Insurance: NCSL supports a state-federal partnership to develop a fair and
57 affordable crop insurance program that complements other risk management tools
58 available in the marketplace for all crops. NCSL supports an efficient program that

59 promotes informed production and management decisions. NCSL also supports federal
60 efforts to encourage private-sector development of innovative risk management tools.
61 However, any plan for crop insurance must not adversely impact a state's ability to levy
62 premium taxes, regulate the business of private insurance or set solvency standards for
63 private crop insurers.

64 **Marketing**

65 NCSL seeks a federal policy that will sustain a vibrant agricultural marketplace and
66 strong farm economy while providing for competition and fair practices. The federal
67 government should cooperate fully with states' efforts to supplement private sector
68 marketing programs by providing comprehensive marketing, promotion and market
69 development activities. These should include, at a minimum, sustained commitments to
70 the provision of data on market trends and consumer demands, technical assistance,
71 financial assistance and public education campaigns.

72 Special emphasis must be placed upon the development of new markets through the
73 creation of demand for new crops or products or additional sources of demand for
74 existing commodities and products; the improvement of linkages between buyers and
75 sellers; a shift toward the sale of processed, not raw, commodities and high value cash
76 crops; and the identification and analysis of potential markets. All parties, both public
77 and private sector, must work together to develop effective strategies to exploit those
78 opportunities fully and to maintain an ongoing ability to respond to changing consumer
79 demands.

80 Direct Marketing Arrangements: NCSL recommends that Congress review the Packers
81 and Stockyards Act as a mechanism for addressing unfair practices that may occur
82 under direct marketing arrangements, monitor activities in this area, and enact
83 appropriate and timely legislation to safeguard the welfare of producers. NCSL urges
84 Congress and USDA to strengthen and diligently enforce the provisions of the Packers
85 and Stockyards Act in concert with the clear intent of the Act to curb monopolistic
86 abuses in the concentrated meatpacking sector.

87 **Competition**

88 Family farmers ultimately derive their income from the agricultural marketplace.
89 Congress must set rules to improve the competitive environment of agriculture so that
90 farmers are able to retain a greater portion of their income.

91 **Natural Resource Conservation**

92 All federal government actions affecting natural resources should be conducted in close
93 cooperation and only after consultation and coordination with the states. A strong
94 commitment to conduct research, in the area of improved methods of natural resource
95 conservation and protection, must be maintained. The federal government should work
96 with state and local governments to develop agricultural land use policies, but should
97 leave the responsibility for establishment of these policies to the state and local
98 governments. NCSL favors a block grant approach that gives states maximum flexibility.
99 NCSL supports the use of science, technology and effective practices to reduce nutrient
100 losses to water, including nitrogen and phosphorus, from point and nonpoint sources.

101 We encourage significant federal investment in state-supported projects -- with an
102 emphasis on watershed-based public-private partnerships -- that provide for
103 accountability and transparency, as evidenced by the establishment of goals, timelines,
104 milestones, monitoring, measurement and regular public reporting documenting
105 improvements in the quality of water in public waterways. Fundamentally, NCSL
106 believes that states must be given a much stronger voice in ensuring that federal
107 wetlands, endangered species, and land management policies respect the rights of
108 local landowners and states.

109 **Wetlands and Endangered Species**

110 The federal government should delegate authority to states for the development,
111 administration, and enforcement of wetlands protection and endangered species
112 programs. The national government, acting through USDA, should set broad national
113 goals and standards for wetlands protection and preservation of endangered species,
114 but states should have the flexibility to meet those goals. The federal government,
115 furthermore, should provide financial and technical assistance as incentives to

116 encourage states to assume primacy over wetlands and endangered species
117 programs.

118 **Pollinator Health**

119 NCSL recognizes the importance of pollinators and stresses the negative ramifications
120 of continued pollinator loss, while supporting federal efforts to protect pollinators. We
121 also recognize the key roles that the federal government plays as a landowner and
122 manager, regulator of pesticide products, and financial and technical assistance
123 provider to farmers and other private landowners. As such NCSL supports and calls
124 upon the federal government to:

- 125 • Develop best management practices and enhance pollinator habitat on federally
126 owned or managed lands.
- 127 • Incorporate pollinator health as a component of all future federal restoration and
128 reclamation projects.
- 129 • Revise guidance documents for designed landscapes and public buildings in
130 order to incorporate pollinator-friendly practices.
- 131 • Increase both the acreage and forage value of pollinator habitat in the
132 Conservation Reserve Program and other federal conservation programs;
133 provide technical assistance in collaboration with land-grant university-based
134 cooperative extension services to federal departments and agencies, state, local,
135 and tribal governments, and other entities and individuals including farmers and
136 ranchers.
- 137 • Assist states and state wildlife organizations, as appropriate, in identifying and
138 implementing projects to conserve pollinators through the revision and
139 implementation of State Wildlife Action Plans.
- 140 • Assess the effects of systemic pesticides and parasites on bee and other
141 pollinator health and take corresponding action, as appropriate, to protect
142 pollinators from pesticides and parasites;

143 • Take immediate measures to support pollinators with proper habitat and nutrition
144 during the current growing season and thereafter, including planting pollinator-
145 friendly vegetation, increasing flower diversity in plantings, limiting mowing
146 practices, and reduce or avoid, when necessary, the use of pesticides in
147 sensitive pollinator habitats through the use of integrated vegetation, pest and
148 colony management practices; and

149 • Work closely with the states to align pollinator protection efforts and share best
150 practices.

151 NCSL and the states identify as willing partners in the federal government’s pollinator
152 protection efforts and will closely monitor federal actions and progress on these, and
153 related efforts of utmost importance to the states and our nation’s food supply, urban
154 and rural agriculture economies, environment and natural resources.

155 **Land Management**

156 Devolution of authority to states should also be a goal of federal land management
157 policies. Demonstration projects should be established to determine if state
158 administration of national forests, grasslands, parks and other federal property will result
159 in cost savings to taxpayers and greater sensitivity to the concerns of local citizens and
160 property owners. NCSL, moreover, encourages Congress and federal agencies to hold
161 hearings and public meetings in order to hear the concerns of state and local officials
162 and of ordinary citizens and property holders regarding the impact of federal
163 landownership and regulation.

164 **Soil Conservation**

165 NCSL supports an ongoing education program to make certain that producers are fully
166 aware of the need for proper soil conservation practices and of the best methods to use
167 in their implementation. Diligent efforts must be made by the federal government to
168 ensure that proper soil conservation practices are adopted and that fragile, erodible land
169 is protected.

170 NCSL supports requiring that each farm have and follow an approved soil and water
171 conservation plan in order to obtain government assistance. Benefits may be denied if a
172 crop is grown in violation of this requirement. Further, NCSL supports continued
173 extension of the Conservation Reserve Program and federal efforts to protect
174 pollinators, including those that are vital to American food production.

175 **Cover Crop Research**

176 NCSL supports federal efforts to further the development of and proliferation and use of
177 cover crops given the growing concerns about water quality, soil fertility, weed control,
178 nematode control, water retention and biodiversity. NCSL recognizes that cover crops
179 have proven to increase yields in university studies as well as in replicated farm
180 research; are an increasingly popular way to keep soil healthy; helps reduce the need
181 for Nitrogen and other nutrients, and create a healthier soil environment that resists
182 disease and pests; inhibit weed growth by shading them out, by preventing emergence,
183 and by compounds exuded by the roots; are shown to reduce populations of pathogenic
184 nematodes and encourage populations of beneficial ones; break up soil compaction
185 whether it is naturally occurring or a result of heavy cultivation and tillage; add diversity
186 to the natural biological life in heavily farmed soils, often working in synergy with cash
187 crops for bottom line benefits; add diversity to the natural biological life in heavily farmed
188 soils, often working in synergy with cash crops for bottom line benefits.

189 **Research and Development**

190 NCSL supports the state-federal partnership in agricultural research at state
191 universities. Furthermore, funds must be made available to support research and
192 development of innovative products. Funds should also be used for dissemination of
193 information about research discoveries both domestically and abroad. It is particularly
194 important that the land grant universities maintain their commitment to agricultural
195 research and development and that the federal government provide sufficient research
196 dollars to support this vital effort.

197 NCSL urges the federal government to maintain a strong research program for the
198 development of adequate, cost-effective and environmentally sound control measures

199 to ensure the eradication of all insect and plant pests and animal diseases, which
200 should be done in close cooperation with the states. Using existing mechanisms and
201 institutions, the federal government should work with the states in providing the basic
202 training and retraining opportunities necessary for the successful operation of an
203 agricultural enterprise and for the continuing adjustment of producers to changing
204 conditions in agriculture.

205 **Intellectual Property Rights in Publicly Funded Research**

206 NCSL calls on Congress to review the Bayh-Dole Act of 1980 and subsequent
207 amendments for its impact on encouraging concentration and vertical integration within
208 the agricultural sector, and for its consistency with the mission and purpose of the Land
209 Grant College system. Further, Congress should increase federal support for
210 agricultural research, and retain through grant and contract provisions greater portions
211 of technology arising from such research within the public domain. Congress should
212 also affirm as objectives of the Land Grant Colleges' agricultural research mission to
213 achieve broad dissemination and producer access to crop technology, and preserve
214 and enhance the income and economic opportunities of producers.

215 **Beginning Farmer Programs**

216 NCSL supports a state-federal partnership to confront challenges faced by farmers and
217 beginning farmers, including the use of federal tax incentives to support state-based
218 development and loan programs. NCSL supports changes to the federal Internal
219 Revenue code that reduce borrowing costs for qualifying farmers and strengthen state
220 beginning farmer programs. NCSL is particularly supportive of beginning farmer and
221 other training programs that provide assistance for military veterans and limited-
222 resource farmers. Furthermore, NCSL supports raising the total volume of state bonding
223 authority to free resources for beginner farmer programs if achieved in a manner
224 consistent with a balanced federal budget.

225 In collaboration with state governments, as well as public and private local partners,
226 NCSL supports investment in joint research, demonstration and development of food
227 systems that provide opportunity to young and beginning farmers with limited assets, to

228 produce and deliver affordable, healthy, fresh, nutritious food to consumers within the
229 local and regional markets where the producers operate, toward a goal of national food
230 self-sufficiency and optimal health.

231 **Agriculture Biofuels**

232 NCSL believes that the U.S. Department of Agriculture (USDA) should be the lead
233 federal agency to examine regulatory issues as they develop for the algaculture
234 (Farming Algae) industry.

235 **Support State Regulation of Agricultural Biotechnology**

236 NCSL supports the responsible use of the beneficial qualities of agricultural
237 biotechnology such as in improved crop production techniques, pharmaceuticals, anti-
238 immune disease control, biodegradable plastics, and other potential benefits to people
239 in their states, the nation, the world and the global environment. NCSL supports the
240 continued regulation of agricultural biotechnology through state and territorial
241 governments working in close collaboration and partnership with the Coordinated
242 Framework for Regulation of Biotechnology administered by the U.S. Environmental
243 Protection Agency (EPA), USDA, and U.S. Food and Drug Administration (FDA).

244 **Industrial Hemp Farming**

245 NCSL supports federal legislation to define industrial hemp as a distinct agricultural crop
246 (1% or less THC content) and allow states to regulate commercial hemp farming.
247 Currently 33 states have laws allowing hemp research or farming. NCSL believes that
248 hemp has a long history as a sustainable and a profitable crop, and has great potential
249 as a new crop for American agriculture and industry. According to Vote Hemp, an
250 estimated \$687 million worth of hemp products were sold in the U.S. in 2016, including
251 foods, body care products, clothing, auto parts, building materials, and paper. Most of
252 these products were made from imported hemp due to federal policy that prohibits
253 commercial hemp farming. NCSL believes that federal policies that obstruct industrial
254 hemp farming are outdated and must be changed.

255 **Avian Flu Response**

256 The highly pathogenic avian influenza (HPAI) represents a significant threat to U.S.
257 agriculture and the ability of our farmers to feed a growing world population. The federal
258 government plays a key role in harnessing resources and providing assistance to
259 farmers, states, and others affected by the virus. NCSL fully supports:

- 260 • Federal efforts to protect poultry production and the nation’s food supply by
261 aggressively working to contain and remediate outbreaks when they occur.
- 262 • Federal efforts to serve as technical advisors and the clearinghouse of
263 information for all sectors and employing time sensitive approaches to sharing
264 information.
- 265 • Federal agencies working closely with the states to align HPAI efforts and share
266 best practices.
- 267 • Increasing federal funding necessary for state and federal agencies to continue
268 development of biosecurity containment strategies; more aggressive research
269 into the causes of avian influenza; why some fowl are more susceptible; and
270 prevention measures, including the development of vaccines that can be taken.

271 **Wildfire Funding**

272 Due to the significant increases in suppression costs in the last decade, funding
273 transfers have depleted resources from vital fire prevention and mitigation programs.
274 Further, increased fire activity can have substantially negative impacts on air quality,
275 water quality, greenhouse gas emissions as well as the reduction of downstream water
276 storage as sediment runoff lowers the effective level of dams and reservoirs;
277 Additionally, reduced restoration and mitigation funding makes it easier for invasive
278 pests and diseases to infest vulnerable forests; and the anticipated changes in climate
279 will also cause fire risk to escalate in drought-ridden regions, further increasing wildfire
280 suppression costs. Therefore, NCSL urges the federal government to:

- 281 • Maintain budget mechanisms for wildfire suppression in order to fund
282 catastrophic fires as natural disasters adopted as part of the Fiscal Year 2018

283 budget agreement that minimizes the risk of fire transfers from prevention and
284 mitigation programs.

285 • Manage wildfires on a regional basis, understanding that increased risk for
286 wildfires on federal lands ultimately will lead to increased costs for state wildfire
287 programs; and

288 • Support policies that continue to reduce the legislative and regulatory barriers
289 when performing vegetation management, both inside and outside the rights-of-
290 ways (ROWS); developing and deploying new technologies, including from our
291 national labs, that can enhance wildfire detection and response; and address
292 liability concerns for public and private entities.

293 **Rural Mental Health**

294 Farmers and ranchers, due to the nature of their work and a shortage of resources for
295 rural mental health, suffer higher rates of depression and suicide than other professions
296 – as described by the American Psychological Association’s Journal of Rural Mental
297 Health. Difficult economic conditions are placing additional strain on our nation’s
298 farmers and ranchers and their families, and the federal government can play a vital role
299 in addressing this crisis by providing the states with additional resources for rural mental
300 health services that are tailored to the unique needs of farmers, ranchers, and their
301 families. The National Conference of State Legislatures urges Congress to include in
302 pending legislation, funding for states to address this urgent need and assist our
303 nation’s farmers, ranchers, and their family members during this time of great financial
304 stress in American agriculture.

305 **AGRIVOLTAICS**

306 NCSL encourages Congress and relevant federal agencies to work with states to
307 accelerate research, create innovative policies and offer incentive programs to advance
308 the development and deployment of agrivoltaics or “agrisolar” technology and practices
309 to foster the production of both food and energy on agricultural lands.

310 Such research, policy and incentives should focus on outcomes that enhance
311 profitability for growers, create meaningful opportunities for beginning farmers, promote
312 food security in domestic markets, strengthen public health, assist in the transition to a
313 renewable energy economy, protect lands vulnerable to soil and water degradation, and
314 reinforce the critical roles of state and local governments.