

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2338

2007 SENATE AGRICULTURE

SB 2338

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2338

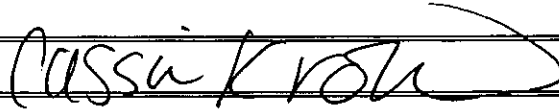
Senate Agriculture Committee

Check here for Conference Committee

Hearing Date: February 1, 2007

Recorder Job Number: 2530

Committee Clerk Signature



Minutes:

Sen. Flakoll opened the hearing on SB 2338, a bill relating to the state board of animal health.

All members (6) were present.

Sen. Olafson, district 10, testified in favor of the bill.

Sen. Olafson- I was asked to introduce this will and was glad to do so because I think it is essential to the security and viability of our animal agriculture industry in the state of ND.

There is a national effort to establish a national animal information Id system, that effort is ongoing and has run into some problems. Hopefully that will be resolved and something will get done on the national level. In the mean time we need to be ready at the state level to operate in compliance with that system and work in cooperation of that system. That national effort is to have federal, state and industry involvement.

Sen. Flakoll- are the other two entities, meaning federal and industry, paying money?

Sen. Olafson- I am not sure.

Dean Meyer, represents I-BAND, testified in favor of the bill.

Dean Meyer- We are in support of the bill.

Woody Barth, lobbyist 286 with ND Farmers Union, testified in favor of the bill.

Woody Barth- We to stand in support of the bill. We need to move animal Id forward in ND, this is a good project. The appropriation will allow tracking of animals for animal health purposes. We need to be aware of situations out there and what is happening. We ask a do pass.

Nancy Kopp, representing the ND Veterinary Medical Association, testified in favor of the bill.

Nancy Kopp- veterinarians are on the for front of animal health care and we would support this initiative.

Julie Elleingson, ND Stockmen's Association, testified in favor of the bill. See attached testimony.

Kelly Froelich, member of IBAND, testified in favor of the bill.

Kelly Froelich- I feel that the appropriation is a fair amount to pay to protect the livestock industry in ND. Can you imagine the financial to our producers in ND if TB was to enter ND and we had to have all animals tested for TB to leave this state? I would appreciate our support in this bill.

Sen. Klein- Where is the national program at right now, can you update me on where we are at and why we haven't got to where we need to get?

Kelly Froelich- based on my knowledge the national animal id system was brought to the people for animal health reasons. At that time they proposed it to be a mandatory system and at that time they were going to allow private organizations to administer this. They want it to be a voluntary system and our organization and I represent IBAND, there is a definite need for animal Id, but we are concerned about keeping it simple and keeping animal health reasons.

Sen. Klein- this thing is costing the producer isn't it?

Kelly Froelich- not as of right now, the plan was that the producer would pay the bill and what the producer is concerned about is that if we pay the bill somebody else may profit from our paying the bill such as packing plants and such.

Dr. Susan Keller, state veterinarian, testified in favor of the bill. See attached testimony. She also submitted testimony on behalf of **Jim Clement**, animal ID Coordinator. See attached testimony.

Sen. Taylor- how are some of the things data based right now? Are they just filed right now or how accessible are they?

Dr. Susan Keller- the generic data base which was what they were trying to improve is where we host the TB tag information and any tags associated with that, it is a federal data base.

However, our state staff has access to that information as long as it is not down. The animals coming in are all input into a data base and the animals that go out we get a copy of those also but that is not put into a data base. What this allows for would allow us to do an automatic upload.

Sen. Taylor- do the health certificates make reference to brands or do you attach those two pieces of information in anyway?

Dr. Susan Keller- we have not.

Sen. Behm- are you going to keep the record by the ear tag, if so how do you propose to do that?

Dr. Susan Keller- it would allow for other forms of identification, ear tags are the standard. Brands will probably never go away.

Sen. Behm- the cows sometimes tear them out, how many dairy people brand their cows they usually don't do they?

Dr. Susan Keller- that is the problem, this can not be a one size fits all. For every industry and species we have to recognize what is acceptable to those producers and their difference needs and we have to incorporate that in an animal tracking system.

Sen. Klein- are we attempting to be somewhat equal to what some of our surrounding states are so they understand what we are doing and at least follow our lead, it is going to have to be an effort of everyone to that we maintain something like this and keep the safety of the herds out there?

Dr. Susan Keller- there is no standard right now that is being followed that is the problem the point of this was that they have realized that there needs to be some leadership.

Sen. Flakoll- in terms of the privileged information, is there a access restriction on the data base.

Dr. Susan Keller- my understanding is that it can only be accessed for reasons of animal health emergencies by animal health officials.

Sen. Flakoll- on animal ID are we just selecting a few species here?

Dr. Susan Keller-this could be utilized for all the records of the board of animal health has which could include the non traditional livestock information all health certificates which encompasses all species in and out of state.

Brian Kramer, from the NDFB, testified in favor of the bill.

Brain Kramer- we to support the bill for all the reasons that you have already heard.

James Schmidt, producer from south east of Bismarck, testified in favor of the bill.

James Schmidt- I am in favor of this bill.

Sen. Klein- are you guys good with the way this bill reads, the privacy is always something that I have been concerned about.

James Schmidt- there was never a cross analysis done, nobody had any idea what it was going to cost so that was one of the big red flags that nobody was willing to step up and say that they wanted an animal ID system because we don't know what it is going to cost us. Once it left the USDA it was source verification, somebody wanted to use it for marketing there livestock. This is a health issue and to be left alone as a health issue. But our privacy is safe.

Sen. Flakoll called **Kris Ringwall** to the podium.

Kris Ringwall, director of the Dickinson research center, talked about the bill and answered questions that the committee had.

Sen. Flakoll- I had heard about some technology that is coming down the pipeline that would be able to identify animals eight miles away, could you just talk to us about some technologies in the pipeline.

Kris Ringwall- as far as technology goes there is a lot in the pipeline, we have been doing research with high and low frequency type tags. There is a lot of opportunity out there, they are all applicable and being developed at a very reasonable rate. There is a lot of opportunity and our focus right now is a high frequency, they are like radio frequency. You need to pick one and that is what you use.

No opposition to the bill.

Kent Graham-IBAND, **Patrick Becker**-IBAND, **Jack Reich**-self, **Nathan Boehm**-dairy producer were also present and in favor of the bill.

Sen. Flakoll closed the hearing.

Sen. Klein motioned for a do pass and to be rereferred to Appropriations **Sen. Wanzek** seconded the motion. **Sen. Taylor** was designated to carry the bill to the floor. Roll call vote was 6 yeas, 0 nays, 1 absent.

Date: Feb 1, 07'
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2338

Senate Agriculture Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass rerefered to Apps.

Motion Made By Klein Seconded By Wanzek

Senators	Yes	No	Senators	Yes	No
Tim Flakoll-Chairman	X		Arthur H. Behm	X	
Terry M. Wanzek-Vice Chairman	X		Joan Heckaman		
Robert S. Erbele	X		Ryan M. Taylor	X	
Jerry Klein	X				

Total (Yes) 6 No 0

Absent 1 (Sen. Heckaman)

Floor Assignment Sen. Taylor

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

REPORT OF STANDING COMMITTEE

SB 2338: Agriculture Committee (Sen. Flakoll, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2338 was rereferred to the Appropriations Committee.

2007 SENATE APPROPRIATIONS

SB 2338

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2338

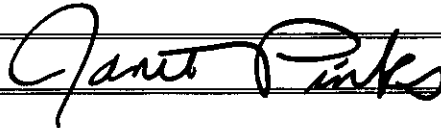
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02-09-07

Recorder Job Number: 3274

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on SB 2338.

Susan Keller, State Veterinarian, distributed written testimony on SB 2338, discussing the identification needs for animal tracking. She talked about the programs that have been used and what is being used now as well as how important it is for the veterinary inspection within the same process. She also distributed written testimony from Jim Clement, Animal ID Coordinator.

Senator Christmann asked about the public having access to some of the records and questioned the records currently being used as an individual farmer. The response was it can only be used by animal health officials in emergency situations. Further discussion followed.

Senator Seymore questioned how the Cattlemen's Association identification compared to this. The response was that The Cattlemen's Association is assisting in Premises registration.

Senator Bowman indicated his brother was working on this on a national level and indicated this is the best approach we can have. The response was yes, this is critical legislation.

Senator Kruater moved a DO PASS, Senator Bowman seconded, discussion followed.

A roll call vote was taken resulting in 11 yes, 0 no, 3 absent. The motion carried and Senator Taylor.

Chairman Holmberg closed the hearing on SB 2338.

Date: 2/9/07
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2338

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Krauter Seconded By Bowman

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) 11 No —

Absent 3

Floor Assignment Taylor Ag

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

REPORT OF STANDING COMMITTEE (410)
February 9, 2007 1:09 p.m.

Module No: SR-28-2744
Carrier: Taylor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2338: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS
(11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2338 was placed on the
Eleventh order on the calendar.

2007 HOUSE AGRICULTURE

SB 2338

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB2338

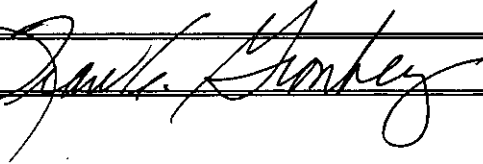
House Agriculture Committee

Check here for Conference Committee

Hearing Date: 3-2-07

Recorder Job Number: Hearing 4243 Vote (Recorder malfunction)

Committee Clerk Signature



Minutes:

Chairman Johnson opened the hearing on SB 2338.

Senator Olafson, Dist 10: I have a cattle operation (250 cattle). I operate in partnership with 2 older brothers and we operate a diversified business earth moving construction, tillable farming and a cattle operation. I manage that part of the business. I have a degree from NDSU in animal science. The bill before you would establish statutory authority for the state board of animal health to establish an animal tracking data base and I think it is a critical thing for our industry to do particularly given the animal health issues that have surfaced around the world. In our area we have a serious tuberculosis situation just across the border from us in Minnesota. And should a situation arise where we have to quickly track animals this type of data base would be invaluable.

Rep Vig: Would this help track across the border?

Senator Olafson: I would defer any specifics of that question, but I fully expect it would help.

Rep Belter: There's not a fiscal note on this bill. Did this go through Senate Appropriations?

Sen Olafson: Yes, I believe that it did go through Senate Appropriations. It is not in any budget of which I am aware.

Susan Keller, ND State Veterinarian: (testimony attached and she submitted an amendment to have this bill declared an emergency)

Rep Onstad: Exactly what information are you recording? Is it a tag you're recording or a brand or what is actually being recorded.

Keller: Not all states are doing it the same. We quarantine the cattle and enter the information - where they came from and where they are at. And then the time they move from the feed lot. Another federal form has to be filled out and a veterinarian has to seal the animals on a truck. All of that information is also entered into the data base.

Rep Mueller: How would this relate to country of origin labeling?

Keller: It has a lot to do with product. It is still a separate issue, but it would be helpful.

Chairman Johnson: How many people/staff are involved in tracking these animals?

Keller: The ports are the busiest. We have the port veterinarian, the federal veterinarian's office here in Bismarck, the state and federal veterinarian, and then we have accredited practitioners out in the field.

Chairman Johnson: So are the federal veterinarians leads on this then.

Keller: I don't look at them as leads on it. They should be. It's getting better. We allow animals loaded on trucks to pass through.

Kayla Pulvermacher, ND Farmers Union: (testimony attached)

Rep Mueller: You talked about animal records being maintained and funded only by the USDA. How does that interface with the bill we have before us?

Pulvermacher: We feel that it should not be done by a private organization. We think the state should fund it.

No Opposition

House Agriculture Committee

Page 3

Bill/Resolution No. SB 2338

Hearing Date: 3-2-07

Chairman Johnson closed the hearing.

Rep Mueller moved a Do Pass on the Amendment

Rep Headland seconded the motion

The motion passed on a Voice Vote

Rep Onstad made a Do Pass Motion as Amended and to be Rereferred to

Appropriations

Rep Kingsbury seconded the motion

(Yes) 12 (No) 0 (Absent) 1

Carrier: Rep Headland

Date: 3/2/07
Roll Call Vote #: 7

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

House **Agriculture**

Committee

Check here for Conference Committee

Legislative Council Amendment Number SB 2338

Action Taken Do Pass on Amendment

Motion Made By Rep Mueller Seconded By Rep Headland

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					
<i>0</i>					

Total (Yes) 13 No 0

Absent 0

Floor Assignment _____

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

Date: 3/2/07
Roll Call Vote #: 2

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

House Agriculture

Committee

Check here for Conference Committee

Legislative Council Amendment Number SB 2338

Action Taken Do Pass as amended and Referred to Appropriations

Motion Made By Rep Onstad Seconded By Rep Kingsbury

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) 12 No 0

Absent 1

Floor Assignment Rep Headland

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

REPORT OF STANDING COMMITTEE

SB 2338: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2338 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and" and after "appropriation" insert "; and to declare an emergency"

Page 1, after line 14, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

2007 HOUSE APPROPRIATIONS

SB 2338

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2338

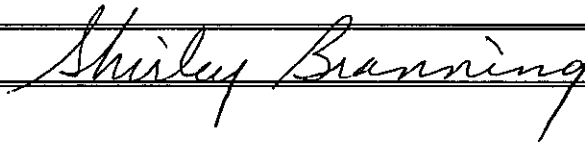
House Appropriations Committee
Education and Environment Division

Check here for Conference Committee

Hearing Date: March 7, 2007

Recorder Job Number: 4574

Committee Clerk Signature



Minutes:

Chairman Wald: Called the meeting to order on SB 2338 with House Amendments .0200 which is a bill for an Act to create and enact a new section to chapter 36-01 of the North Dakota Century Code, relating to the state board of animal health: to provide an appropriation; and to declare an emergency by introducing **Representative Dennis Johnson.**

Representative Johnson: (See Handout #1, SB 2338, .0200) Began his testimony by explaining the amendment.

Vice Chairman Monson: This is the State Board of Animal Health and the appropriation would go to them.

Representative Johnson: Yes, it is part of the Ag Department.

Representative Klein: If you look at SB 2009 and look at page 1, line 13 it has a line item for the Board of Animal Health.

Chairman Wald: Are you suggesting we should amend the bill from \$114,000 to \$90,000?

Representative Johnson: Referring to handout #1 the folks who developed this have no problem with the \$90,000.

Representative Hawken: Will we be in compliance if we do "Cost 1"?

Representative Johnson: Yes, it could be expedited much sooner.

Chairman Wald: I can understand this going through an auction market but what about private party exchanges?

Representative Johnson: There is permanent identification with the animal such as an ear tag.

Representative Aarsvold: There is a special ear tag that follows the critter from birth to slaughter.

Representative Gulleson: Every time an animal is sold they get a release, a health certificate from the State Veterinarian.

Vice Chairman Monson: If ITD can do the work, slower but cheaper and if it is contracted out it is faster but costlier.

Representative Hawken: Make a motion to go with "Cost 1", the \$90,000 option.

Vice Chairman Monson: Second

Chairman Wald: We have a motion to amend the bill to \$90,836 and one-time funding of \$67,840. A voice vote on this motion was **passed unanimously**. Now we need a motion to **do Pass as amended**.

Representative Klein: Move a Do Pass as Amended.

Representative Gulleson: Second

Chairman Wald: Any further discussion? If not, Clerk will call the roll.

Vote: 6 yes, 0 no, 1 Absent

Carrier: Representative Klein

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2388

House Appropriations Committee

Check here for Conference Committee

Hearing Date: 9 March 2007

Recorder Job Number: 4778

Committee Clerk Signature

Jan Prindle

Minutes:

Representative Matthew Klein, District 40, introduced the bill. You should have amendment .0102. The amendment replaces \$114,000 with \$90,836. There were two options in doing this. One would have been to contract it out and get it going on a faster track. The second would be that ITD would set up the program and could do it for considerably less money. We opted to go with the option which was the \$90,836. This is an identification system for animal tracking. There was a program by the federal government that would co-op it and charge \$.50 per animal and they would run the program. The cost to the growers in ND would be tremendous. We took a look at it and said we can do the same thing, set up our own program, it fits in with the federal program, it provides the animal tracking that we need to do continue and do it for less than 1/10 of the cost.

Representative Kempenich: There was \$140.0 that came from the feds last biennium that was targeted towards animal tracking. Did the board of animal health discuss that? I don't know if they were able to use it or not. It was set aside for animal tracking.

Representative Klein: That did not come up.

Representative Wieland: What kind of an animal are we talking about tracking here?

Representative Klein: It started out with mad cow disease but this would include just a whole range of new animals. It is mainly livestock. I'm sure there is a data base on this for a

number of years. A few years ago they started premise identification with livestock and this is something that I'm sure they are collecting data for that and then in turn they can track livestock with it. Right now there is no program for ID-ing individual animals. It's mostly been premise based.

Representative Aarsvold: The intent is to maintain a safe food supply in the country. To stem any disease outbreak early on they have these folks trained that can identify the disease in the carcass and trace back to the grower so they can trace other suspect animals through the system. It is very simply a safe food program. I would encourage the Committee to pass it.

Representative Klein: I move the amendment.

Representative Gulleason: I second.

Representative Pollert: Isn't the federal government working on some sort of this program as far as federal ID?

Representative Gulleason: USDA is very much working with the states on animal ID projects. At the federal level, USDA is requiring some level of effort but the establishment of a whole federal program has not been determined. Most people are resistant to actually requiring the tagging and those types of devices. This is a much more suitable option for ND. If we can pass something like this and get it in play, we will probably effectively meet any federal requirements for this animal tracking system and not having to go into that tagging which all the stockmen are opposed to. All of the major players and animal groups are opposed to that level in ND. This is a very reasoned approach.

Representative Pollert: So how does this work for the transfer of animals out of state?

Representative Gulleason: At the livestock barn there is a veterinarian on site for all sales. The animals already have to have a health release and if they are branded, they have to have

a brand release. So that is already in play. This puts it into a data base so it's much easier access; it's consistent and so on.

Representative Kerzman: I think the basic difference between the two programs is animal ID is for individual identification. They actually put a tag or computer chip in the animal. This is more a farm number or a premise number. I've done it with my sheep operation for a number of years for scabies. You get one number that goes with all the animals. When you sell a whole group it has one number but they can trace it back to the individual farm or premises.

A roll call vote was taken: The amendment .0102 was adopted.

Representative Wald: I move Do Pass as Amendment.

Representative Ekstrom: I second.

A roll vote was taken: Yes: 21, No: 1, Absent: 2 (Metcalf and Carlson)

Representative Klein will carry the bill.

Date: March 7, 2007
Roll Call Vote #:

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2338

House Appropriations Education and Environment Division

Committee

Check here for Conference Committee

Legislative Council Amendment Number .0200

Action Taken Do pass as amended

Motion Made By Rep. Klein Seconded By Rep. Gulleson

Representatives	Yes	No	Representatives	Yes	No
Chairman Wald:	✓		Representative Aarsvold:	✓	
Vice Chairman Monson	✓		Representative Gulleson	✓	
Representative Hawken:	✓				
Representative Klein:	✓				
Representative Martinson:					

Total (Yes) 6 No 0

Absent 1

Floor Assignment Rep. Klein

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

Do pass as amended

Date: 3/9/07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2838

House Appropriations Full Committee

Check here for Conference Committee

Legislative Council Amendment Number 70820.0102

Action Taken Adopt Amendment 0102

Motion Made By Klein Seconded By Gulleson

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 Bellew			Representative Kerzman		
Representative Kreidt			Representative Metcalf		
Representative Nelson					
Representative Wieland					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Voice Vote - carries

Date: 3/9/07
 Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2338

House Appropriations Full Committee

Check here for Conference Committee

Legislative Council Amendment Number 70820.0102

Action Taken No Pass as Amended by P102

Motion Made By Wald Seconded By Ekstrom

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) 21 No 1

Absent 2

Floor Assignment Rep. Klein

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