

## NDLA, H GVA - Hart, Carmen

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**From:** Kasper, Jim M.  
**Sent:** Wednesday, March 31, 2021 4:39 PM  
**To:** NDLA, H GVA - Hart, Carmen; Kasper, Jim M.; Koppelman, Ben; Louser, Scott C.  
**Subject:** PLEASE PRINT AND PUT ON DESKS OF ALL HOUSE GVA MEMBERS FOR TOMORROW MORNING HEARING---FROM REP. JIM KASPER--WEDNESDAY, MARCH 31, 2021

SCR 4007 Hello Carmen and Lexi:

Please print this memo and put it on all GVA Committee members desks for the hearing tomorrow morning.

Thank you.

Jim

Representative Jim Kasper  
North Dakota House of Representatives  
District 46, Fargo  
Chairman Government and Veterans Affairs Committee  
Chairman Special House Committee on Ethics  
Member Industry, Business and Labor Committee  
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**From:** Julie Schaff Ellingson <jellingson@ndstockmen.org>  
**Sent:** Wednesday, March 31, 2021 12:58 PM  
**To:** Kasper, Jim M. <jkasper@nd.gov>  
**Subject:** 2282/4007

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Hello!

I hope this is the kind of information you were seeking:

- **Concern has been raised over an even-numbered board.** *There are many functioning even-numbered boards in state government now, including the House Government and Veterans Affairs Committee and the subcommittee assigned to these pieces of legislation! If the land board became a six-member board, it would require 4/6 (66 percent) to achieve a majority, and that may actually be a good thing. We do not see other problems with this.*
- **Concern has been raised about the ag commissioner having a conflict of interest, because his position is to advocate for agriculture.** *We disagree. The mission of the ag department is ACTUALLY to "serve, advocate, protect and promote agriculture to **benefit everyone.**" This means that the job is far more than just being a "cheerleader" for ag interests. The commissioner is a statewide elected position that is accountable to everyone, not just agricultural businesspeople and ag interests. The commissioner also is an*

industry regulator (far different than being just a promoter). This is the list of regulatory programs the ag commissioner currently oversees:

- *Anhydrous Ammonia*
  - *Animal Health Division*
    - *Animal Disease Traceability*
    - *Reportable Diseases*
  - *Apiary (Honey Bees)*
  - *Dairy Inspection and Licensing*
  - *Feed Registrations and Reporting*
  - *Feed Manufacturers and Retailer Licensing*
  - *Fertilizers – Sales and distribution*
  - *Grain Warehouse Licensing and Inspection*
  - *Hemp Licensing and Inspection*
  - *Insect Pests*
  - *Livestock Licensing – Auction Markets and Livestock Dealers*
  - *Livestock Medicine Registrations*
  - *Meat Inspection*
  - *Modified Live Vaccines – permit requirements*
  - *Non-traditional Livestock Licensing*
  - *Noxious Weed Regulations*
  - *Nursery Licensing and Inspections*
  - *Pesticide Use*
  - *Pet Food and Specialty Pet Food Registration*
  - *Phytosanitary Certificates – import regulations*
  - *Plant Pests*
- **Concern has been raised that if agriculture is represented on the board, then it will have to be opened up to a dozen other stakeholders.** *Agriculture is the state's foundation industry and is the very platform from which the state makes its money from the school land resource. It is appropriate with someone with expertise and knowledge of it to be seated on the board and could provide meaningful context to discussion and decisions related to land management and leasing. There were some examples offered in testimony that, if the ag commissioner is added, many other interests would also require one. We don't think that many of the examples offered are on an equal footing. The board has a fiduciary responsibility to manage the lands for the best investment for the state. Managing with agricultural considerations in mind will help make the best returns to the state.*
- **Concern has been raised about the Industrial Commission being entirely represented on the land board.** *There is currently a quorum (2/3) of the Industrial Commission on the land board. No one has raised this as a concern in the past. Adding a third person who happens to share a separate committee assignment should not make a difference.*
- **The Department of Trust Lands opposed (listed though as neutral) legislation offered by Rep. Keith Kempenich this session to simply develop an agricultural advisory group to the department to facilitate communication between the entities.** Here is a link to the testimony against that: [https://www.legis.nd.gov/assembly/67-2021/testimony/HPOLSUB-1269-20210128-4116-N-SMITH\\_JODI.pdf](https://www.legis.nd.gov/assembly/67-2021/testimony/HPOLSUB-1269-20210128-4116-N-SMITH_JODI.pdf). The commissioner also estimated that the cost associated with having an advisory committee would be \$96,000. We think that is extreme.

• **This issue is far bigger than simply the online auction fiasco.** *There is real value in adding an agricultural expert to this board for the benefit of state school lands. The executive order has been lifted over the online auctions, but that doesn't change the fact that this is a sound policy decision. The move to online-only surface lease auctions was not voted on by the land board. The land board just received the report.*

• **The department has mentioned several times recently that it wants to regionalize auctions or make other changes to its process to require less on-the-road time for staff.** *It is unknown if the land board would weigh in/vote on changes of this type or if it would be a staff decision by the department only.*

Let me know if you need anything else.

Thank you!

Julie

**Julie Schaff Ellingson**

**North Dakota Stockmen's Association**

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