2025 SENATE AGRICULTURE AND VETERANS AFFAIRS

SB 2087

2025 SENATE STANDING COMMITTEE MINUTES

Agriculture and Veterans Affairs Committee
Fort Union Room, State Capitol

SB 2087
1/9/2025

Administration of the premises identification program

10:35 a.m. Chairman Luick opened the meeting.

Members present: Chairman Luick, Vice Chairman Myrdal, Senators Lemm, Weber, Weston, Marcellais.

Discussion Topics:

- Purposes of PIN
- Vaccination programs
- Bill language clarification

10:36 a.m. Dr. Ethan Andress, ND State Veterinarian, testified in favor and submitted written testimony #28253.

10:40 a.m. Julie Ellisson, Executive Director ND Stockmen's Association testified in favor.

10:49 a.m. Dr. Ethan Andress testified in favor.

10:51 a.m. Larry Kinev, Citizen from Dawson, ND testified in favor.

10:52 a.m. Chairman Luick closed the hearing.

10:53 a.m. Senator Myrdal moved to adopt amendment LC #25.8121.01001.

Senator Lemm seconded the motion.

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

Motion passed 6-0-0

10:56 a.m. Senator Myrdal moved a Do Pass as amended.

Senator Lemm seconded the motion.

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

Motion passed 6-0-0

Senator Lemm will carry the bill.

Additional written testimony:

Rusty Makelky submitted testimony in opposition #28181.

Frank Tomac for IBAND submitted testimony in favor #28302

10:58 a.m. Chairman Luick closed the meeting.

Audrey Oswald by Carol Thompson, Committee Clerk

25.8121.01001
Title.02000

Adopted by the Agriculture and
Veterans Affairs Committee
January 9, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

1 of 1

SENATE BILL NO. 2087

Introduced by

Agriculture and Veterans Affairs Committee

(At the request of the Agriculture Commissioner)

A BILL for an Act to amend and reenact section 4.1-72-05~~, subsection 1 of section 4.1-72-06,~~ and subdivision f of subsection 2 of section 36-01-36 of the North Dakota Century Code, relating to the administration of the premises identification program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4.1-72-05 of the North Dakota Century Code is amended and reenacted as follows:

4.1-72-05. ~~Animal~~Premises identification program - Administration.

The North Dakota stockmen's association shall serve as ~~the state's~~a state administrator and allocator for that portion of any federally sponsored ~~animal~~premises identification program which pertains to cattle, horses, and mules.

~~**SECTION 2. AMENDMENT.** Subsection 1 of section 4.1-72-06 of the North Dakota Century Code is amended and reenacted as follows:~~

~~1. Except as provided in subsection 2, any information created, collected, or maintained by the state veterinarian or the North Dakota stockmen's association, or an authorized administrator with respect to the administration of any federally sponsored program pertaining to livestock as permitted by section 4.1-72-05 is confidential and not subject to the open records requirements of section 44-04-18.~~

SECTION 3. AMENDMENT. Subdivision f of subsection 2 of section 36-01-36 of the North Dakota Century Code is amended and reenacted as follows:

f. The disclosure is to provide the North Dakota stockmen's association ~~or an authorized administrator~~ with information ~~pursuant to~~under section 4.1-72-05.

REPORT OF STANDING COMMITTEE
SB 2087

Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **AMENDMENTS (25.8121.01001)** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2087 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

I am opposed to SB 2087.

Only the North Dakota state veterinarian and ND State Board of Animal Health should serve as administrators and allocators of a premise identification program to prevent a breach of confidentiality.

The phrase, "authorized administrator," should be stricken from the bill because the bill in no way defines what an authorized administrator is. How, and by whom, will an administrator be authorized? What is the criteria for authorizing an administrator? It is far too broad and undefined and provides an avenue for a possible bad actor to obtain confidential records.

COMMISSIONER
DOUG GOEHRING

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NORTH DAKOTA
DEPARTMENT OF AGRICULTURE
STATE CAPITOL
600 E. BOULEVARD AVE. – DEPT. 602
BISMARCK, ND 58505-0020

SB 2087 Testimony
Dr. Ethan Andress
North Dakota State Veterinarian
Senate Agriculture and Veterans Affairs
January 9, 2025

Chairman Luick and members of the Senate Agriculture and Veterans Affairs, I am Dr. Ethan Andress, North Dakota State Veterinarian. I am here on behalf of Agriculture Commissioner Doug Goehring, and the State Board of Animal Health (BOAH). I will testify on SB 2087.

SB 2087 is intended to clarify the responsibilities of the State Board of Animal Health as it relates to animal identification, and the Stockmen's Association's authority for premises identification for cattle, horses, and mules.

NDCC Chapter 4.1-72-05 addresses the options for producers to obtain a Premises Identification Number (PIN) through USDA APHIS's Premises Management database, especially as it relates to funding. Currently, state animal health officials, federal agencies and the Stockmen's Association can use the federal allocator to request PIN numbers for producers. At this time, there is no federal funding provided to states for this purpose.

Animal identification is covered under two statutes NDCC 36-01-08 which grants the Commissioner authority to collect fees (at cost) for brucellosis and identification tags, and NDCC 36-01-32, which gives the BOAH authority to “develop and maintain animal tracking databases to assist with tracking animal movements for animal health purposes only.”

While there is understanding between state partners regarding the existing language, I would encourage the passage of SB 2087 to clarify and avoid potential confusion over “animal identification” authority moving forward.

Thank you, and I will stand for any questions.

I Frank Tomac, on behalf of IBAND, supports SB 2087 **but** only if the words “an authorized administrator” is removed from the the context of the bill.

2025 HOUSE AGRICULTURE

SB 2087

2025 HOUSE STANDING COMMITTEE MINUTES

Agriculture Committee
Room JW327C, State Capitol

SB 2087
3/6/2025

A BILL for an Act to amend and reenact section 4.1-72-05 and subdivision f of subsection 2 of section 36-01-36 of the North Dakota Century Code, relating to the administration of the premises identification program.

9:58 a.m. Chairman Beltz opened the meeting.

Members Present: Chairman Beltz, Vice Chairman Hauck, Representatives K. Anderson, Dobervich, Henderson, Hoverson, Kiefert, Nehring, S. Olson, Rios, Schreiber-Beck, Tveit, Vollmer

Member Absent: Representative Holle

Discussion Topics:

- USDA Premises Management database
- Animal health use
- National I.D. program
- Board of Animal Health

9:59 a.m. Ethan Andress, State Veterinarian, ND Department of Agriculture, testified in favor and submitted testimony #38864.

10:03 a.m. Julie Ellingson, ND Stockmen's Association, testified in favor.

10:08 a.m. Representative Hauck moved Do Pass.

10:08 a.m. Representative K. Anderson seconded the motion.

Representatives	Vote
Representative Mike Beltz	Y
Representative Dori Hauck	Y
Representative Karen A. Anderson	Y
Representative Gretchen Dobervich	Y
Representative Donna Henderson	Y
Representative Dawson Holle	AB
Representative Jeff Hoverson	Y
Representative Dwight Kiefert	Y
Representative Dennis Nehring	Y
Representative SuAnn Olson	Y
Representative Nico Rios	Y
Representative Cynthia Schreiber-Beck	Y
Representative Bill Tveit	Y
Representative Daniel R. Vollmer	Y

Motion 13-0-1.

10:08 a.m. Representative Nehring moved to Place on Consent Calendar.

10:08 a.m. Representative K. Anderson seconded the motion.

Voice Vote.

Motion failed due to unanimity.

10:09 a.m. Representative S. Olson will carry the bill.

Additional written testimony:
Kari Goldade, Secretary, Independent Beef Association of North Dakota, submitted testimony in favor #38867.
Samuel A. Wagner, Ag and Food Field Organizer, Dakota Resource Council (DRC), testified as neutral and submitted testimony #39067.

10:10 a.m. Chairman Beltz closed the meeting.

Diane Lillis, Committee Clerk

REPORT OF STANDING COMMITTEE
ENGROSSED SB 2087 (25.8121.02000)

Agriculture Committee (Rep. Beltz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). SB 2087 was placed on the Fourteenth order on the calendar.

COMMISSIONER
DOUG GOEHRING

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SB 2087 Testimony
Dr. Ethan Andress
North Dakota State Veterinarian
House Agriculture
March 6, 2025

Chairman Beltz and members of the House Agriculture committee, I am Dr. Ethan Andress, North Dakota State Veterinarian. I am here on behalf of Agriculture Commissioner Doug Goehring, and the State Board of Animal Health (BOAH). I will testify on SB 2087.

SB 2087 is intended to clarify the responsibilities of the State Board of Animal Health as it relates to animal identification, and the Stockmen's Association's authority for premises identification for cattle, horses, and mules.

NDCC Chapter 4.1-72-05 addresses the options for producers to obtain a Premises Identification Number (PIN) through USDA APHIS's Premises Management database, especially as it relates to funding. Currently, state animal health officials, federal agencies and the Stockmen's Association can use the federal allocator to request PIN numbers for producers. At this time, there is no federal funding provided to states for this purpose.

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While there is understanding between state partners regarding the existing language, I would encourage the passage of SB 2087 to clarify and avoid potential confusion over “animal identification” authority moving forward.

Thank you, and I will stand for any questions.

Chairman Beltz and the House Agriculture Committee,

The Independent Beef Association supports the amended version of SB 2087.

Testimony SB2087

Sam Wagner
Ag and Food Field Organizer
Dakota Resource Council
1902 E Divide Ave
Bismarck ND 58501
Neutral Testimony for SB2087

To the Honorable Chairman and the members of the committee, we submit these remarks on behalf of DRC.

Mr Chairman,

We feel that as this bill is written it will be sufficient if passed with the change of the word animal being changed to premises. However we would like to bring up an issue about consolidation of power of the Stockman's Association and a possible solution.

The North Dakota Stockmen's Association should not be the only administrator or be the only one's privy to this information.We feel that giving one non governmental entity too much power blurs the line between state and private interests The deletion of an authorized administrator should be reconsidered to ensure that government oversight is maintained. As stated in a previous hearing there was no definition of authorized individual. We would like to suggest the following people have access provided they request access to the ag commissioner and he grants it in writing.

SECTION 2. AMENDMENT. Subsection 1 of section 4.1-72-06 of the North Dakota Century Code is amended and reenacted as follows: 1. Except as provided in subsection 2, any information created, collected, or maintained by the state veterinarian or the North Dakota stockmen's association, or an authorized administrator with written permission from the agriculture commissioner, with respect to the administration of any federally sponsored program pertaining to livestock as permitted by section 4.1-72-05 is confidential and not subject to the open records requirements of section 44-04-18.

Authorized Administrator Definitions
Grain & Livestock Licensing Division Director
State Veterinarian and Animal Health Division Director
Livestock Industries Division Director
Business, Marketing & Information Division Director
Legal Counsel / Policy Advisor
Assistant to the Commissioner
Deputy Commissioner