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2003 HOUSE AGRICULTURE

HB 1347

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1347

House Agriculture Committee

Conference Committee

Hearing Date 1--31--03

Tape Number	Side A	Side B	Meter #
ONE	A		0.0 TO END
ONE		B	0.0 TO 16.0
Committee Clerk Signature <i>Edward D. Elston</i>			

Minutes:

CHAIRMAN NICHOLAS: Committee Members, we will open on HB 1347. Who would like to start?

REPRESENTATIVE BOEHNING: I represent both Fargo and West Fargo. I rise in support of HB 1347. {{{PLEASE READ BOEHNING TESTIMONY}}} Also please see Amendment.

CHAIRMAN NICHOLAS: Stated he will hold bill until the amendments are ready.

REPRESENTATIVE -----? I don't have any written testimony to give you. As a cat and dog owner. If I go to Minneapolis I sure don't want go and get a certificate to bring him home. I urge the committee -----?

REPRESENTATIVE FROELICH: If I am reading this law right you would never be required to have a health permit for dogs or cats, and the amendments read for horses with some

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variations. What protection is North Dakota going to have with animals brought in from other states that may have a disease?

REPRESENTATIVE? I understand what you are saying. The thing is we will become an island. On this issue I receive many E-mail's on this Bill. Support this Bill.

CHAIRMAN NICHOLAS: Any other questions. Any other legislators wanting to testify. At this time I am going to take testimony from a young man that is here this morning. John Dodson.

JOHN DODSON: Chairman Nicholas and Committee Members, my name is John Dodson. We have lots of pets. We have two dogs one cat and several other pets. We do not want to have to get a permit to take our pets on a trip. I urge a do pass on this bill.


CHAIRMAN NICHOLAS: Thank you John. Very good testimony. Ok, we will take additional testimony in support of this bill.

DUANE BOHNSACK: Stonegate pet Store. North Dakota Pet Retail Association. {{{PLEASE SEE TESTIMONY }}} I hope that HB 1347 with amendments will receive unanimous do pass from this committee.

CHAIRMAN NICHOLAS : Sir, one question I have. Dose any other state have anything comparable to rule that is proposed to be implemented by the BOAH and State Veterinarian? To your knowledge.

DUANE BOHNSACK: There are states that have different rules. Some have the blanket certificate. Minnesota's bird law states that you can bring birds in and out of Minnesota unless there is a quarantine. That rule fits the product. Blanket legislation like this is not going to solve where an animal that comes in has a disease.

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CHAIRMAN NICHOLAS: Thank you sir for your testimony. Anyone else wishing to appear in support of this bill.

DR ROD GIGSTAD: I am from Grand Forks. I am a veterinarian at Petcetera Animal Clinic in Grand Forks. {{{PLEASE SEE PRINTED TESTIMONY}}

REP. FROELICH : What dose Canada require?

DR ROD GIGSTAD: You need a certificate to go up there. We have clients that go to Canada weekly. People that go to Canada say that coming back U.S. Authorities on way back usually ask for the paper. You don't need a health permit to go to Canada.

REPRESENTATIVE: KREIDT: Do you know who is on the Board of Animal Health?

DR ROD GIGSTAD: No I don't.

REP. WRANGHAM : In Minnesota is part of there state law or is governed by administrative rules?

DR ROD GIGSTAD. Did not know. There are Web sights that you can find out about other states. Florida for example.

CHAIRMAN NICHOLAS : Who would like to testify in favor of bill?

JACK SUND: House of Sund Pet Center, Bismarck ND. [[PLEASE READ TESTIMONY]]

I urge a Do Pass on HB1347.

REP. MUELLER: We do have an issue big issue. What would be your answer to a out break of some disease.

JACK SUND: If outbreak occurs. The USDA are the first people to get involved. I know that they coordinate there efforts with state veterinarians office. I believe right now that there is emergency control in that area and contingency plans in the event of any livestock outbreak.

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CHAIRMAN NICHOLAS: Any further support?

GARY PEARSON: DVD Jamestown, ND {{{PLEASE SEE PRINTED TESTIMONY}}}

Stated regulation without representation

REPRESENTATIVE FROELICH: What you are proposing, because there is no dog and cat members on that board of animal health that they not be regulated in anyway.

GARY PEARSON: No I am not. I am testifying in favor of HB 1347 which exempts dogs and cats from implication from health certificate requirements. It dose not preclude emergency orders for specific situations. In fact the bill specifically requires vaccination for dogs and cats for rabies.

REP. FROELICH: What is the makeup of the nontraditional livestock board.

GARY PEARSON: It is an advisory committee to the board of animal health. It has no power other then advisory. It is basically composed of half representatives nontraditional livestock keepers and half government officials.

REPRESENTATIVE MUELLER: The advisory board that you just mentioned. Were they in any way of the rule making that did come from the BOAH'

GARY PEARSON: They were part of the process, yes. The non official advisory committee chaired by the Deputy State Vetinarion.

REPRESENTATIVE POLLERT: Is there not a Bill in the Senate. Dealing with putting a Person from your groupof people on the board of animal health? Has the Bill been heard? Can you give me a progress report?

GARY PEARSON: Yes, Senate Bill _____? I have been told they voted a do pass on the Bill. I don't who the representative will be going on that board.

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CHAIRMAN NICHOLAS: How much more support on the Bill.

LAURN KITTELSON: I am a cow calf producer from south of Jamestown. I support this Bill I have two sons in the military. My sons serve this country. When my sons come back here with there pets, there are subject to that. I think our military deserves a little more respect then that from the Board of Animal Health. I support this bill.

CHAIRMAN NICHOLAS: We hope your sons return safely. We will take those in opposition to this bill.

LARRY SCHULER: Chairman Nicholas and Committee members, my name is Larry Schuler. I am the state veterinarian and executive officer of the State Board of Animal Health I am here to testify in opposition to HB 1347 which relates to importation permits for dogs and cats.

{{(PLEASE SEE PRINTED TESTIMONY)}} I urge a DO NOT PASS on HB 1347

CHAIRMAN NICHOLAS: How come before this bill, why couldn't you have gotten this resolved some time ago. When do you propose to get the proper role put in place. To take care of this problem?

LARRY SCHULLER: There was an error in the drafting and I have to take responsibility for that We need to go through the rule making process. The rule making process will go on until February fourteenth. We will look at those comments. I would expect action from the board when they meet the second Tuesday of March.

CHAIRMAN NICHOLAS: We need to keep this Bill alive until the second Wednesday of March.

LARRY SCHULLER: I would hope not.

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REP. WRANGHAM: You state that the administrative rules has authority to not approve the final bill. My understanding is that the Administrative Rules Committee can only not approve a rule if procedural thoughts process has not been followed, that they actually don't have the authority to not approve a rule just on the merit of the rule?

LARRY SCHULLER: Actually the administrative rule has the authority to reject a rule based on -----? If we have not gone through the proper procedures. There are other reasons that the Administrative Rules Committee can reject and that could possibly fall under that category.

REPRESENTATIVE POLLERT: Senate Bill 2196 is proposing to put a member on. What is your position on that.

LARRY SCHULLER: Actually the board has taken a neutral stance on that.

REP. MUELLER: Can you give me your vision the rule that this advisory group of nontraditional live stock. That advisory group that deals with what have they been doing? What is involvement with board of animal health?

LARRY SCHULLER: The nontraditional livestock advisory council was set up by the board of animal health to advise them on issues that they were not prepared for. The way it has been set up is Dr Keller is the Chairman of that committee. The committee reviews issues that we are dealing with. They provide input to the board of animal health and then the board deals with the issues based on the input from the advisory council and also with regards to the impact on other industries.

REP. MUELLER: What did they tell you about this one? The rule that was made regarding the importation permits?

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LARRY SCHULLER: There always has been requirements on nontraditional livestock.

The change when it was expanded to all species dogs and cats, there are permanent requirements on swine, sheep, cattle etc. The changes have been permit requirements on horses and dogs and cats. So it was not placed before the advisory council.

REP. MUELLER With the dogs and cats issue. You make comment in your testimony that you would be responsive to the wishes of the people. I realize the rule making process and the review period is not over. Can you give us a sense of where you see that going, What do you see happening with that particular set of rules.

LARRY SCHULLER: I can't really say exactly say what the board of health is going to do.

It is there decision. There are several possibilities. One would be the withdrawal and revert back to what we we had prior to the rules going into effect which would take permit requirement away from the horse, dogs and cats. Another alternative would be to effect only animals in the state for more then a month. Those are all thing we will have to sort out. I can't say what we will do.

REP. FROELICH ; How man board members make up the nontraditional livestock. Who are they and how often do they meet.

LARRY SCHULLER: The nontraditional livestock advisory council meets two week before the board meeting so they have four meetings a year. On the advisory board there is a representative from the Pet stores, Fur and feather, deer industry, live fur trader, birds, game and fish health department. USDA Dr. Keller is the chair.

REP. POLLERT: Can you expand a little on bio-terroism. How will this bill relate?

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