

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2114

2007 SENATE AGRICULTURE

SB 2114

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2114

Senate Agriculture Committee

Check here for Conference Committee

Hearing Date: January 12, 2007

Recorder Job Number: 994, 995

Committee Clerk Signature



Minutes:

Sen. Flakoll opened the hearing on SB 2114, a bill for an act to amend and reenact section 36-01-08 of the North Dakota Century Code, relating to state board of animal health fees and to provide continuing appropriation. All members (7) were present.

Beth Carlson, Deputy State Veterinarian, testified in favor of the bill. See attached testimony.

Sen. Klein- the board came up to do this? How did the price increases sit with industry?

Beth Carlson- yes, the cost is minimal to veterinarians based on what they charge to the services when they use these items. It is possible there will be a decrease on veterinarian tags, we are working with our area vet in charge with USDA and APHIS to possibly get those tags at no charge and that way we would only be charging for the shipping costs, although that is not necessarily what will happen.

Sen. Klein- so then what I'm hearing is that they really haven't tested the water on the increase?

Beth Carlson- we have spoken with vets who know that we are, we are not personally losing money no matter how much we charge but that we are charging less then what the cost is so they are aware that the cost may go up.

Sen. Behm- your wanting the vets themselves to carry these costs?

Beth Carlson- currently they already do pay a fee for those we will just be increasing the fee to cover the actual cost.

Sen. Flakoll- the shipping fee seems high?

Beth Carlson- the boxes are around 17lbs, that's for a box of 1,000 and we ship biennium around 380,000 tags.

Sen. Flakoll- do they ever just come and pick them up themselves?

Beth Carlson- once in awhile, not very often. Even the vets in the Bismarck area don't routinely do that.

Sen. Erbele- did the volume increase a lot, said you had to ship 380,000 last year, is that kind of a constant number throughout the years or are we kind of growing that number or decreasing?

Beth Carlson- that number does fluctuate quite a bit which also can affect our budget.

Sen. Wanzek- we are talking a lot about the cost, to me it appears the major change in this bill is shifting it from the general fund to the continuing appropriation, does that mean in the past even though the fees were set you weren't reimbursed?

Beth Carlson- that's correct. We won't be making money on this we will just be covering our costs.

Sen. Wanzek- so with the language you feel your limiting the charge to the actual cost?

Beth Carlson- correct.

Sen. Flakoll- are these tags used in elk?

Beth Carlson- yes they sometimes are.

Sen. Erbele- if were to have the costs of today in there what would those numbers be?

Beth Carlson- per tag it would be increased to \$.08 and the health certificate tag to \$20 per book from the previous \$8 per book, cause the printing costs have gone up.

Sen. Erbele- how old is this language?

Beth Carlson- we know its prior to 1991 were not sure if its ever been changed but I'm not sure of the actual date.

Sen. Wanzek- who's ultimately going to pay for this, livestock producers? It's such a jump all at once.

Beth Carlson- we agree, we intended to address it last session which also was much later then it probably should have been.

Sen. Taylor- do you know if the cost of the actual brucellosis vaccine has increased probably a greater percentage then these tags or a similar percentage?

Beth Carlson- the actual cost of the vaccine probably has not increased significantly, your charges that are increasing are probably more so related to labor costs.

Sen. Flakoll- what percent of the breeding herd is not vaccinated in North Dakota?

Beth Carlson- we don't know that answer for a fact, we would estimate that probably about 30-40% may not be.

No oppositions to the bill.

Sen. Flakoll closed the hearing.

Sen. Wanzek motioned for a Do Pass **Sen. Taylor** seconded the motion 7 yeas, 0 nays, 0 absent. Roll Call vote 2 **Sen. Wanzek** motioned a Do Pass as Amended **Sen. Taylor** seconded the motion, the motion 7 yeas, 0 nays, 0 absent. **Sen. Taylor** was designated to carry the bill to the floor. The bill was re-referred to Appropriations.

FISCAL NOTE

Requested by Legislative Council

01/16/2007

Amendment to: SB 2114

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	(\$30,000)	\$30,000	\$0	\$0
Expenditures	\$0	\$0		\$30,000	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill requires that fees paid for tags and health certificates be deposited in the Agriculture Commissioner's operating fund for the Board of Animal Health line item instead of the general fund.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

This bill would reduce the amount of funds available in the general fund by the amount of revenues generated from the sale of tags and health certificates and generate that amount to the Department operating fund.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The funds deposited in the Department's operating fund would be used to pay the costs associated with the production of the tags and health certificates.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

None

Name:	Jeff Weispfenning	Agency:	Agriculture
Phone Number:	328-4758	Date Prepared:	01/16/2007

FISCAL NOTE

Requested by Legislative Council

01/11/2007

REVISION

Bill/Resolution No.: SB 2114

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	(\$30,000)	\$30,000	\$0	\$0
Expenditures	\$0	\$0		\$30,000	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill requires that fees paid for tags and health certificates be deposited in the Agriculture Commissioner's operating fund for the Board of Animal Health line item instead of the general fund.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The section that allows the fees to be deposited in the commissioner's budget would affect the amount of monies going into the general fund.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

This bill would reduce the amount of funds available in the general fund by the amount of revenues generated from the sale of tags and health certificates and generate that amount to the Department operating fund.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The funds deposited in the Department's operating fund would be used to pay the costs associated with the production of the tags and health certificates.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

None

Name:	Jeff Weispfenning	Agency:	Agriculture
Phone Number:	328-4758	Date Prepared:	12/22/2006

FISCAL NOTE
Requested by Legislative Council
12/28/2006

Bill/Resolution No.: SB 2114

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	(\$30,000)	\$0	(\$30,000)	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill requires that fees paid for tags and health certificates be deposited in the Agriculture Commissioner's operating fund for the Board of Animal Health line item instead of the general fund.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The section that allows the fees to be deposited in the commissioner's budget would affect the amount of monies going into the general fund.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

This bill would reduce the amount of funds available in the general fund by the amount of revenues generated from the sale of tags and health certificates.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

None

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

None

Name:	Jeff Weispfenning	Agency:	Agriculture
Phone Number:	328-4758	Date Prepared:	12/22/2006

REPORT OF STANDING COMMITTEE

SB 2114: Agriculture Committee (Sen. Flakoll, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2114 was placed on the Sixth order on the calendar.

Page 1, line 21, after "for" insert "the actual direct cost of providing"

Page 1, line 23, remove "operating budget of the"

Renumber accordingly

2007 SENATE APPROPRIATIONS

SB 2114

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2114

Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 01-23-07

Recorder Job Number: 1669

Committee Clerk Signature 

minutes

Chairman Holmberg opened the hearing on SB 2114 at 10:00 am on January 23, 2007 relating to state board of animal health fees.

Beth Carlson, Deputy State Veterinarian presented written testimony (1) and gave oral testimony in support of SB 2114.

Senator Robinson asked what is included in shipping costs. He was informed it is very expensive to ship metal tags.

Senator Christmann asked if their department distributes supplies to the veterinarians around the state. He was informed for tracking purposes they distribute the tags to the Veterinarians. There was further discussion.

Chairman Holmberg closed the hearing on SB 2114. There was further discussion.

Senator Krauter moved a DO PASS, Senator Seymour seconded. There was further discussion about the Ag Committee referral, referred to SB 2009, the costs going up, why this is not in the original bill, the process of providing and keeping records, questions about the Board of Directors and their input into the Department. **A roll call vote was taken resulting in 13 yeas, 0 no, 1 absent. The motion carried. Senator Taylor will carry the bill.**

The hearing on SB 2114 was closed.

Date: 1-23-07
 Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 114

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do pass

Motion Made By Krauter Seconded By Seymour

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm			Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment (call Pauline) Seymour Taylor

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

REPORT OF STANDING COMMITTEE (410)
January 23, 2007 11:50 a.m.

Module No: SR-15-1011
Carrier: Taylor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2114, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
Engrossed SB 2114 was placed on the Eleventh order on the calendar.

2007 HOUSE APPROPRIATIONS

SB 2114

2007 HOUSE STANDING COMMITTEE MINUTES

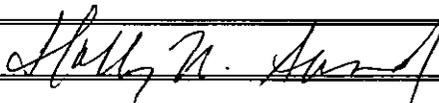
Bill/Resolution No. SB 2114

House Appropriations Committee

Check here for Conference Committee

Hearing Date: February 26, 2007

Recorder Job Number: 3815

Committee Clerk Signature 

Minutes:

Chm. Svedjan opened the hearing on SB 2114.

Beth Carlson, Deputy State Veterinarian, testified in support of SB 2114 (Attachment A).

Rep. Monson: Where do you get the tags and how much do they cost?

Ms. Carlson: We order the tags from the National brand tag manufacturing company. We get the certificate books from a printing company. In statute it says we charge \$.06 per tag and \$8 per book and we're actually paying \$13 per book and we are paying cost for the tags.

Rep. Monson: Have you checked with the prison to see if they can make these tags and save you some money?

Ms. Carlson: I'm not sure if that would be a possibility. I believe the manufacturer has to be approved by USDA.

Chm. Svedjan: What's at issue here is the continuing appropriation.

Rep. Aarsvold motioned for a Do Pass. **Rep. Hawken** seconded the motion. The motion carried by a roll call vote of 23 ayes, 0 nays and 1 absent and not voting. **Rep. Aarsvold** was designated to carry the bill.

Date: 2/24/07
 Roll Call Vote #: _____

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2114

House Appropriations Full Committee _____

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Aarsvold Seconded By Shawler

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Representative Wald	✓		Representative Aarsvold	✓	
Representative Monson	✓		Representative Gulleson	✓	
Representative Hawken	✓				
Representative Klein	✓				
Representative Martinson	✓				
Representative Carlson	✓		Representative Glassheim	✓	
Representative Carlisle	✓		Representative Kroeber	✓	
Representative Skarphol	✓		Representative Williams	✓	
Representative Thoreson	✓				
Representative Pollert	✓		Representative Ekstrom	✓	
Representative Bellow	✓		Representative Kerzman	✓	
Representative Kreidt	✓		Representative Metcalf	✓	
Representative Nelson	✓				
Representative Wieland	✓				

Total (Yes) 23 No 0

Absent 1

Floor Assignment Aarsvold

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

REPORT OF STANDING COMMITTEE (410)
February 26, 2007 2:28 p.m.

Module No: HR-36-3912
Carrier: Aarsvold
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2114, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)
recommends **DO PASS** (23 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
Engrossed SB 2114 was placed on the Fourteenth order on the calendar.

2007 TESTIMONY

SB 2114

Roger Johnson
AGRICULTURE COMMISSIONER

Dr. Susan Keller
STATE VETERINARIAN

Dr. Beth Carlson
DEPUTY STATE VETERINARIAN

Nathan Boehm, Mandan
PRESIDENT
DAIRY CATTLE

Paula Swenson, Walcott
SECRETARY
SHEEP

Dr. Charlie Stoltenow, Fargo
CONSULTING VETERINARIAN



**STATE BOARD OF
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Jeff Dahl, Gackle
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Francis Maher, Menoken
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Ron Fraase, Buffalo
SWINE

Dr. W.P. Tidball, Beach
VETERINARIAN

Dr. Kenneth Throlson, New Rockford
BISON

Shawn Schafer, Turtle Lake
NONTRADITIONAL LIVESTOCK

**Testimony of Beth W. Carlson, DVM
Deputy State Veterinarian
Senate Bill 2114
Senate Agriculture Committee
Roosevelt Room
January 12, 2007**

Chairman Flakoll and members of the Agriculture Committee, I am Deputy State Veterinarian Beth Carlson. I am here today on behalf of the North Dakota Department of Agriculture and the State Board of Animal Health in support of SB 2114, which will allow the Board to set the fees to be charged for brucellosis tags, identification tags, and health certificate books based upon actual production and shipping costs. This bill also allows the Board to deposit these fees in the Department of Agriculture's operating fund and apply them to the costs of the tags and books.

We have been working with our attorney to better define how fees for tags and books would be determined. As a result, I am offering for your consideration an amendment to clarify how the fees would be set. In addition, the original draft of the bill contained redundant language regarding the Department of Agriculture's operating fund. The other amendment will remove the excess language.

NDCC §36-01-08 defines the duties of the State Board of Animal Health. Included in this statute is the mandate to collect specific fees for brucellosis tags, identification tags, and health certificate books. Currently, these items are purchased with funds from the Board's operating budget and then purchased from the Board by accredited veterinarians. Because of rises in manufacturing costs and the price of steel, tag costs have risen dramatically. Additionally, printing costs for health certificate books have increased and shipping costs have gone up significantly as well. These escalating costs have cramped an already tight Board of Animal Health operating budget. This bill would allow the board to charge for the actual costs of the tags and books plus shipping costs. This will eliminate the need to introduce new legislation in subsequent sessions to raise fees. The wording also prevents the Board from charging more than what it costs to provide these items to veterinarians.

As previously mentioned, this bill would also create a continuing appropriation. Instead of the fees being deposited in the general fund, the fees would be kept in the Department of Agriculture's budget. The Board has always purchased these items using operating funds, although it is not a defined portion of our budget. In the 97-98 biennium, we spent less than \$13,000 on tags and health certificate books, not including shipping costs. In the 05-06 biennium, ~\$25,000 was spent on these items, plus ~\$6000 for shipping costs. In that same time period, there has not been an increase in the Board's budget to compensate for that increase. Each year, the tags and health certificate books consume more and more of our budget. For this reason, we ask that we be allowed to keep the fees, which will cover our costs, and we do not feel that our budget should be decreased.

Chairman Flakoll and committee members, for these reasons, we urge a do pass on SB 2114. I would be happy to answer any questions you may have.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2114

Page 1, line 21, after "for" insert "the actual costs of providing".

Page 1, line 23, remove "operating budget of the".

Roger Johnson
AGRICULTURE COMMISSIONER

Dr. Susan Keller
STATE VETERINARIAN

Dr. Beth Carlson
DEPUTY STATE VETERINARIAN

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CONSULTING VETERINARIAN



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Ron Fraase, Buffalo
SWINE

Dr. W.P. Tidball, Beach
VETERINARIAN

Dr. Kenneth Throlson, New Rockford
BISON

Shawn Schafer, Turtle Lake
NONTRADITIONAL LIVESTOCK

*Same
given to
House
Appropriations*

**Testimony of Beth W. Carlson, DVM
Deputy State Veterinarian
Senate Bill 2114
Senate Appropriations Committee
Harvest Room
January 23, 2007**

Chairman Holmberg and members of the Appropriations Committee, I am Deputy State Veterinarian Beth Carlson. I am here today on behalf of the North Dakota Department of Agriculture and the State Board of Animal Health in support of SB 2114, which will allow the Board to set the fees to be charged for brucellosis tags, identification tags, and health certificate books based upon actual production and shipping costs. This bill also allows the Board to deposit these fees in the Department of Agriculture's operating fund and apply them to the costs of the tags and books.

NDCC §36-01-08 defines the duties of the State Board of Animal Health. Included in this statute is the mandate to collect specific fees for brucellosis tags, identification tags, and health certificate books. Currently, these items are purchased with funds from the Board's operating budget and then purchased from the Board by accredited veterinarians. Because of rises in manufacturing costs and the price of steel, tag costs have risen dramatically. Additionally, printing costs for health certificate books have increased and shipping costs have gone up significantly as well. Even more significantly, a greater number of tags have been ordered in

recent years. These escalating costs have cramped an already tight Board of Animal Health operating budget. This bill would allow the board to charge for the actual costs of the tags and books plus shipping costs. This will eliminate the need to introduce new legislation in subsequent sessions to raise fees. The wording also prevents the Board from charging more than what it costs to provide these items to veterinarians.

As previously mentioned, this bill would also create a continuing appropriation. Instead of the fees being deposited in the general fund, the fees would be kept in the Department of Agriculture's budget. The Board has always purchased these items using operating funds, although it is not a defined portion of our budget. In 1997-98, we spent less than \$13,000 on tags and health certificate books, not including shipping costs. In the 2005-06, ~\$25,000 was spent on these items, plus ~\$6000 for shipping costs. In that same time period, there has not been an increase in the Board's budget to compensate for that increase. Each year, the tags and health certificate books consume more and more of our budget. For this reason, we ask that we be allowed to keep the fees, which will cover our costs, and we do not feel that our budget should be decreased.

Chairman Holmberg and committee members, for these reasons, we urge a do pass on SB 2114.

I would be happy to answer any questions you may have.