



# TAD News

## June 2007 – National Dairy Month

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## Immigration reform impacts your business

It is appropriate that I pause for a moment to thank dairymen and women across this vast state as we celebrate June as National Dairy Month.

It is because of you that we focus our efforts at the Texas Association of Dairymen.

TAD is all about dairying and representing your interests at the state Capitol and with regulatory agencies that impact or influence your business. I write a lot about environmental regulations, which are very important, and legislative issues, that are always concerning.

This month, I want to let you know that TAD is working on producer information material intended to help our dairymen and women members understand the very complicated employment requirements for foreign agricultural workers.

Once the material is finalized, we will post it on our Web site and put it directly into the hands of all TAD members.

Congress may take up immigration reform legislation again this summer; if they do, we need to encourage them to pass a reasonable reform package that will permit the dairy industry to continue to serve the consumer.

I have conveyed that message to members of Texas' delegation in Washington, as well as others.

However, in the interim, we must all follow current law with the workers we employ, which includes keeping good records, verifying their eligibility to work in the United States the best that you can, and staying abreast of all the requirements. ■

### Manager's Update

John Cowan

## TAD advises dairies to follow immigration law, yet working for change

The effects of the firestorm of debate in Washington, D.C., over immigration reform reaches down to every dairy operating in our state. The Texas Association of Dairymen is working hard to make sure its producer members understand current law, but also to make sure those at the center of the debate understand how their decisions will impact the dairy industry.

For example, TAD would support immigration reform changes that take the burden of policing workers' eligibility off the shoulders of dairymen. TAD also does not want to restrict a dairymen's access to a much-needed labor pool.

While TAD is advocating changes to the current immigration law, it does not condone disobeying that law or support dairymen who willfully violate current law.

The importance of following the complicated immigration law requirements when it comes to keeping records, filling out required forms and verifying employment eligibility has hit home for a couple of dairies in Texas.

In May, agents from the Immigration Customs and

Enforcement (ICE) made an unannounced raid on dairies near Muleshoe, and 15 workers were detained. The raid severely hampered these dairies' operations.

How can you keep this from happening to you?

- You and your employee must fill out and submit appropriate forms, including the I-9, W2 and W4.
- Retain records for the legally prescribed time.
- Verify that applicants are eligible to work in the United States before you hire them by checking appropriate documents.

If you have questions about the requirements, contact TAD or your attorney. TAD is working with the Texas Cooperative Extensive Service and others to create producer education material – to include fact sheets and other media – for distribution to all TAD members.

TAD has met about immigration reform so far with Texas Agriculture Commissioner Todd Staples, U.S. Sens. Kay Bailey Hutchison and John Cornyn and a special agent with the U.S. Immigration and Customs Enforcement. ■

# Legislature adjourns with fireworks, record number of bills passed

By Shayne Woodard, TAD lobbyist

What a wild ride to the Texas Legislature's finish line over the Memorial Day weekend!

Many of you have asked about all of the end-of-session controversy, especially in the Texas House. Bottom line, on the last weekend Speaker Tom Craddick survived an attempt to topple his position as Speaker, and the House adopted a \$153 billion budget, avoiding a special session.

Speaker politics was all the buzz in the final days of session. So far, seven people have filed to run for speaker.

More bills were filed (6,198) and passed (1,478) this session compared to 2005. The governor vetoed 49 bills, including one of interest to TAD, HB 2006 which related to the use of eminent domain (see end of story for details).

Among the numerous bills monitored by TAD, the following bills of interest passed and were signed into law, effective Sept. 1 unless otherwise indicated (you can learn more or read the full text of the bills at [www.capitol.state.tx.us](http://www.capitol.state.tx.us)):

**HB 2328 by Woolley: Relating to the offenses of cruelty to livestock and nonlivestock animals.**

**HB 2542 by Kohlkorst: Relating to the continuation and functions of the Office of Rural Community Affairs.**

**HB 2093 by Hill: Relating to the issuance and enforcement of motor carrier overweight or oversize vehicle permits and motor carrier registrations; providing administrative penalties.**

The original bill would have tripled heavyweight permit fees without any additional help for the agency. The fees doubled, but the Texas Department of Transportation is required to add additional manpower to assist with expediting permits. Ag trucks do get a 3 percent variance on weight.

**HB 2543 by Kohlkorst: Relating to the continuation and operation of the Texas Animal Health Commission; providing penalties.**

**SB 1260 by Seliger: Relating to the issuance of a nonresident commercial driver's license.** Allows an H2A worker to get a temporary drivers license that will expire when his work visa expires.

**SB 1714 by Seliger: Relating to the regulation of dairy products.** The Health Department will raise and/or change the fee structure for milk permits.

## ENVIRONMENTAL

**SB 1673 by Averitt: Relating to the renewal of certain air quality permits.** Allows permits that have been reviewed for amendment to be extended so that the renewal schedule will correspond with the amendment. Signed into law May 22, it is immediately effective.

**SB 12 by Averitt: Relating to programs for the enhancement of air quality including energy efficiency initiatives.** Addresses the Houston-Galveston-Brazoria and DFW areas' air quality and expands the boundaries and eligible projects for reducing emissions and for meeting federal air quality standards. The bill provides additional funds for mobile source emissions.

**SB 3 by Averitt: Relating to the development, management, and preservation of the water resources of the state.** Big water bill that makes several policy changes for instream flows and future water reservoir designations.

## TAXES

**HB 3928 by Keffer: Relating to technical changes to the revised franchise tax.** Makes key fixes to new margins tax that will be effective Jan. 1, 2008, including a net loss carry forward option and prevents attempts to apply gross receipts in lieu of margin tax.

## EMINENT DOMAIN VETOED

Perry vetoed HB 2006 relating to the use of eminent domain authority. The veto was expected by TAD and others.

In his veto message, Perry said that two 11<sup>th</sup> hour amendments to the bill "would send the cost of public projects spiraling beyond the amount Texas taxpayers should reasonably be required to pay," easily exceeding \$1 billion. "It is important to balance the rights of Texas landowners whose land is acquired through eminent domain against the needs of the greater taxpaying public," according to Perry. Virtually every major city, county and high-growth area of the state asked Perry to veto the bill. To read Perry's complete veto message, visit [www.governor.state.tx.us/divisions/press/bills/veto](http://www.governor.state.tx.us/divisions/press/bills/veto).



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