

2009 HOUSE AGRICULTURE

HB 1210

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1210

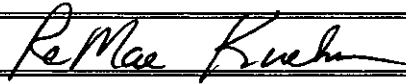
House Agriculture Committee

Check here for Conference Committee

Hearing Date: January 23, 2009

Recorder Job Number: 7637

Committee Clerk Signature



Minutes:

Rep. Lyle Hanson, Dist. 12, Jamestown: I have talked to Chairman Johnson about this bill and we have some amendments being put together. He wants it held over until next week. At a meeting that I attended before the election in Jamestown, a statement was made by the elk people that they didn't ask for the \$200,000 which goes from the Game and Fish money to the managing of Nontraditional Livestock. The bill is written wrong. It has federal dollars which can't be used for that. If it goes to the Game and Fish Dept., it can't go to individuals. Money used from the Game and Fish Dept. is license fee money and this money comes from the sale of hunting and fishing licenses and so on. The people that I've put the bill in for feel that Grandma that buys a fishing license for \$10, part of that license shouldn't go to the individual that is raising pheasants, or ducks, or mountain lions, or bobcats, or elk, or whatever. We're in the process of getting general fund money rather than the \$200,000 coming from Game and Fish. General fund money is from everybody in North Dakota whereas the license fee money is just for the hunters and the people that fish.

Representative Froelich: Are you opposed to farmed elk facilities?

Representative Hanson: No.

Representative Mueller: What is the \$200,000 really doing?

Representative Hanson: Maybe the people from the Ag. Dept. can answer that better than me. To give you a background on this: It started in 1995 when Governor Schafer took \$30,000 from the Game & Fish fund and transferred it to the Ag. Dept. because we were short of general fund money at the time. Now it's gone from \$30,000 to \$200,000 and continues to go up. That's why we think it should come out of the general fund.

Opposed:

Mike McEnroe, the ND Chapter of the Wildlife Society: (Written testimony attached #1)

Representative Froelich: Are you opposed to farmed elk facilities?

Mike McEnroe: We are not opposed to farmed elk facilities. We are opposed to big game shooting preserves. I believe there's about 120 farmed elk and deer operations in the state. There are about 15 shooting operations in the state.

Vice Chairman Brandenburg: In Rep. Hanson's bill, the amendments coming are not taking the money out Game & Fish and having a general fund appropriation. But you're OK with it coming out of Game & Fish.

Mike McEnroe: We testified in House Appropriations that we were concerned about the \$200,000 that comes from Game & Fish monies to Board of Animal Health, Dept of Ag. We think it's excessive. We understand the monies originally went to the Board of Animal Health to cover the costs of some administrative permits that they administered for the ND Game & Fish Dept. for the propagation permits. That amount of work has decreased with changes in law as to what kind of operations need propagation permits. When it got to be \$200,000, it was to cover the cost of a shared veterinarian between Board of Animal Health and ND Game & Fish Dept. The dept. now has their own wildlife veterinarian so the fiscal need for a shared veterinarian no longer exists.

Clarence Bina, United Sportsman of ND: I've passed out a brochure that tells who we are.

(attachment #2) 655 men and some women. We oppose the bill for the reasons you heard from the preceding speaker. If and until amendments are made that clarify who is going to be allowed to enforce farms/critters of any kind, we stand opposed.

Representative Mueller: So you don't care so much where the money comes from, but you do care that it's there and the fees processed, inspection, and certification are your main concern. Is that correct?

Clarence Bina: Our main concern is whether there is going to be any enforcement at all. We are concerned where the money comes from. If there's a preference, we'd just as soon it come out of the general fund rather than continual transfer (or raiding Game & Fish funds) for this. If it's nontraditional livestock, then nontraditional livestock sources ought to be used to fund it. If there's a question about whether United Sportsmen of North Dakota support elk farming, to my knowledge, we haven't taken a position on that.

Representative Wall: Do you see this money coming out of some other budget other than general fund dollars, also agriculture, animal health, whatever?

Clarence Bina: With the unprecedented surplus that this state is enjoying, we would just as soon see this money coming from the general fund.

Beth Carlson, Deputy State Veterinarian: Opposed to HB 1210. **(written testimony attached #3)**

Representative Mueller: What do you do in your duties that relate to this bill?

Beth Carlson: There's three categories of nontraditional livestock:

1. No Board or Animal Health requirements. Lowest level of regulations.
2. Majority of species that we regulate. Farmed deer, bobcat, lynx.

- a. These people have to meet facility requirements. The facilities need to be inspected before they can obtain a license. They have to report an annual inventory, etc.
3. We have very few in this category. These are animals that are considered to be a serious concern to human, animal, or environmental health. Examples, wild swine, monkeys, etc.

Farmed elk are treated the same as farmed deer but are classified as domestic so they are not considered nontraditional livestock. They go through the same process but there is no fee associated with the nontraditional livestock license.

Representative Mueller: What role do you play in the health of these animals?

Beth Carlson: We mandate Chronic Wasting Disease surveillance, verify testing history, importation permits, etc. It's regulatory. We're not out in the field.

Representative Mueller: So you don't go in and test the animals and give them shots.

Beth Carlson: Practicing veterinarians do that at the expense of the producer.

Representative Froelich: Let's go back to category 1. Could you repeat what you said.

Beth Carlson: The primary species that we deal with in category 1 are pheasants, chukers, quail, etc. at the request of the Game & Fish Dept.

Representative Froelich: You said something about it's not a Board of Animal Health regulation, it's a Game and Fish regulation.

Beth Carlson: Correct, we perform those services in exchange for some of the funding from Game and Fish.

Representative Froelich: So the statement that Game and Fish money was used for farmed elk, that's not totally accurate because Game and Fish money is also used for Category 1.

If we pull the Game and Fish money from you, somebody else is going to have to fund that requirement.

Beth Carlson: This bill is written as it pertains to big game and farmed elk. So I don't know how that would affect that allocation.

Representative Froelich: You don't have separate funds allocated for each category?

Beth Carlson: No.

Representative Boe: Does \$200,000 cover all your costs for this program?

Beth Carlson: It's hard to say because we don't do specific time distribution, or even break down postage expenses. It is my understanding that we completely use the funds.

Representative Boe: It's hard to say who subsidizes who.

Beth Carlson: Yes

Vice Chairman Brandenburg: We have requirements that come from Game & Fish about elk.

Beth Carlson: The authority for these species lies with the Board of Animal Health for the health regulation. The PPD duties are Game and Fish duties that we perform for them because we have the equipment. Game and Fish does not have any regulatory authority over farmed elk. They do have regulatory authority over native protected species.

Dr. DeRae Martin: I have a veterinary practice in Mandan. I'm opposed to HB 1210 as it prohibits the use of state and federal funds for the regulation of big game and farmed elk facilities. It is important in this day that the state allows big game and farmed elk facilities to be regulated especially in regard to communicable diseases to both livestock and wildlife populations.

Wes Klein, Nontraditional Livestock Industry: I'm from Mercer Co. and there is one NTL owner in Mercer Co. and a couple in Oliver Co. During the past year, an initiated measure to

do away with what is called "high fence shooting" took a shot at shutting down nontraditional livestock operations. One of the aims of this initiated measure was a disease concern. It's a concern of the U.S. Fish and Wildlife Service. We have an oxymoron here. These same groups are coming back and they want to defund, basically, the regulatory arm of our nontraditional livestock industry. The TB issue in northeastern Minnesota and southwestern North Dakota clearly shows how important a good disease monitoring system is. I think it's a good marriage between the ND Game & Fish Dept. and the Board of Animal Health and our State Veterinarian.

Neutral:

Greg Link, ND Game & Fish Dept.: available for questions

Representative Froelich: Going back to Category 1: pheasants, chukers, and quail.

If the Board of Animal Health gets the paperwork, they may ask the Game Warden to go out and check if the fences are proper?

Greg Link: There are two agencies that have a little different statutory authority. This bill does not remove those statutory authorities. It will just change the funding. The Board of Animal Health is in charge of everything from disease monitoring, movements, identification of, the welfare of, and the housing of nontraditional livestock species and farmed elk. The Game and Fish Dept. is responsible for the possession of, monitoring the possession, propagation, and domestication of species that are actually wildlife of North Dakota. Not all NTL species are wildlife species. Not all wildlife species are NTL species.

Representative Froelich: When I was in the northeastern part of the state, there was a wild elk that was trying to tear the fence down which could contaminate farmed elk.

Greg Link: Yes, it happens both ways. We tell producers to give us a call. If the problem is too bad and the elk doesn't hit the road, we may have to eliminate the animal. We use unsuccessful elk applicants from the list.

Representative Mueller: Would it be a correct statement that the Game and Fish Dept. didn't have a role in this bill?

Greg Link: That would be a correct statement. I believe the intent of this bill is to address that \$200,000 that has been going into the Board of Animal Health's Budget. We asked ourselves, too, for the \$200,000 what are we getting? The Board of Animal Health administered 85 propagation permits. These permits are our statutory authority. If they weren't doing it, we'd be doing it. 59 of those were NTL and PPD. 26 of them were solely PPD not NTL. So we're getting service for 85 permits.

Vice Chairman Brandenburg: This has been going for 10 years plus. Now we have to take it another step. Where are we going to find the \$200,000?

Representative Boe: Does Game and Fish Dept. receive appropriation from the general fund?

Greg Link: No. We do not take any general fund dollars.

Representative Boe: Do you deficit spend?

Greg Link: We're in pretty good shape right now. We have a minimum balance that we can't go below. Should Game and Fish provide the dollars? Absolutely. We are getting a service. If they weren't doing it, we would be doing it.

Representative Froelich: I think last session Game and Fish had 21 or 24 million in surplus. What's their surplus this year?

Greg Link: I'm not the one that deals with the financial end of it. It think we're at 29.

Representative Froelich: Can we get that information?

Vice Chairman Brandenburg: Closed the hearing

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1210

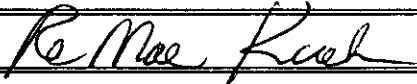
House Agriculture Committee

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Hearing Date: February 5, 2009 (**Committee Work**)

Recorder Job Number: 8811

Committee Clerk Signature



Minutes:

Representative Hanson, Sponsor: Presented amendment #90121.0102 (**#1 attached**)

Letter from Ag. Dept. (**#2 attached**) shows spending of Game & Fish license fee money for management of nontraditional livestock. This actually says deer. The deer is still under the

Game & Fish Dept with elk. The nontraditional livestock is included in the \$200,000 that is appropriated out of the Game & Fish money. That includes anybody raising pheasants or ducks or geese or mountain lions or bobcats, etc. People that put the bill in feel that license fee money shouldn't be going to private enterprise. As a result, I have a bill which is wrong. I have an amendment that the \$200,000 would come out of the general fund. I met with two members of the Ag. Dept., Terry Steinwan and Shawn Schafer who are leaders in the elk raising industry. We agree that it should come out of the general fund. As a result I put together an amendment. I've also met with Representative Carlson and Representative Skarphol. It sounds like they would approve that, if we put this amendment on and get it over to appropriations.

Representative Boe: If we put this amendment on, the money won't be coming out of Game & Fish. We'll have a general fund appropriation to Ag Dept.

Representative Hanson: That is correct. The management of the other livestock all comes out of the general fund. They figure the nontraditional should come out of the general fund too.

Representative Uglem: It's my understanding that the Ag Dept. provides some services to the Game & Fish Dept. In many cases that probably offsets the \$200,000.

Representative Boe: Moved the amendment

Representative Holman: Seconded it.

Voice Vote taken. Amendment passed.

Discussion was held on the Ag. Dept. providing services to Game & Fish with questions on amounts of money and procedure.

Ken Junkert will be contacting the Ag Dept. to bring in information.

Continuation of committee work:

Wayne Carlson, Program Manager for Livestock Services for Dept. of Agriculture

in attendance to answer questions.

Representative Froelich: In the first testimony, the Game and Fish and the Ag. Dept. work hand in hand. How did that work again?

Wayne Carlson: The Dept. does the propagation permits for the Game and Fish.

Propagation permits are for wild birds that are raised for domestic or for releases into the wild.

The Game and Fish requires that they have a propagation permit before they can raise them.

Our Dept. already give those bird people a permit for Nontraditional. So we also do the propagation permits and do the inspections for those facilities.

Representative Froelich: So you are providing a service for the Game and Fish Dept.

Wayne Carlson: Yes

Representative Mueller: Do we have an idea what that costs the Ag. Dept.?

Wayne Carlson: Several years ago I did a memo for the Governor's Office in regards to this issue. I do not have that memo with me. We do not do time distributions. It's just a best guess on what we think that we spend on Nontraditional Livestock. I can get those numbers to you.

Representative Mueller: Nontraditional Livestock and this propagation permit having to do with raising pheasants. Are they one in the same?

Wayne Carlson: Yes. They are the same.

Chairman Johnson: Could you access those numbers?

Wayne Carlson: I guess I can go back and look at my memo I sent to OMB. What they requested was how much time we spent on elk and deer of nontraditionals. My memo addressed all activities that we do with nontraditional. It didn't address just the birds.

Chairman Johnson asked the committee if they wished to wait for the numbers from Wayne Carlson or if they wanted to take action.

Representative Uglem: It's my impression that it is sort of a trade-off between the two and it's just about impossible to come up with what the exact number is.

Representative Uglem moved a Do Not Pass as amended.

Representative Froelich seconded.

Representative Schatz: Is there suppose to be a fiscal note on here because it says \$200,000 from the general fund. We're taking it from fees and then we'd be moving it to the general fund.

Chairman Johnson: The fiscal note would be the \$200,000 from the general fund--is what the amendment did.

Representative Mueller: So I'm clear, Representative Schatz said the fees are transferred into the general fund and then come back out.

Representative Schatz: That's not what I meant.

Representative Mueller: I have a major concern about the bill. There's a concern out there among the hunting wildlife enthusiasts and funding the nontraditional livestock business through hunting fees. That's what this bill is about. If there is a **Do Not Pass**, I think I will have to resist that.

Representative Uglem: There is an exchange of services. The Ag Dept. is doing some work for the Game and Fish Dept. Roughly that could offset \$200,000 that is transferred from Game and Fish to the Dept. of Ag. I think the sportsman that proposed this bill need to understand that there's some work going back and forth between.

Representative Boe: Unless you amended the bill to reflect the transfer of money. So you put a value on each service and say that Game and Fish will pay a certain fee for services rendered and vice versa. The real issue is when we came in, it's only a small group of people that are concerned about this. Game and Fish didn't seem to be super concerned about this. The Board of Animal Health didn't seem to be concerned. I don't know why we should change anything.

A Roll Call vote was taken on **Do Not Pass as amended**. Yes: 11, No: 2, Absent: 0.

Representative Uglem will carry the bill.

90121.0102
Title.

1210 #1
Prepared by the Legislative Council staff for
Representative Hanson
January 23, 2009

Hanson
2/5/09

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1210

Page 1, line 1, remove "20.1-02 and a new section to"

Page 1, line 2, remove "chapter" and replace "state and federal funds" with "general fund moneys"

Page 1, line 3, remove "and farmed elk facilities"

Page 1, remove lines 5 through 10

Page 1, line 12, replace "**big game and farmed elk**" with "**nontraditional livestock**" and replace "**state or federal funds**" with "**general fund moneys**"

Page 1, line 13, remove "**prohibited**" and remove "not"

Page 1, line 14, replace "any state or federal funds" with "only general fund moneys", replace "big game or farmed elk" with "nontraditional livestock", and replace "**big**" with "nontraditional livestock"

Page 1, line 15, remove "game or farmed elk"

Renumber accordingly

Date: 2/5/09

Roll Call Vote #: _____

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1210

House Agriculture Committee

Check here for Conference Committee

Legislative Council Amendment Number 90121-0102

Action Taken Do Pass Do Not Pass Amended

Motion Made By Rep. Boe Seconded By Rep. Holman

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

*Vote took
amend
passed*

Total (Yes) _____ No _____

Absent _____

Bill Carrier _____

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

VR
2/5/09

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1210

Page 1, line 1, remove "20.1-02 and a new section to"

Page 1, line 2, remove "chapter" and replace "state and federal funds" with "general fund moneys"

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Page 1, line 13, remove "**prohibited**" and remove "not"

Page 1, line 14, replace "any state or federal funds" with "only general fund moneys", replace "big game or farmed elk" with "nontraditional livestock", and replace the second "big" with "nontraditional livestock"

Page 1, line 15, remove "game or farmed elk"

Renumber accordingly

Date: 2/5/09

Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1210

House Agriculture Committee

Check here for Conference Committee

Legislative Council Amendment Number 90121.0103

Action Taken Do Pass Do Not Pass Amended

Motion Made By Rep Uglem Seconded By Rep Froelich

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

Total (Yes) 11 No 2

Absent 0

Bill Carrier Rep Uglem

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

REPORT OF STANDING COMMITTEE

HB 1210: Agriculture Committee (Rep. D. Johnson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1210 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "20.1-02 and a new section to"

Page 1, line 2, remove "chapter" and replace "state and federal funds" with "general fund moneys"

Page 1, line 3, remove "and farmed elk facilities"

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Page 1, line 15, remove "game or farmed elk"

Re-number accordingly

2009 TESTIMONY

HB 1210

1/23/09

1210 Mike McEnra

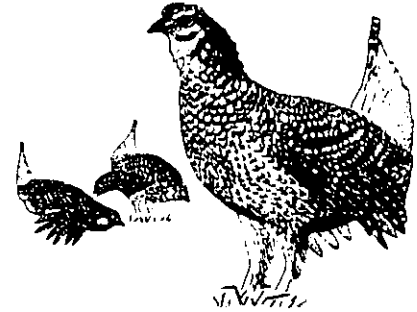
#1



North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF MIKE McENROE
NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY
PRESENTED TO HOUSE AGRICULTURE COMMITTEE
JANUARY 23, 2009**

Chairman Johnson and members of the Committee:

I am Mike McEnroe and I am speaking on behalf of the North Dakota Chapter of The Wildlife Society, a group of about 320 wildlife and natural resource professionals in the State.

The Chapter has concerns and issues with the game farm industry. HB 1210 would eliminate all regulation and involvement in the nontraditional livestock and farmed elk industry by both the Board of Animal Health and the Game and Fish Department. The two agencies could not as much as answer a telephone call about the industry or respond to an emergency involving the nontraditional livestock or farmed elk facility. We do not believe this was the intent of the proposed legislation.

As written and for these reasons, the Chapter opposes HB 1210.

Thank you for the opportunity to comment. I would answer any questions the Committee may have.

Clareese Bine
#2
#B 1210
1/23/09

United
Sportsmen
Of
North Dakota



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www.unitedsportsmen-nd.org

United Sportsmen
Of North Dakota
PO Box 272
Bismarck, ND 58502

Membership Application

United Sportsmen of North Dakota - P.O. Box 272, Bismarck, ND 58502
Your lifeline to continued hunting and fishing in North Dakota

Be a part of this great organization – Your \$10 membership provides representation for you at the legislative session.
Together we can make a difference for the future of sportsmen.

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-Mail: _____

_____	Yearly Membership	\$10.00
_____	Life Membership	\$150.00
_____	Scholarship Fund Contribution	
_____	Legislative Fund Contribution	
_____	Total Enclosed	

United Sportsmen of North Dakota (USND)

The United Sportsmen of North Dakota (USND) was organized in 1975 to provide representation at the legislature for sportsmen. Today, the fate of all outdoor activity, particularly hunting and trapping, lies in the hands of the political process. Legislative sessions continue to have a flood of bills, good and bad, dealing with outdoor issues. To have any impact on these bills, sportsmen have to be politically active.

USND provides two annual scholarships to deserving students majoring in the Wildlife or Biology field.

USND will continue to support all efforts, public and private, to improve and expand good wildlife habitat.

Who are the members of USND?

- We are businessmen, farmers, ranchers, government employees, salesmen, trappers, fishermen, conservationists and others.
- We are men and women who share a deep concern for wildlife and its future in North Dakota; who pursue field sports, especially hunting and fishing and who abide by the code of fair play.

Purposes & Objectives:

- To provide a state-wide organization that will encompass all individuals interested in environment, habitat, conservation, hunting, ranching, farming, fishing, trapping, hiking, or any other outdoor activity.
- To promote the welfare and conservation of all game animals and birds, and the preservation of their existing habitat and improvement thereof.
- To promote and encourage better landowner/sportsmen relationships.
- To promote a healthy and satisfying outdoor and recreational potential for everyone in North Dakota.
- To protect and preserve an individuals constitutional right to keep and bear arms.
- To encourage, above all, good sportsmanship; respect for all game animals, birds and fish; respect for game laws; respect for private as well as public property; and a deep and sincere regard for the natural beauties of our state.

What does USND offer you...

- **USND is one of the few sportsmen organizations in the state that hires a full time lobbyist to track bills and testify on the sportsmen's behalf during the legislative sessions.**
- USND has up-to-date information on outdoor related bills and furnishes its members with a legislative report outlining the outcome of legislation affecting sportsmen.
- USND participates in Game & Fish Advisory meetings and maintains a liaison with the Game & Fish Department.
- USND has a centralized State Office with local Area Chapters to provide statewide communications.
- USND provides a strong, unified voice in outdoor issues affecting North Dakota sportsmen.
- USND is recognized as one of the leading sportsmen's organizations in the state.

Roger Johnson
AGRICULTURE COMMISSIONER

Dr. Susan Keller
STATE VETERINARIAN

Dr. Beth Carlson
DEPUTY STATE VETERINARIAN

Dr. Jesse Vollmer
ASSISTANT STATE VETERINARIAN

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Beth Carlson #3
HB 1210
1/23/09
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Ron Fraase, Buffalo
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Dr. W.P. Tidball, Beach
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Dr. Kenneth Throlson, New Rockford
BISON

Shawn Schafer, Turtle Lake
NONTRADITIONAL LIVESTOCK

**Testimony of Beth W. Carlson, DVM
Deputy State Veterinarian
House Bill 1210
House Agriculture Committee
Peace Garden Room
January 23, 2009**

Chairman Johnson and members of the Agriculture Committee, I am Deputy State Veterinarian Beth Carlson. I am here today on behalf of the North Dakota Department of Agriculture and the State Board of Animal Health in opposition to HB 1110, which would prohibit the use of state or federal funds by the North Dakota Game and Fish Department and the North Dakota State Board of Animal Health to regulate "big game or farmed elk" in North Dakota.

NDCC §36-01-08 defines the duties of the State Board of Animal Health. Included in this statute is the mandate to 'protect the health of the domestic animals and non-traditional livestock of the state'. This can be done 'by using the most efficient and practical means for the prevention, suppression, control, and eradication of dangerous, contagious, and infectious diseases among the domestic animals and nontraditional livestock of the state, and shall prevent the escape and release of an animal injurious to or competitive with agriculture, horticulture, forestry, wild animals, and other natural resource interests'.

The State Board of Animal Health has been responsible for oversight of non-traditional livestock and farmed elk since 1991. There are very stringent rules in place to protect the health of farmed elk and animals classified as non-traditional livestock.

Prohibiting the funding of the regulation of farmed deer and elk would prevent the State Board of Animal Health from fulfilling its statutory responsibility. Many entities spent years developing the current regulations. If these species are not regulated, they could move freely into and within the state. The animals could be released, with no ramifications. There would be no disease surveillance or management of farmed deer and elk.

The Board and the State Game and Fish Department occasionally work together on various issues relating to NTL and farmed elk. In some instances, we must rely on the Game and Fish Department because of their law enforcement authority and firearm training, as well as their ability to respond because of their larger staff and field office locations. It is imperative that this working relationship be allowed to continue.

It does not matter where the funding for the regulation of farmed deer and elk comes from. As a matter of job security, it is not imperative that the Board is the agency with the responsibility to regulate these industries, although our animal health knowledge and the regulatory nature of our domestic animal duties make us the appropriate agency to do so. However, from a domestic, nontraditional, and even wildlife animal health standpoint, it would be irresponsible to discontinue all regulation of the nontraditional livestock and farmed elk industries.

Chairman Johnson and committee members, for these reasons, we urge a "do not pass" on HB 1210. I would be happy to answer any questions you may have.



2
Rep. Hanson
2/5/09
1210
OFFICE
COPY

AL CARLSON
State Representative
Chairman

JIM W. SMITH
Director

JAY E. BURINGRUD
Assistant Director

ALLEN H. KNUDSON
Legislative Budget
Analyst & Auditor

JOHN WALSTAD
Code Revisor

North Dakota Legislative Council

STATE CAPITOL, 600 EAST BOULEVARD, BISMARCK, ND 58505-0360 (701) 328-2916 TTY: 1-800-366-6888

May 1, 2008

Honorable Lyle Hanson
State Representative
337 15th Avenue NE
Jamestown, ND 58401-3830

Dear Representative Hanson:

This letter is a **revised** response to your request for information regarding the amount of funding used for the regulation of deer and elk farms. The original letter dated April 30, 2008, listed an incorrect amount for the anticipated spending by the State Board of Animal Health for the regulation of deer and elk farms.

The State Board of Animal Health regulates deer and elk farms through its nontraditional livestock program. As part of this program for the 2007-09 biennium, the board anticipates spending approximately \$158,000 on deer and elk farm regulation.

The Game and Fish Department does not participate in the regulation of deer and elk farms. However, the Legislative Assembly appropriates funding from the game and fish fund to the State Board of Animal Health for its activities. For the 2007-09 biennium, the Legislative Assembly appropriated \$209,684 from the game and fish fund to the State Board of Animal Health. The total appropriation for the State Board of Animal Health for the 2007-09 biennium is \$2,299,702.

Please contact this office if you have any questions or need additional information.

Sincerely,

Brady A. Larson
Fiscal Analyst

BL/AL