

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2105

2007 SENATE AGRICULTURE

✓
SB 2105

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2105

Senate Agriculture Committee

Check here for Conference Committee

Hearing Date: January 12, 2007

Recorder Job Number: 996

Committee Clerk Signature



Minutes:

Senator Tim Flakoll-chairman- opened the hearing on SB 2105, a bill for an act to amend and reenact sections 4-30-18, 4-30-20, 4-30-36, 4-30-36.2, 4-30-36.3 and 4-30-36.4 of the North Dakota Century Code, relating to dairy products regulations. All members (7) were present.

Wayne Carlson, Program Manager for livestock services for the North Dakota Department of Senate Agriculture testified in favor of the bill. See attached testimony.

Sen. Flakoll- from the 1995 to the 2005 are there any substantial changes?

Wayne Carlson- I do not believe that there are any substantial changes in that publication. I do not deal with that department, that is under our state health's direction.

Sen. Behm- without this change I would not be able to ship my milk to lets say Minnesota to be processed?

Wayne Carlson- exactly, without these changes we would not be able to meet the interstate shippers agreement that we have with the FDA.

Sen. Klein- Should we be looking for a way that by rule we would need to follow that annual newly published standards of examination products can we do that?

Wayne Carlson- I would love to do that but four sessions ago we did do that in law and our attorney indicated to us that we had violation of one of the regulations, he said that regulation may not be enforceable because we have not adopted the new regulations. If I did it within rules I would have to change the rule process, and the way the rule process is right now it costs me around \$3,000.00 to \$4,000.00 to do it.

Sen. Behm- it seems like there are more laws regulating milk men then any other producer is that true?

Wayne Carlson- you are right the PMO is very thick, the inspection service hasn't changed that much on the farmers, there are some requirements that have changed over the years and when they changed the requirements on federal a lot of time those requirements are reflected all over the nation and they don't reflect some of the issues we have in North Dakota. Milk is probably one of the highest regulated food industries that there is. The reason why is because people drink it right fresh, it has to be refrigerated, and the chances of food born illnesses is very high.

Sen. Flakoll closed the hearing.

Sen. Klein motioned for a Do Pass Amendment and was seconded by **Sen. Behm**, the motion was carried on a roll call vote 7 yeas, 0 nays, 0 absent.

Roll call vote #2 was motioned by **Sen. Klein** for a Do Pass as amended and was seconded by **Sen. Behm** and not to be re-referred. The motion was carried on a roll call vote 7 yeas, 0 nays, 0 absent.

Sen. Behm was designated to carry the bill to the floor.

REPORT OF STANDING COMMITTEE

SB 2105: Agriculture Committee (Sen. Flakoll, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2105 was placed on the Sixth order on the calendar.

Page 3, line 5, overstrike "1995" and insert immediately thereafter "2005"

Renumber accordingly

2007 HOUSE AGRICULTURE

SB 2105

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2105

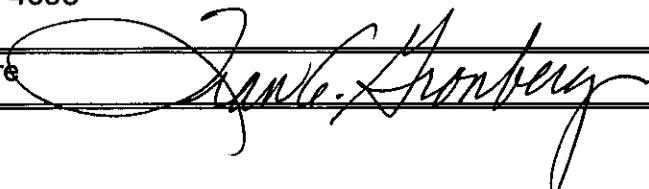
House Agriculture Committee

Check here for Conference Committee

Hearing Date: 3-8-07

Recorder Job Number: 4698

Committee Clerk Signature



Minutes:

Chairman Johnson opened the hearing on SB 2105.

Wayne Carlson, Livestock Service Program Manager: (testimony attached)

No opposition

Rep Boe moved a Do Pass

Rep Onstad seconded the motion

(yes) 11 (no) 0 (absent) 2

Carrier: Rep Boe

3/8/07

Date:
Roll Call Vote #:

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House _____ Committee _____

Check here for Conference Committee

Legislative Council Amendment Number 2105

Action Taken Do Pass

Motion Made By Rep Boe Seconded By Rep Onstad

Representatives	Yes	No	Representatives	Yes	No
Chairman Dennis Johnson	✓		Tracy Boe	✓	
Vice Chair Joyce Kingsbury	✓		Rodney Froelich	✓	
Wesley Belter			Phillip Mueller	✓	
Mike Brandenburg	✓		Kenton Onstad	✓	
Craig Headland	✓		Benjamin Vig	✓	
Brenda Heller	✓				
John D Wall	✓				
Gerry Uglem	✓				

Total (Yes) 11 No 0

Absent 2

Floor Assignment Rep Boe

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 8, 2007 1:30 p.m.

Module No: HR-44-4747
Carrier: Boe
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2105, as engrossed: Agriculture Committee (Rep. D. Johnson, Chairman)
recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).
Engrossed SB 2105 was placed on the Fourteenth order on the calendar.

2007 TESTIMONY

SB 2105

Roger Johnson
Agriculture Commissioner
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Testimony of Wayne R. Carlson
Livestock Service Program Manager
Senate Bill 2105
Senate Agriculture Committee
Roosevelt Room
January 12, 2007

Chairman Flakoll and members of the Agriculture Committee, I am Wayne Carlson, Program Manager for Livestock Services for the North Dakota Department of Agriculture. I am here today in support of SB 2105 which changes the state's dairy laws.

This bill was introduced at the request of the Agriculture Commissioner. It would change provisions of our current dairy laws in NDCC 4-30. Every two years, existing law needs to be updated to reflect current dairy regulations that the state has adopted by reference. This bill has six amendments that deal with these references.

The Food and Drug Administration has published ordinances for all states to use as references. Two of those references are the "Pasteurized Milk Ordinance (PMO/DMO) and the "Procedures Governing the Cooperative State-Public Health Service Food and Drug Administration Program of National Conference on Interstate Milk Shipments". Current publication dates for both of

these is "2005" and they were released for general publication in fall of 2006. In addition, our state has adopted the latest edition of "Standard Methods for the Examination of Dairy Products". This bill would update that reference to the current edition which is the "eighteenth". The last document that we reference in our law is the "Evaluation of Milk Laboratories". When this bill was drafted, the current edition was published in 1995. Since that time the 2005 edition has been released. I am offering an amendment to change it to the "2005" edition.

Our state needs to adopt these publications to meet the requirements of the Interstate Milk Shippers. It is my recommendation that the amendments to the dairy law be approved to reflect the most current publications.

Chairman Flakoll and committee members, I urge a do pass on SB 2105. I would be happy to answer any questions you may have.

Roger Johnson
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**Testimony of Wayne R. Carlson
Livestock Service Program Manager
Senate Bill 2105
House Agriculture Committee
Peace Garden Room
February 9, 2007**

Chairman Johnson and members of the Agriculture Committee, I am Wayne Carlson, Program Manager for Livestock Services for the North Dakota Department of Agriculture. I am here today in support of SB 2105 which changes the state's dairy laws.

This bill was introduced at the request of the Agriculture Commissioner. It would change provisions of our current dairy laws in NDCC 4-30. Every two years, existing law needs to be updated to reflect current dairy regulations that the state has adopted by reference. This bill has six amendments that deal with these references.

The Food and Drug Administration has published ordinances for all states to use as references. Two of those references are the "Pasteurized Milk Ordinance (PMO/DMO) and the "Procedures Governing the Cooperative State-Public Health Service Food and Drug Administration Program of National Conference on Interstate Milk Shipments". Current publication dates for both of

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Our state needs to adopt these publications to meet the requirements of the Interstate Milk Shippers. It is my recommendation that the amendments to the dairy law be approved to reflect the most current publications.

Chairman Johnson and committee members, I urge a do pass on SB 2105. I would be happy to answer any questions you may have.