

2009 SENATE AGRICULTURE

SCR 4036

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 4036

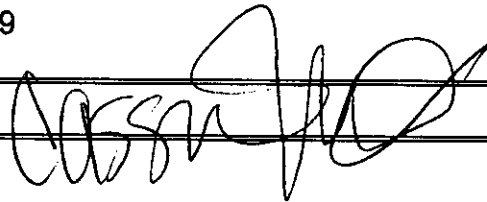
Senate Agriculture Committee

Check here for Conference Committee

Hearing Date: April 13, 2009

Recorder Job Number: 11829

Committee Clerk Signature



Minutes:

**Sen. Flakoll** opened the hearing on SCR 4036, a resolution urging the US Dept of Agriculture to implement livestock indemnity program regulations that account for the fair market value of newborn calves and their cost of production. Senate members present (7) and house members present (12), hearing was joint.

**Sen. Klein**, district 14, testified in favor of the resolution.

**Sen. Klein**- last week there were a number of us that were involved in a conference in what seemed to be some troubling numbers as relating to the cow calve operations across all of ND. One of the things that came up was the discussion of the disaster and that the rules have not been entirely written for a portion of the federal disaster program. We have heard that a number of offices such as the department of ag and the governor and such have sent letters to Washington urging them to hurry and get this in place cause we have problems here. We just kind of think that it is kind of our turn and that is where this resolution came from.

**Rep. Mueller**- the key obviously is the cost of production, what do we have in mind when we talk about that?

**Sen. Klein-** we are trying to stay away somewhat from trying to tell them how to write the rules, we don't want to get too specific as to the cost of production cause that in a lot of peoples minds can be different.

**Sen. Behm-** does this just pertain to calves or to older cattle that have been lost in the flood as well?

**Sen. Klein-** this is just telling the department of agriculture that you have a disaster program that you are working on and that they are telling us that they are going to help us.

**Sen. Wanzek,** district 29, testified in favor of the bill.

**Sen. Wanzek-** I am here to speak in support of this as well, as it won't provide immediate or instant relief I think that we wanted to provide some constantly in the message that the governors office and the others are sending to USDA and we felt that it was only appropriate that we send the message as well.

**Rep. Froelich,** district 31, testified in favor of the bill.

**Rep. Froelich-** The last time that this happened the producers got paid 75% of market value so it didn't come near to the cost of production. NDSU has the cost of production already determined. As a livestock producer you can not get insurance on newborn livestock. I would like to not muddy this so it can get through both houses and get down to Washington so we can turn so heat up.

**Woody Barth,** ND Farmers Union, testified in favor of the bill.

**Woody-** we support this and stand here in support it speaks to the losses that are occurring right now and losses that will occur yet. The program needs to work for all producers. There needs to be options looked at.

**Julie Ellingson,** ND stockmen's association, testified in favor of the bill.

**Julie-** as we have heard this situation is very bad in many parts of the state so we stand here in support of this as well. We think this is a great step.

**Brian Kramer**, ND farm bureau, testified in favor of the bill.

**Brian-** We also stand here in support of this resolution.

No opposition to the bill.

**Sen. Taylor** motioned for a do pass and was seconded by **Sen. Behm**. Roll call vote 7 yea, 0 nay 0 absent.



**REPORT OF STANDING COMMITTEE (410)**  
April 13, 2009 1:46 p.m.

**Module No: SR-63-6929**  
**Carrier: Wanzek**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SCR 4036: Agriculture Committee (Sen. Flakoll, Chairman) recommends DO PASS**  
**(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4036 was placed on the**  
**Eleventh order on the calendar.**

2009 HOUSE AGRICULTURE

SCR 4036

## 2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 4036


House Agriculture Committee

Check here for Conference Committee

Hearing Date: April 16, 2009 (**Committee Work**)

Recorder Job Number: 11894

Committee Clerk Signature



Minutes:

**Representative Wall:** This resolution refers to calves. When we heard this resolution, a question came up about cows. On the federal level do they take into consideration all agricultural products? I have a constituent that lost 16,000 turkeys to flooding about 3 weeks ago. Does poultry enter into this mix?

**Representative Froelich:** I can't answer that.

**Chairman Johnson:** When we met with the Ag Commissioner, I brought up that question. We are talking livestock. I asked about sheep and hogs. I didn't get an answer.

**Representative Froelich:** I do believe sheep and hogs are in there. I can't tell you about fowl.

**Chairman Johnson:** Did you raise that concern with the Ag Commissioner Goehring?

**Representative Wall:** I did and he didn't know either. He recommended getting a hold of the federal delegation.

**Representative Mueller:** In visiting with Congressman Pomeroy the other day, I asked him about that. He took the concern.

**Representative Boe:** Is the question if USDA has an indemnity fund to cover fowl? Why don't we call the FSA office? The difference between a turkey operation and cow/calf



operation is: the cow/calf operation has a cost of carryover of the open cows for next year's calves. With a turkey operation you would just bring in a new brood. They just purchase them from the hatchery.

**Chairman Johnson:** The same would be for a feeding operation.

**Representative Mueller:** The indemnity fund—where does the money come from?

**Representative Froelich:** The money comes from the Farm Disaster Program.

**Representative Mueller:** It isn't coming from a fee like our grain indemnity.

**Representative Froelich:** No.

**Representative Holman:** I had the same question. This resolution seems to be very specific toward calf production. I would support this.

**Representative Froelich:** At the last disaster meeting we had Monday, Ag Commission Goehring said there was a 26 or 28% death loss. That is substantial. Usually it is 3 or 4%. It will have a huge ripple effect throughout the state. If we can do anything to support and enhance that indemnity program, it will help the state.

**Representative Vig:** It sounds like this livestock indemnity program has not yet been implemented. That is contradictory to the article I read in the Fargo Forum last week. Secretary Ed Schafer talked about the success of the farm bill. Why is this program not implemented yet?

**Chairman Johnson:** It has been passed into law but it will take a long time to get the rules written. Congress has not authorized the funding.

**Representative Mueller:** Maybe that is good. Then this can have an impact on how they do formulate those rules and regulations.

**Representative Mueller moved Do Pass. Representative Schatz Seconded.**

A Roll Call vote was taken. **Yes: 13, No: 0, Absent: 0.**  
**Representative Froelich will carry the bill.**

Date: 4/16/09

Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 4036

House Agriculture Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken  Do Pass  Do Not Pass  Amended

Motion Made By Rep. Mueller Seconded By Rep. Schatz

Representatives	Yes	No	Representatives	Yes	No
Dennis Johnson, Chair	✓		Tracy Boe	✓	
Mike Brandenburg, Vice Chair	✓		Rod Froelich	✓	
Wesley R. Beiter	✓		Richard Holman	✓	
Joyce M. Kingsbury	✓		Phillip Mueller	✓	
David S. Rust	✓		Benjamin A. Vig	✓	
Mike Schatz	✓				
Gerry Uglem	✓				
John D. Wall	✓				

Total (Yes) 13 No 0

Absent 0

Bill Carrier Rep. Froelich

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

**REPORT OF STANDING COMMITTEE**

**SCR 4036: Agriculture Committee (Rep. D. Johnson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4036 was placed on the Tenth order on the calendar.**