

Good morning, Chairman Schmidt and members of the Interim Agriculture Committee. For the record, my name is Julie Ellingson and I represent the North Dakota Stockmen's Association.

Thank you for the opportunity to appear before you this morning and to report on SB 2211, the Humane Treatment of Animals Bill, that many of you and many stakeholders worked so hard on ahead of and during the 2013 North Dakota Legislative Session.

As a refresher, SB 2211 was originally crafted by a working group of diverse North Dakota animal stakeholders – farmers, ranchers, veterinarians, zookeepers, pet shelter workers, the Board of Animal Health and the North Dakota Department of Agriculture – that came to be known as the North Dakotans for Responsible Animal Care. The group had worked together over several years on the project, beginning as early as 2008, with the goals of strengthening and clarifying the then-existing animal treatment statutes to protect both animals and animal stewards.

As you well know, development of the bill was a journey, requiring many, many hours and reams and reams of paper as we worked together to find the appropriate language to address all needs and to articulate the balance we were seeking.

In the end, SB 2211 became a comprehensive rewrite of North Dakota's humane treatment of animals statute, built upon time-honored language but filling in the some of its problematic gaps.

The resulting law has four main features:

- 1) Definitions of neglect, abandonment, abuse and cruelty;
- 2) Enumerated exemptions to distinguish legitimate acts from acts of mistreatment, which are particularly important to those of us working in animal agriculture;
- 3) An array of penalties to match the punishment to the severity of the crime, with stepped-up penalties for the most extreme acts and repeat offenders; and
- 4) Clarified roles for those who must respond to animal mistreatment cases, like veterinarians and law enforcement officials.

In order to do our due diligence to prepare for this report, our organization reached out to the agricultural organizations that are members of the North Dakotans for Responsible Animal Care working group, including my own organization, the North Dakota Stockmen's Association; the North Dakota Farmers Union; the North Dakota Veterinary Medical Association; and the State Board of Animal Health for feedback of how the bill is working or not working. Each entity reported that there has been little, if any, discussion of the bill since it went into effect last year.

We did hear from two producers who had questions about the seizure procedures, fearing they may have private property rights implications. This provided the opportunity to explain that, while the seizure procedures are more explicit in the new law, they actually provide more protections for animal owners than before, requiring a court order before an animal is taken, requiring law enforcement to provide the necessary care for any seized animals and making the owner responsible for the costs only if convicted. Of course, it is everyone's desire to avoid any inappropriate, unjustified seizures and that experts, like the Board of Animal Health or its Veterinary Reserve Corps veterinarians continue to be enlisted for assessments so animals are not wrongfully taken.

With that being said, the organizations indicated are generally pleased with the new law and attest that the ag community has been generally unaffected by it. And, as such, none of the groups are advocating for any statutory revisions to the law at this time.

Thank you, Mr. Chairman. I would be happy to answer any questions that you or the committee might have.