

IX. LAW

A. LEGAL REFORM

ADVERSE POSSESSION (2008). We support a change in the possession laws to make it illegal for adverse possession suits to be instigated against persons who have purchased land and have paid taxes on that land. The persons who hold title and have paid taxes on the land should be the legal owner.

DEFENSE REIMBURSEMENT (2008). We believe that when a defendant is found not liable or that the case has no merit the plaintiff should be required to pay the legal expenses of the defendant.

GUEST LIABILITY (2006). We support efforts to enhance agritourism activities by reducing liability exposure associated with farm/guest visitation. We support a law protecting landowners and tenants from liability claims of paying and non-paying guests who are injured, after entering private property for recreational purposes, through no negligence of the landowners or tenants.

If this is not feasible, we support legislation that would offer liability protection to start up or limited ventures as established by an income threshold. We support measures to make liability insurance more feasible and affordable.

We favor efforts to clarify that conservation and wildlife habitat improvement payments made to a landowner by a nonprofit conservation group, political subdivision, or state or federal agency do not eliminate a landowner's liability protections under the state recreational liability act.

LEGAL BONDS (2007). Individuals or entities that file legal actions against farmers or livestock producers that have complied with local zoning and DEQ requirements should be required to post a bond to cover the cost of all legal fees incurred to defend such action and any discontinuation of production if a producer is prevented from operating during litigation.

OFFICIAL LANGUAGE (2008). We believe that English should be enforced as the official language of the state. Since a common language is essential to a unified state we urge the repeal of laws mandating use of multi-lingual ballots in public elections.

OPEN RANGE LIABILITY (2008). We support legislation that establishes open range areas. Motorists who injure and/or kill livestock on public roads in posted "Open Range" areas should be held liable for all damages.

PROPANE LIABILITY (2007). We support legislation that would limit the liability of propane retailers from tanks to the point of entry of the gas line into the building.

RECREATIONAL LIABILITY (2007). We favor a law that would protect landowners and tenants from those who injure themselves after entering private property to hunt, fish, bike ride, etc. The Game and Parks Commission and/or the landowner should be liable for damages to adjacent property owners that are caused by allowing unrestricted access to CRP land.

We believe people who voluntarily use public property for recreation should not be allowed to recover damages from the government entity should a personal injury occur.

REVOCABLE DEEDS (2007). We believe that the 30-year sunset clause on revocable deeds needs modified. Any revocable deed that was filed before the date that the statute was passed should be eligible for grandfather rights.

Properties that were deeded to Class I school districts should be added to the exemption list with public utilities and the railroad.

TORT REFORM (2006). We support tort reform that would place primary responsibility on an individual rather than on the property owner to use reasonable care to avoid accidental injury. Unauthorized entry upon private property should be considered failure to use due care to avoid injury. We support tort reform that includes flat compensation based on type of injury and placing reasonable limitations on attorney's fees generated by lawsuits.

B. CRIMINAL ISSUES

DRUG ABUSE (2006). We support legal authorities in prosecuting to the fullest, commercial banks, businesses or individuals laundering drug money. We support effective enforcement of present laws and the enactment of new legislation where needed to prevent the importation, manufacture, and distribution of illegal drugs and paraphernalia. We support the use of drug courts for the prosecution of minor offenses.

JUVENILES (2007). We support investigating the use of existing government property for juvenile detention centers. When juveniles are convicted of vandalism or property damage, the juvenile and their parents should be required to make restitution.

TERRORIST ACTS (2007). We support strict penalties on those that engage in terrorist acts against agricultural entities or individuals. Those persons who engage in the destruction of grain, livestock or other agricultural or agribusiness commodities should be liable for 50 times the value of the commodity(s) damaged or destroyed. We believe ammonium nitrate should not be sold to anyone who doesn't have a designated area to apply it.

TRESPASS (2006). We believe county attorneys should represent landowners in prosecuting arrests for trespassing. We support trespassing and vandalism laws which creates heightened criminal penalties for criminal damages to farm equipment and agricultural facilities and which establishes a Class III misdemeanor for trespassing on agricultural property.