

2023 SENATE AGRICULTURE AND VETERANS AFFAIRS

SB 2373

2023 SENATE STANDING COMMITTEE MINUTES

Agriculture and Veterans Affairs Committee Fort Union Room, State Capitol

SB 2373
2/3/2023

A BILL for an Act relating to the establishment of the livestock-friendly county designation

8:58 AM Chairman Luick called the committee to order. Senators Hogan, Weston, Weber, Luick, Myrdal, and Lemm were present.

Discussion Topics:

- County designation
- Livestock impact
- Regulatory implications

8:59 AM Senator Erbele, North Dakota State Senate, Senator District 28, introduced the bill and testified in favor #20295.

9:10 AM Tom Bodine, Agriculture Commission, Deputy Agriculture Commissioner, testified in favor #19349.

9:13 AM Pete Hanebutt, North Dakota Farm Bureau, Director of Public Policy, testified in favor verbally.

9:15 AM Matt Perdue, North Dakota Farmers Union, Government Relations Director, testified in favor #19014.

9:19 AM Phil Murphy, North Dakota Soybean Growers Association, testified in favor #18266

9:20 AM Aaron Birst, North Dakota Association of Counties, Executive Director, testified in favor verbally.

9:33 AM Senator Lemm moved DO PASS SB 2373 AND REREFER TO APPROPRIATIONS.

9:33 AM Senator Myrdal seconded DO PASS SB 2373 AND REREFER TO APPROPRIATIONS.

9:34 AM Roll Call Vote – DO PASS SB 2373

Senators	Vote
Senator Larry Luick	Y
Senator Janne Myrdal	Y
Senator Kathy Hogan	Y
Senator Randy D. Lemm	Y
Senator Mark F. Weber	Y
Senator Kent Weston	Y

Motion Passed 6-0-0. DO PASS SB 2373 AND REREFER TO APPROPRIATIONS.

Senator Weston will carry the bill.

Additional written testimony:

Samantha Vangsness, North Dakota Ethanol Producers Association, testimony #18886.

Julie Ellingson, North Dakota Stockmen's Association, testimony #18980.

Brenda Elmer, Executive Director, North Dakota Corn Growers Association, testimony #19006.

9:34 AM Chairman Luick adjourned the hearing on SB 2373

Brenda Cook, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2373: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2373 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2023 HOUSE AGRICULTURE

SB 2373

2023 HOUSE STANDING COMMITTEE MINUTES

Agriculture Committee
Room JW327C, State Capitol

SB 2373
3/10/2023

Relating to the establishment of the livestock-friendly county designation.

Chairman Thomas call the meeting to order 9:08 AM

Members present: Chairman Thomas, Vice Chairman Beltz, Representatives Christy, Finley-DeVille, Fisher, Headland, Henderson, Kiefert, Olson, Prichard, Schreiber-Beck, Tveit, VanWinkle.

Discussion Topics:

- County Commission's incentive
- Public information
- Word of mouth
- Message of local acceptance
- Along with infrastructure
- Site analysis
- Development areas

In Favor:

Senator Robert Erbele, District 28, Lehr, ND, #23661

Tom Bodine, Deputy, ND Department of Agriculture, #23658

Pete Hanebutt, ND Farm Bureau, (no written testimony)

Matt Perdue, ND Farmers Union, #23575

Phil Murphy, ND Soybean Growers Association (no written testimony)

Julie Ellingson, ND Stockmen's Association, #23659

Samantha Vangsness, Executive Director, ND Ethanol Producers Association, and ND Corn Growers Association #23494

Representative Beltz moved a do pass.

Representative Prichard seconded.

Roll call vote:

Representatives	Vote
Representative Paul J. Thomas	Y
Representative Mike Beltz	Y
Representative Josh Christy	Y
Representative Lisa Finley-DeVille	Y
Representative Jay Fisher	Y
Representative Craig Headland	Y
Representative Donna Henderson	Y
Representative Dwight Kiefert	Y

Representative SuAnn Olson	Y
Representative Brandon Prichard	Y
Representative Cynthia Schreiber-Beck	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y

Motion passed 13-0-0

Representative Beltz will carry the bill.

Additional written testimony:

Brenda Elmer, Executive Director, ND Corn Growers Association, #23580

Chairman Thomas adjourned the meeting 9:38 AM

Diane Lillis, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2373: Agriculture Committee (Rep. Thomas, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2373 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2373

Testimony in favor of 2373

Chairman and Committee, my name is Phil Murphy representing the ND Soybean Growers Association. The NDSGA supports this effort to further aid the livestock industry in our state. Thank you for sponsoring and working to make this happen should the bill pass.



Testimony of Samantha Vangsness
Executive Director, North Dakota Ethanol Producers Association
In Support of SB 2373
February 3, 2023

Chairman Luick and members of the Senate Agriculture and Veterans Affairs Committee,

Thank you for the opportunity to testify before you today, I am Samantha Vangsness. I am executive director for the North Dakota Ethanol Producers Association (NDEPA), which represents North Dakota's six ethanol plants, industry stakeholders and associated businesses. I am here today to voice support for SB 2373, which allows counties to apply to the Agriculture Commissioner to be recognized as a livestock friendly county in North Dakota.

Thanks to North Dakota's innovative private sector and supportive state government, North Dakota's ethanol industry has been able to expand into various markets. The industry converts 40-60 percent of the state's corn crop into more than 550 million gallons of ethanol, 1.5 million tons of high-value livestock feed (distillers grain) and 20 million gallons of corn oil used in renewable diesel. According to a recent study conducted by North Dakota State University, the ethanol industry contributes nearly \$1.7 billion annually to the state's economy and provides thousands of direct and indirect jobs.

NDEPA identified livestock expansion in North Dakota as a top priority during its strategic planning spring of 2022. The state's ethanol industry produces 1.5 million tons of dried distillers grains (DDGs), a high-quality, protein-rich feed that is consumed by various livestock. Our plants currently export 90% of the distillers grain produced out of the state. Enhanced livestock development is important to keeping more of the product in the state, and this bill is a step in the right direction for attracting livestock development across the state.

Thank you for your time and I respectfully urge a 'Do Pass' recommendation on SB 2373. I stand for any questions.

North Dakota Stockmen's Association

Testimony to the Senate Agriculture Committee on SB 2373

Feb. 3, 2023

Good morning, Chairman Luick and members of the Senate Agriculture Committee. My name is Julie Ellingson and I represent the North Dakota Stockmen's Association, a 93-year-old beef cattle trade organization comprised of more than 3,100 cattle-ranching members.

The North Dakota Stockmen's Association supports SB 2373, which would establish a livestock-friendly county designation program and promote the growth of animal agriculture in our state. As you've heard many times this legislative session, North Dakota is home to high-quality genetics, plentiful feedstuffs, hardworking people and a climate conducive for efficient gains and combatting disease, and there is much potential for animal ag in our state. SB 2373 would aid the state in reaching its potential.

Thank you for the opportunity to comment.



Testimony of Brenda Elmer, executive director

North Dakota Corn Growers Association

In SUPPORT of SB 2373

February 3, 2023

Chairman Luick and members of the Senate Agriculture and Veteran Affairs Committee,

Thank you for allowing me to share our support of Senate Bill 2373. For the record, my name is Brenda Elmer, and I am the executive director of the North Dakota Corn Growers Association (NDCGA), which is the voice of the more than 13,000 corn growers across the state at the grass roots level for issues that impact corn producers.

In December, Governor Burgum joined NDSU at the Capitol to unveil a first of its kind comprehensive study of the economic contribution of agriculture in the state. For the year 2020, agriculture contributed nearly \$31 billion to the economy and more than 110,000 jobs. The impact of agriculture was much more than we imagined and the state of ag in North Dakota is promising.

SB 2373, allows counties that are friendly to livestock development to be recognized by the Agriculture Commissioner to help assist efforts to develop, maintain, or expand livestock sectors within the counties of North Dakota. This is a positive step in self-identifying counties that are 'open for business' within the state and help those looking to expand or locate livestock operations within the counties. But also, a start to changing the culture in North Dakota to demonstrate that animal agriculture isn't the odiferous, messy operation of generations ago. That livestock in one's county can mean having good neighbors that brings economic development, value-added agriculture, and many other benefits.

This bill would move North Dakota in a positive direction towards expanding agricultural development which in turn aids producers of corn and other commodities in building valuable markets. We urge your support of SB 2373. Thank you for your time today and your consideration to vote DO PASS on SB 2373.



Contact:
Matt Perdue, Lobbyist
mperdue@ndfu.org | 701.641.3303

**Testimony of
Matt Perdue
North Dakota Farmers Union
Before the
House Agriculture Committee
February 3, 2023**

Chairman Luick and members of the committee,

Thank you for the opportunity to testify on Senate Bill No. 2373. My name is Matt Perdue, and I am testifying on behalf of North Dakota Farmers Union's (NDFU) members.

NDFU supports SB 2373, which would establish a new "Livestock Friendly County (LFC)" program in North Dakota. The LFC designation provides a framework for local discussions about livestock development. The designation also signals to livestock producers that the county supports livestock development, giving farmers and ranchers the confidence to make long-term decisions about investing in the future of their operations.

The LFC program is a voluntary, opt-in designation. A county is eligible for the designation only after the board of county commissioners has adopted and enacted a resolution expressing interest in developing, maintaining, or expanding livestock production and processing. The bill also requires counties who wish to pursue the designation to collaborate with other political subdivisions in the county. We believe collaboration among political subdivisions is critical to building healthier local conversations about livestock development.

SB 2373 is part of a suite of bills aimed at supporting locally led livestock development. HB 1437 would establish regional livestock planning grants, another voluntary process that would help townships update zoning ordinances and provide rural development site analysis. The site analysis from HB 1437 is referenced as a requirement for the LFC designation in Section 1, Paragraph 2d. HB 1148 would establish an agriculture infrastructure fund to support infrastructure improvements necessary to accommodate value-added agriculture developments. Collectively, these bills provide important new resources for counties interested in supporting livestock development.

The LFC program is modeled after an existing program in Nebraska. Currently, 51 counties in Nebraska carry the LFC designation.

We respectfully request a "Do Pass" recommendation on SB 2373. Thank you for your consideration. I will stand for any questions.

COMMISSIONER
DOUG GOEHRING



ndda@nd.gov
www.agdepartment.com

**Testimony of Doug Goehring
Agriculture Commissioner
Senate Agriculture and Veterans Affairs Committee
Fort Union
February 3, 2023**

Chairman Luick and members of the Senate Agriculture and Veterans Affairs Committee, I am Tom Bodine, Deputy Agriculture Commissioner, and I am representing Agriculture Commissioner Doug Goehring. I am here today in support of SB 2373 which relates to the establishment of a livestock-friendly county designation.

This is a great start to helping North Dakota focus on its efforts in developing animal agriculture in North Dakota. This bill outlines the steps to becoming eligible as well as retention requirements. Alternately, revoking the livestock-friendly designation may occur if the county no longer meets the requirements for the designation.

Chairman Luick and committee members, thank you for your consideration of SB 2373. I would be happy to answer any questions you may have.

2373

Testimony for SB2323

Chairman Luick and the Ag and Veterans Affairs Committee

Livestock friendly county program – Establishment.

1. The commissioner shall establish a process, including criteria and standards, to recognize and assist efforts of counties to maintain or expand their livestock sector. A county that meets the criteria may apply to the commissioner to be designated a livestock friendly county.
2. The commissioner shall designate a county as a livestock friendly county based on that county's efforts to maintain or expand its livestock sector. The commissioner shall consider the following criteria in making a livestock friendly county determination:
 - a. A formal expression of interest by a county commission, by a duly enacted resolution following a public hearing, in developing the livestock production and processing sectors of such county's economy;
 - b. A commitment that the county intends to work with all other political subdivisions within its boundaries in implementing livestock development within the county;
 - c. Flexible and individual treatment allowing each county to design its own development program according to its own timetable;
 - d. Completion of a study identifying suitable locations for rural economic development, including confined animal feeding operations, agricultural processing and storage facilities, and other agricultural-related development (*Note: reference to HB 1437*); and
 - e. Other activities currently underway or being initiated that support livestock development.
3. The commissioner may revoke the livestock friendly county designation from any county that no longer meets the criteria necessary to be a livestock friendly county.

Sen. Robert Erbele
District 28

Erbele, Robert S.

From: Erbele, Robert S.
Date: Friday, February 3, 2023 7:01 AM
To: Erbele, Robert S.
Subject: FW: List of Animal Ag/Value-Added Bills

This is the list of bills to support animal agriculture and value-added development. The link to the regional livestock planning grants (HB 1437) is really key for the Livestock Friendly County program.

HB 1148 – Agriculture Infrastructure Fund

- Grants to political subdivisions and projects to offset infrastructure costs necessary to accommodate new developments

HB 1437 – Regional Livestock Planning Grants

- Grants to counties and/or regional councils to: (1) conduct rural development site analysis and (2) help townships update zoning ordinances.
 - *NOTE: The livestock friendly county bill includes the rural development site analysis as a prerequisite for the designation.*

1423 – Encourages adoption of model zoning ordinance in counties and townships across the state.

HB 1276 – Agriculture Diversification and Development Fund

- Provide new funding for the ADD Fund, which provides interest buydown and grants to value-added projects, including new animal agriculture projects.

SB 2373 – Livestock Friendly Counties

Livestock Friendly County (LFC) Benefits

Every county has something to gain from pursuing the Livestock Friendly County (LFC) designation. However, designation is not something the state does to a county, but rather it is recognition for the work the county does to establish a thriving livestock industry. Summarized below are just a few of the benefits of seeking designation.

Framework for Discussion

Pursuing the LFC designation initiates a conversation among county residents about the impact livestock has in the county, as well as how the industry is supported. The conversation becomes a self-examination of where the county is and where it wants to go with livestock and livestock business development. Designation means that the county has made a commitment to support the livestock industry in a socially, economically, and environmentally sound manner.

Producer/Business Confidence

LFC designation tells livestock producers and related businesses that the county wants economic growth and will support their industry for years to come. This type of confidence helps businesses make long-term decisions about investing in and possibly expanding their operation.

Public Education

Education begins with an open and honest conversation with friends and neighbors about the livestock industry. It is a conversation about the impact the industry plays as a consumer of local grains, how it supports main street businesses, and how livestock production adds economic activity to the county. Livestock businesses also contribute taxes that pay for roads, schools, and other services. It's a conversation about how a healthy livestock industry can co-exist with neighbors and businesses, both rural and urban.

County Pride

The LFC sign at the county entrance tells visitors that the county is committed to the people, the businesses, the environment, and the livestock industry. The designation is a strong statement of support for animal agriculture.

Publicity

Designation ceremonies are a celebration that provides an opportunity to put the county in the spotlight with both local and statewide media outlets. This type of positive publicity exposes the county to a large number of outside people and businesses, and it does so in a very favorable light. This positive publicity is then ongoing as the county is listed on NDA's web site with all other officially designated Livestock Friendly Counties.



Testimony of Samantha Vangsness
Executive Director, North Dakota Ethanol Producers Association
In Support of SB 2373
March 10, 2023

Chairman Thomas and members of the House Agriculture Committee,

Thank you for the opportunity to testify before you today, I am Samantha Vangsness. I am executive director for the North Dakota Ethanol Producers Association (NDEPA), which represents North Dakota's six ethanol plants, industry stakeholders and associated businesses. I am here today to voice support for SB 2373, which allows counties to apply to the Agriculture Commissioner to be recognized as a livestock friendly county in North Dakota.

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NDEPA identified livestock expansion in North Dakota as a top priority during its strategic planning spring of 2022. The state's ethanol industry produces 1.5 million tons of dried distillers grains (DDGs), a high-quality, protein-rich feed that is consumed by various livestock. Our plants currently export 90% of the distillers grain produced out of the state. Enhanced livestock development is important to keeping more of the product in the state, and this bill is a step in the right direction for attracting livestock development across the state.

Thank you for your time and I respectfully urge a 'Do Pass' recommendation on SB 2373. I stand for any questions.



Contact:

Matt Perdue, Lobbyist

mperdue@ndfu.org | 701.641.3303

**Testimony of
Matt Perdue
North Dakota Farmers Union
Before the
House Agriculture Committee
March 10, 2023**

Chairman Thomas and members of the committee,

Thank you for the opportunity to testify on Senate Bill No. 2373. My name is Matt Perdue, and I am testifying on behalf of North Dakota Farmers Union's (NDFU) members.

NDFU supports SB 2373, which would establish a new "Livestock Friendly County (LFC)" program in North Dakota. The LFC designation provides a framework for local discussions to promote livestock development. The designation also signals to livestock producers that the county supports development, giving farmers and ranchers the confidence to make long-term decisions about investing in the future of their operations.

The LFC program is a voluntary, opt-in designation. A county is eligible for the designation only after the board of county commissioners has adopted and enacted a resolution expressing interest in developing, maintaining, or expanding livestock production and processing. The bill also requires counties who wish to pursue the designation to collaborate with other political subdivisions in the county. We believe collaboration among political subdivisions is critical to building healthier local conversations about livestock development.

The LFC program is modeled after an existing program in Nebraska. Currently, 51 counties in Nebraska carry the LFC designation.

SB 2373 is an important component within a broader suite of bills aimed at supporting locally led livestock development. Earlier this session, the House passed HB 1437, which establishes regional livestock planning grants. HB 1437 provides grants to conduct rural development site analyses and help townships update their zoning ordinances. The site analysis from HB 1437 is referenced as a requirement for the LFC designation in Section 1, Paragraph 2d.

HB 1437 gives the county foundational information about the potential for livestock development. This bill takes the next step. SB 2373 provides a framework for developing a comprehensive strategy to promote the livestock sector.

We respectfully request a "Do Pass" recommendation on SB 2373. Thank you for your consideration. I will stand for any questions.



Testimony of Brenda Elmer, executive director

North Dakota Corn Growers Association

In SUPPORT of SB 2373

March 10, 2023

Chairman Thomas and members of the House Agriculture Committee,

Thank you for allowing me to share our support of Senate Bill 2373. For the record, my name is Brenda Elmer, and I am the executive director of the North Dakota Corn Growers Association (NDCGA), which is the voice of the more than 13,000 corn growers across the state at the grass roots level for issues that impact corn producers.

In December, Governor Burgum joined NDSU at the Capitol to unveil a first of its kind comprehensive study of the economic contribution of agriculture in the state. For the year 2020, agriculture contributed nearly \$31 billion to the economy and more than 110,000 jobs. The impact of agriculture was much more than we imagined and the state of ag in North Dakota is promising.

SB 2373, allows counties that are friendly to livestock development to be recognized by the Agriculture Commissioner to help assist efforts to develop, maintain, or expand livestock sectors within the counties of North Dakota. This is a positive step in identifying counties that are 'open for business' within the state and help those looking to expand or locate livestock operations within the counties.

North Dakota annually produces about 400 million bushels of corn with about half dedicated to ethanol production throughout the state. Each bushel of corn processed by North Dakota ethanol plants produces about 15 pounds of livestock feed (dried distillers grains), yielding nearly 1.5 million total tons of livestock feed, including dry distillers grains, a high-protein feed sought after by livestock producers. SB 2373 would aid in the identification of potential livestock locations across the state and assist economic partners in connecting with the right opportunities and local governments.

This bill would move North Dakota in a positive direction towards expanding agricultural development which in turn aids producers of corn and other commodities in building valuable markets. We urge your support of SB 2373. Thank you for your time today and I stand for any questions you may have.

COMMISSIONER
DOUG GOEHRING



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www.agdepartment.com

**Testimony of Tom Bodine
Deputy Agriculture Commissioner
House Agriculture Committee
Room 327 C
March 10, 2023**

Chairman Thomas and members of the House Agriculture Committee, I am Tom Bodine, Deputy Agriculture Commissioner, and I am on behalf of Agriculture Commissioner Doug Goehring. I am here today in support of SB 2373 which relates to the establishment of a livestock friendly county designation.

This is a great start to helping North Dakota focus on its efforts in developing animal agriculture in North Dakota. This bill outlines the steps to becoming eligible for livestock friendly designation. As well as retention requirements. Alternately, revoking the livestock-friendly designation may occur if the county no longer meets the requirements for the designation.

Chairman Thomas and committee members, thank you for your consideration of SB 2373. I would be happy to answer any questions you may have.

North Dakota Stockmen's Association

Testimony to the House Agriculture Committee on SB 2373

March 10, 2023

Good morning, Chairman Thomas and members of the House Agriculture Committee. My name is Julie Ellingson and I represent the North Dakota Stockmen's Association, a 93-year-old beef cattle trade organization comprised of more than 3,100 cattle-ranching members.

The North Dakota Stockmen's Association supports SB 2373, which would establish a livestock-friendly county designation program, promote the growth of animal agriculture in our state and recognize those political subdivisions for their efforts to develop, maintain or expand livestock sectors within their jurisdiction.

As you've heard many times this legislative session, North Dakota is home to high-quality genetics, plentiful feedstuffs, hardworking people and a climate conducive for efficient gains and combatting disease, and there is much potential for animal ag in our state. SB 2373 would aid the state in reaching that potential and would preserve the integrity of the designation with a re-evaluation once every four years to assure that it is still warranted.

For these reasons, we ask for your do-pass recommendation on SB 2373.

Thank you for the opportunity to comment.

Testimony for SB 2373**Chairman Thomas and the House Agriculture Committee****Livestock friendly county program – Establishment.**

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 - d. Completion of a study identifying suitable locations for rural economic development, including confined animal feeding operations, agricultural processing and storage facilities, and other agricultural-related development (*Note: reference to HB 1437*); and
 - e. Other activities currently underway or being initiated that support livestock development.
3. The commissioner may revoke the livestock friendly county designation from any county that no longer meets the criteria necessary to be a livestock friendly county.
4. Supports HB1437 which provides grants to counties and/or regional councils to 1. Conduct rural development site analysis and 2. Help townships update zoning ordinances. (note: The livestock friendly county bill includes the rural development site analysis as a prerequisite for the designation.

Sen. Robert Erbele
District 28

Livestock Friendly County (LFC) Benefits

Every county has something to gain from pursuing the Livestock Friendly County (LFC) designation. However, designation is not something the state does to a county, but rather it is recognition for the work the county does to establish a thriving livestock industry. Summarized below are just a few of the benefits of seeking designation.

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