

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

41047

2001 SENATE AGRICULTURE

SCR 4047

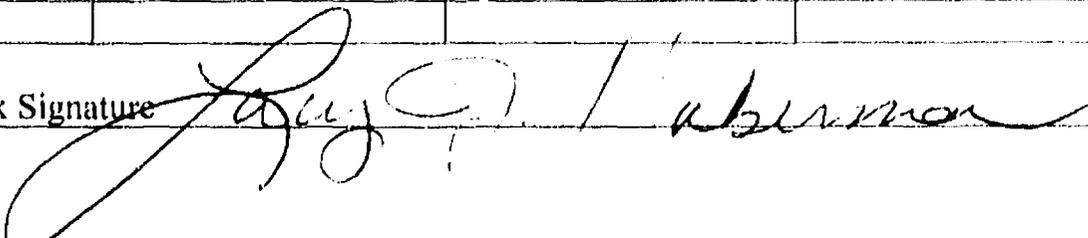
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4047

Senate Agriculture Committee

Conference Committee

Hearing Date March 1, 2001

Tape Number	Side A	Side B	Meter #
March 1 1		X	7.0 - 52.0
Committee Clerk Signature 			

Minutes:

SENATOR ERBELE; Sponsor, introduced the resolution to the committee. See attached testimony.

SENATOR NICHOLS; Some legislators from the state of Minnesota want to put the agriculture commissioner back on the election ballot, because they think that industry is too important in that state to continue with this process. North Dakota is still pretty rural even though it is living in towns. I think they are directly affected by farming, ranching and what happens out in the rural areas. I think this would be different in states that are highly urbanized with large populations. If this was the case where people are really involved with what happens in rural areas and farming and ranching, would this be different from your perspective that maybe everyone should be involved in electing the agriculture commissioner, if there is a lot of concern?

SENATOR ERBELE; I don't believe that that concern really exists because in North Dakota we are shifting to a more urban state.

SENATOR KLEIN; How do you envision the governor selecting the agriculture commissioner

SENATOR ERBELE; As I did further research and saw how other states are dealing with their agriculture commissioner maybe it doesn't need to be a governor appointed job.

SENATOR KROEPLIN; North Dakota has an industrial commission and the agriculture commissioner is on that commission and helps, do other states have anything similar to that?

SENATOR ERBELE; My initial proposal and had I decided to pursue this further would of filed a bill placing one of our other state agency on the industrial commission. I would not have left the agricultural commissioner on the industrial commission so the governor would have control.

SENATOR HEITKAMP; testified in opposition to this resolution. This resolution would be breaking new ground. We are taking away the peoples right to vote.

SENATOR ERBELE; Urban votes outweigh rural votes. Do that disturb you in terms of agriculture?

SENATOR HEITKAMP; I disturbs me in everything that goes on upstairs.

REP. BOUCHER; testified in opposition to this resolution. I find this resolution to be offensive, I don't think I would be as concern had this resolution said that there was going to be a study and look at the appointment rather than the election of the agriculture commissioner. We are moving in the direction of the federal model. I view this resolution a being partisan. I am standing defense of the position and the party.

SENATOR ERBELE; I agree with looking at all the positions you mentioned. I want this to be a nonpolitical issue.

ROGER JOHNSON; Agriculture Commissioner, testified in opposition to this resolution. See attached testimony.

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Senate Agriculture Committee  
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ELMER DOCKER; testified in opposition to this resolution. Having members of both parties in state government makes for an effective government. It is a means of checks and balances which in effect provides better laws and promotional work. Everyone is directly or indirectly dependent on agriculture.

MARK SITZ; North Dakota Farmers Union, testified in opposition to this resolution. Agriculture in this state makes up nearly four tenths of our economy and is the number one industry across North Dakota.

ARTHOR LINK; former governor of North Dakota, testified in opposition of this resolution. Everything a farmer does affects everyone in this state.

The hearing was closed.

SENATOR KLEIN moved for a DO NOT PASS of this resolution.

SENATOR URLACHER seconded the motion.

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

SENATOR ERBELE will carry the bill.



**REPORT OF STANDING COMMITTEE (410)**  
March 1, 2001 12:26 p.m.

Module No: SR-35-4594  
Carrier: Erbele  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SCR 4047: Agriculture Committee (Sen. Wanzek, Chairman) recommends DO NOT PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4047 was placed on the  
Eleventh order on the calendar.

2001 TESTIMONY

SCR 4047

## SCR 4047

Chairman Wanzek and members of the Senate Agriculture Committee, for the record my name is Robert Erbele from District 28. I stand before you today to speak about SCR 4007 dealing with making the Agriculture Commissioner's job an appointed position instead of an elected one. I stand before you in my own right to share my views on this subjects as well as those of many of my constituents from my district who discussed this with me during the fall campaign and encouraged me to introduce this resolution.

My reason for introducing this resolution is that agriculture is an industry that is specific to only a small portion of our state's population. We are asking a lot of our urban friends to vote for a position that does not have a direct bearing on their livelihood and therefore leaves their source of information confined to who creates the best television ads in the months preceding the election.

I believe in the right to vote, but I do not believe in voting lightly. That is what can happen when there is not any consequence to your actions.

We must remember that the Ag Commissioner's job is a regulatory position and the service to the various boards and agencies that the commissioner sits on are strictly that - regulatory. I believe that by making the Ag Commissioner's job an appointed position it will give more credibility to the Governor's campaign platform when he or she is promoting a specific agenda for agriculture. Our problems in agriculture are not different if you happen to be a republican or a democrat, therefore it does not serve the needs of the agricultural community by creating a political environment that only works to divide and not unite.

Having said that, I want to assure everyone that there is no malice in my heart, therefore there is none in my words. I have been extremely disappointed in the partisan firestorm this issue has caused. This is not about politics. I have spoken freely about this issue with both parties in both houses and specifically sat down with the minority leadership before I filed this amendment to assure them that there is no political or partisan intent behind my actions.

I firmly believe in this issue and similar issues regarding a shorter ballot, however the work we need to do this session is greater than my own personal views. Until I can present this proposal on its own merits I believe it is in the best interest of the state to walk away from this amendment for the time being. Maybe in the future we can study this issue along with several other state agencies as to their validity for being on the ballot.

Mr. Chairman and members of the Committee, as prime sponsor of this bill I would encourage you to give this resolution a "do not pass" recommendation. Let's give our energy to issues greater than this.

Perhaps someday when we have a Republican Ag Commissioner this idea will be more palatable. Like I said, this is not about politics or partisanship, it is about principle and practicality. The division in our chambers is not worth it. I thank you for your time, for allowing this to be heard, and maybe someday when we can deal with this at face value we can revisit this.

COMMISSIONER OF AGRICULTURE  
ROGER JOHNSON



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**Testimony of Roger Johnson  
Agriculture Commissioner  
Senate Concurrent Resolution 4047  
Senate Agriculture Committee  
March 1, 2001**

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Chairman Wanzek and members of the Agriculture Committee, I am Agriculture Commissioner Roger Johnson. I am here today to testify in opposition to SCR4047.

SCR4047 "removes the agriculture commissioner as a constitutionally elected official" in state government. Will the agriculture commissioner be appointed by the Governor or will the office be made part of other agencies? This resolution doesn't specify what will happen. In any case, I believe removing the office from the Constitution is a mistake because, unquestionably, agriculture and attention to rural issues will suffer as a result.

A statewide election to select an agriculture commissioner focuses the attention of the state's voters on issues relating to food and agriculture. This is certainly desirable in a rural state such as ours with its heavy dependence on agriculture.

These statewide elections allow a public debate on topics ranging from corporate farming to pesticides to noxious weeds to food safety to dairy to GMO's to agriculture in the classroom.

And, elections focus attention on the economic conditions surrounding our state's number one industry. These are important issues; they deserve the focus and debate of candidates in a campaign for election to statewide office. Unfortunately, this public discussion would be lost without an election for office, and agricultural issues would not receive the attention they deserve.

The second concern I have about this is the loss of influence by agricultural interests in state government.

I often marvel at the responsibilities that our state's founders and the legislators before you have placed on the agriculture commissioner's office. The agriculture commissioner is arguably one of the most important state government officials because of the major policy positions held by the office. Membership on the Industrial Commission rightfully places a "voice for agriculture" on the board that controls the Bank of North Dakota whose mission is "to encourage and promote agriculture, commerce and industry in North Dakota". The Bank's agricultural loans have played key roles in building our agricultural economy—one of the members overseeing these programs should be directly responsible to agriculture. The role on the Industrial Commission rightfully places an agricultural representative to oversee direction of the North Dakota Mill and Elevator. Membership on the Industrial Commission ensures that agricultural and rural interests are appropriately represented in the regulation of our oil and gas industry.

Agricultural interests have a voice not only on the Industrial Commission, but also on the State Board of Tax Equalization, the Water Commission, the Agricultural Products Utilization

Commission, the State Board of Agricultural Research and Extension, and many other important boards and commissions.

It is vitally important for agriculture's voice to be strong and clear—it should not become just part of the chorus as a Governor appointee, or worse yet, silenced.

I have the opportunity to work with my counterparts in other states on an almost daily basis. Generally there are two models. In many states, the Governor appoints the agriculture commissioner, secretary or director. But, in the remaining states, the chief ag official is elected.

At national meetings with my counterparts from around the country, we debate major agricultural and rural policy issues, and often the appointed commissioners are unable to commit either for or against a particular policy. The stated reason—they have to check with the Governor before they can decide. Although all of these people come with strong agricultural and rural backgrounds and although they understand the policy implications for their particular states, they often have to check with the Governor to get permission to take the position that is best for agriculture in their individual state. Experience has demonstrated that those commissioners, secretaries or directors who are elected have more impact on agricultural policy at the national level.

As an elected official, I am able to make decisions and take positions that are in the best interest of North Dakota. It is a tremendous privilege--and responsibility--and I know that I am accountable to the people of our state for my actions. An election is the ultimate job

performance evaluation—and an agriculture commissioner is judged on agricultural and rural issues rather than the broad range of issues that test a Governor's job performance.

I hope that whoever seeks to be agriculture commissioner in the year 2004 must prove his or her abilities to the people of the state by publicly taking positions on important agricultural issues.

An election provides for strong representation of agricultural interests in the executive branch of state government. An election provides attention to agricultural issues facing our state. That is as it should be.

Thank you for the opportunity to testify. Are there any questions?