

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

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ROLL NUMBER

DESCRIPTION

2392

2001 SENATE AGRICULTURE

SB 2392

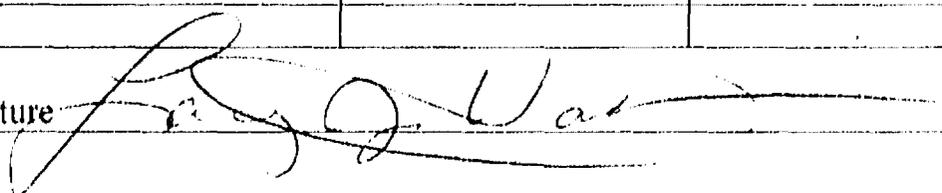
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2392

Senate Agriculture Committee

Conference Committee

Hearing Date February 8, 2001

Tape Number	Side A	Side B	Meter #
Feb. 8 1		X	7.0 - 37.4
Feb. 8 3	X		5.8 - 22.6
Committee Clerk Signature 			

Minutes:

SENATOR KROEPLIN; introduced this bill to the committee. This bill simply requires that the State Seed Commission report to the legislative assembly each session as to any changes that were made to the fees.

SENATOR KLEIN; Doesn't the Appropriation Committee look at this on a biannual basis?

SENATOR KROEPLIN; I am not sure how Appropriations handles this.

KEN BERTSCH; State Seed Commission, neutral position, answered questions for the committee.

SENATOR KLEIN; Do you or do you not report fees to the Appropriation Committee?

KEN BERTSCH; We do appear before the Appropriations Committee. We don't discuss fee schedules specifically, they are interested in the fiscal health of the agency. The main issue that we are after in regard to fee discussions is that we need to have some consistency and allow commission to do what they are intended to do by law, which is to govern the seed department.

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SENATOR KLEIN; How are we to know that the Seed Commission is charging the correct fee, that you are reporting?

KEN BERTSCH; That is another issue we have to pay attention to. It is hard to make a comparison between the Seed Dept. and anyone else in state government, because we have all rules and ranks of state government but we have to operate like a business. We have to consider the customers and whether they are going to pay the fees.

SENATOR KLEIN; Are you audited biannually by the State Auditors Office?

KEN BERTSCH; Yes, we are.

SENATOR KROEPLIN; Historically have you had any fee increase going through the interim committee, revealing them from the Seed Dept.?

KEN BERTSCH; Yes, kind of, because until the point at which the Administrative Rules committee became more active anything in regard to the fee schedules that were in place and administrative rules for the department any changes to those that have been made would have been reviewed by the administrative rules committee, presently.

SENATOR URLACHER; How many members are on the State Seed Commission?

KEN BERTSCH; There are 9 members on the board.

SENATOR URLACHER; That is the review board for all fees?

KEN BERTSCH; That is correct.

SENATOR WANZEK; Is there a bill that just pertains to your budget or does the Seed Commission fall under another department?

KEN BERTSCH; We do have a separate budget, our number this time is 1018. It passed the House 2 or 3 weeks ago.

SENATOR WANZEK; If there is a serious abuse of fees, I am sure that would come to light in that hearing too?

KEN BERTSCH; I believe that it would. We questions on fees related issues traditionally at hearings.

SENATOR WANZEK; Is there any general fund dollars at all in the State Seed?

KEN BERTSCH; No there is not.

SENATOR WANZEK; It is total operation of the State Seed Dept. And NDSU. Is that funded through your budget or are there some higher education dollars?

KEN BERTSCH; Our budget is totally separate from any others. It is the state State Seed Departments budgets, it is not include in another bill.

SENATOR URLACHER; Whether there was a bill in this committee or not and any one of these members wanted a report on an update of actions, would you respond to that request and report to this committee any concerns they might have?

KEN BERTSCH; Yes.

SENATOR WANZEK; If we were to remove the language relating to fees, it would be implied that any issue with the State Seed Commission could be discussed.

KEN BERTSCH; If you pass the bill as is , amend it or do not pass it we are going to comply in any case. I think that we can come to the point of having more broad reporting for the department, if that's what the committee wishes to have.

SENATOR KLEIN; You deal specifically with certified seed issues, does every producer in the state need you or is it just a designated group?

KEN BERTSCH; Yes, it is a fairly limited group and usually those who are certified seed growers, producers and conditioners. That is a group that can vary.

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SENATOR KROEPLIN; You can broaden that statement because every farmer in the state buys certified seed a one time or another. Therefore your department affects all of them.

KEN BERTSCH; That is correct. Everyone does utilize certified seed in one form or another, but I considered that indirect.

The hearing was closed.

The committee met again on February 8 in the afternoon.

SENATOR KLEIN; I don't think that we need this.

SENATOR KROEPLIN; Let's keep the process. They have been historically reporting to the Administrative Rules Committee if there is changes.

SENATOR URLACHER; We have an oversight board that is establishing this, it is in law stating as close to actual cost which is also regulated.

SENATOR KLEIN; Is there any reason we couldn't ask for a report, is there a particular reason we have to legislate that. It is public information.

SENATOR KLEIN; Isn't this a little different than check-off dollars. This is fee for service organization.

SENATOR WANZEK; What you are saying is right.

SENATOR URLACHER; With the oversight of the Board they should be trustworthy.

SENATOR ERBELE; Are these fees readily available or what cost would be incurred to prevent this?

SENATOR KLEIN moved a DO NOT PASS on this bill.

SENATOR URLACHER seconded the motion.

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SENATOR URLACHER; I would hope that if there is a request by any one member on this committee next session for a report that they're going to react and if they don't then we better pass some legislation to do it. I think it can be handle in that manner.

Roll call vote: 4 Yeas, 2 No, 0 Absent and Not voting.

SENATOR WANZEK will carry the bill.

FISCAL NOTE

Requested by Legislative Council

01/30/2001

Bill/Resolution No.: SB 2392

Amendment to:

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$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.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your 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.*

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.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Ken Bertsch	Agency:	Seed Department
Phone Number:	701-239-7210	Date Prepared:	02/02/2001

REPORT OF STANDING COMMITTEE (410)
February 8, 2001 3:47 p.m.

Module No: SR-23-2794
Carrier: Wanzek
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2392: Agriculture Committee (Sen. Wanzek, Chairman) recommends DO NOT PASS
(4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2392 was placed on the
Eleventh order on the calendar.