

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2347

2001 SENATE AGRICULTURE

SB 2347


2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2347

Senate Agriculture Committee

Conference Committee

Hearing Date February 1, 2001

Tape Number	Side A	Side B	Meter #
1	X		36.5 - End
		X	32.8 - 35.3
		X	50.4 - End
Committee Clerk Signature 			

Minutes:

SENATOR ERBELE; Sponsor, introduced the bill to the committee.

SENATOR SOLBERG; Sponsor, testified in support of this bill. Passed out information relating to this bill.

LARRY SCHULER; State Veterinarian, testified in support of this bill. See attached testimony.

SENATOR KROEPLIN; Is there a specific dollar amount that you can use in a biennium?

LARRY SCHULER; That is a very random number.

JULIE ELLINGSON; ND Stockman's Association, testified in support of this bill.

The hearing was closed.

Discussion was held.

SENATOR ERBELE; With what is happening out there and new diseases, I think this is broad enough.

SENATOR KLEIN moved for a DO PASS on this bill.

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Senate Agriculture Committee
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SENATOR NICHOLS seconded the motion.

Roll call vote: 6 Yeas, 0 No, 0 Absent and Not voting.

SENATOR ERBELE will carry the bill.

FISCAL NOTE
 Requested by Legislative Council
 01/24/2001

Bill/Resolution No.: SB 2347

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
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

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

Indemnity for diseased animals paid by the state over the last five years has been approximately \$100,000. The cost to the state has ranged from \$3,000 for a disease outbreak in sheep in 1998 to almost \$70,000 for the bovine tuberculosis outbreak in 1999. We have interpreted the current statute broadly and the Emergency Commission has concurred and provided indemnity payments. This bill clarifies the process, but should not result in additional expenditures beyond the current law. The monies have been provided by the Emergency Commission, because no other funds are appropriated for indemnity purposes.

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.*

None

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:	Jeff Weispfenning	Agency:	Agriculture
Phone Number:	328-4758	Date Prepared:	01/20/2001

REPORT OF STANDING COMMITTEE (410)
February 1, 2001 1:26 p.m.

Module No: SR-18-2108
Carrier: Erbele
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2347: Agriculture Committee (Sen. Wanzek, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2347 was placed on the
Eleventh order on the calendar.

2001 HOUSE AGRICULTURE

SB 2347

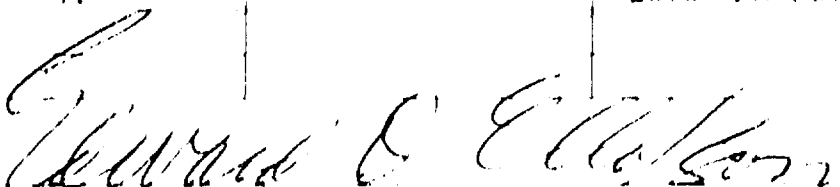
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2347

House Agriculture Committee

Conference Committee

Hearing Date 3--8--01

Tape Number TWO	Side A A	Side B	Meter # 2070 TO 3878
Committee Clerk Signature			

Minutes:

VICE CHAIRMAN JOHNSON: Committee Members we will open the hearing on SB 2347

SENATOR SOLBERG: DIST. SEVEN: Bill relates to appraisals and condemnation of animals having brucellosis or bovine TB. We had a situation in Morton County two years ago. The outbreak of TB over there is how things moved along and things have to be put in place for an appraisal and indemnity of livestock or the situation like this. We had a couple of bad deals and I am not sure how close anyone tracked them over there but some of the appraisals that I have been in the livestock business for over 35 years and I have done a few appraisals and I know how they work. You can gain or lose employees or customers by appraisals. I think this is a good bill and I hope it dose pass.

REPRESENTATIVE BERG: We are dealing with payments to the producer.

SENATOR SOLBERG: Disease to heard or herds. There is a contingency fund. We have something like \$600,000.00 dollars which is certainly not going to be enough to cover whatever.

but it has borrowing power to go into the Bank of ND if something like this would happen.

Indemnity mechanism in place to take care of it.

REPRESENTATIVE BERG: Really what we want to do here is put in statue the process that follows so people know exactly the steps we are going through. It is kind of more rather than kind of scrambling around like we did two years ago. We have the process.

SENATOR SOLBERG: You are exactly right.

REPRESENTATIVE LLOYD: You have limited it to brucellosis or bovine TB, so what about the others?

SENATOR SOLBERG: We talked about that a little bit. Maybe something has to be added. It also says something in there about other. Help me out Dr Keller.

DR. KELLER: I don't think it is suppose to be limited. That was not the intent. I read that it is suppose to be any disaster or emergency's. We will take a look at that Rep. Lloyd.

Representative Lloyd, I think that is just in the title of the Bill. That is just how some interprets the Bill. That is not part of statue. That is probable why there is confusion.

CHAIRMAN NICHOLAS: Any other questions of Sen. Solberg?

REPRESENTATIVE ERBELE: It is a pleasure to be here this morning. What I would add to Sen Solbergs comments here and others. As it stood before, it was only beef cattle and dairy animals. Brucellosis or Tuberculosis. were all that was eligible for the program. This definition expands it to all farm animals. It is not disease specific anymore.either. WE have opened this up to all diseases of animals. It the state needs to come in and destroy the heard that there is indemnity available. That's is my addition to the Bill in nut shell.

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House Agriculture Committee

Bill/Resolution Number SB2347

Hearing Date 3--08--01

DR SUSAN J KELLER, DVM DEPUTY STATE VETERINARIAN. Please see attached testimony of DR. Keller. Before you have questions I want to pass this out. The writers of the Bill got a copy of this from our attorney by E-Mail I think it would be important for members of this committee be concerned. Concerned with the language of that Bill. If you want to pass it around. Here is a proposed amendment that I think everybody would be in agreement with. in light of everything that is going on with diseases such as foot and mouth disease or any other disease that would come into this country which would basically demand immediate action. TB dose not spread quickly. It is contagious and it is a disaster to the state but it would not be any where near where you would have to act immediately with some of the other diseases that may effect all species of other animals.

CHAIRMAN NICHOLAS: Representative Froelich.

REPRESENTATIVE FROELICH: Page 3 line 24 it says this animal belongs to the US, TO THIS STATE, OR TO ANY POLITICAL SUBDIVISION OF THIS STATE. How would that effect the[[could not make out froelich's question]]

DR. KELLER: I think if you had a concern like that but obviously we want this to apply to them. I guess that is the only comment I could make. We don't want any animal in the state not to follow this indemnity. Even people that are not in compliance, I think that is something that was brought to our attention the other day with some discussion that if someone is not in compliance sometimes you are still going to want to be out there to indemnify them because you don't want them [[something]] there quarantine situation. Where the disease still may continue to sped.

FROELICH: One other question. The animal that is going to be killed has been in the state less than 6 months. If I go down to Kansas and buy a couple of bulls. Even though I have all the tests done and everything and 2 to 3 months later I have TB OR food and mouth, then I would not get indemnity right?

DR KELLER: That is my understanding. The way the language is now.

I apologize. Maybe that is a glitch that should be addressed.

REPRESENTATIVE ONSTAD. T.B. OUTBREAK. Two years ago. One of the questions was compensation and inadequacies. Dose this address some of those concerns? As to producers being reimbursed adequately.

DR KELLER: The had out dose address that. It is towards the bottom. It covers labor and equipment. The cost of the VET AND VACCINES. My opinion is yes we would want to help indemnify some of the expenses. that would be of cost to the producers.

REPRESENTATIVE LEMIEUX: I have some bee keepers in my district. Does this address the mites that were attracting the bees. a few years ago.

DR KELLER: I don't know. Maybe there is a provision.

REPRESENTATIVE BERG: We had this problem with an elk heard. It was an ongoing thing. Each session we would appropriate one hundred or two hundred thousand to buy out this elk heard that was quarantined. I don't think we ever passed anything did we. to pay that.

DE KELLER: What happened there; there was no legal way to go in and put those animals down. There was no provision there, I think Sen Solbergs biggest concern was that we didn't have an appraisal system in statue. This Bill allows for some languages that if an owner dose not like our appraisal he can have his own appraiser. If the state dose not agree, they can have

another appraiser come in. I think with exotic animals industries. These animals whenever they are in the breeding phase of the industry. They may be worth 20 to 30 thousand and later on they are not so we have a discrepancy there. That situation is gone now with these animals. That has been taken care of. Some were sent to a research center.

WADE MOSER: The NORTH DAKOTA STOCKMAN'S ASSOCIATION;

We do support the Bill. We realize with the Elk problem when it arose that there was a problem getting a quick appraisal and making sure that the animals were removed from the rest of the state. I might say so that the rest of the industry were not infected. I think this Bill really helps in that way so that we can act quickly, fairly and that everybody is handled in a way that benefits everyone, not only the person that has the disease but the surrounding neighbors and the potential effect that they may have. The system is in place. Section 8 states that the owners now that if they create their own problems, they are not going to be covered under this. Something that is beyond their control if they have followed all of the health laws of the state and still ended up with a wreck then they will be covered. I do hope that you do delay on the Bill because I do have a little bit of a concern on the 2nd paragraph. The authority to conduct tests and eradication. I am not sure how far reaching that will go.

CHAIRMAN NICHOLAS: Any one else offering support of this Bill. Any opposition to this Bill.

O.K. THE COMMITTEE WILL CLOSE THE HEARING ON SB 2347.

1A: 3878

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2347 A

House Agriculture Committee

Conference Committee

Hearing Date 3--08--01

Tape Number	Side A	Side B	Meter #
TWO	A		4456 TO 4580
Committee Clerk Signature	<i>Edmond P. Ellison</i>		

Minutes:

CHAIRMAN NICHOLAS: Committee Members, I am going to reopen on SB 2347. I am going to appoint a sub-committee on 2347. I have some concerns about that Bill. I am going to ask Representative Johnson, Representative Pietsch and Representative Onstad. Would you be on the sub-committee. I have some material here from the Attorney Generals Office. I would like this little extra, checking into the Bill and you are certainly welcome to participate Dr. Keller. Committee, we are adjourned.

