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DESCRIPTION

3031

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*Salvatore Rickford*  
Operator's Signature

*10/16/03*  
Date

2003 HOUSE AGRICULTURE

HCR 3031

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10/6/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3031

House Agriculture Committee

☐ Conference Committee

Hearing Date 2--07--03

Tape Number	Side A	Side B	Meter #
ONE	A		26 TO 43
Committee Clerk Signature <i>Edward D. Elton</i>			

Minutes:

CHAIRMAN NICHOLAS: Committee Members we will open on HCR 3031

REPRESENTATIVE BRUSEGAARD: I am from Dist. 19. I farm in Gilby, ND.

HCR 3031 is intended to provide some encouragement and some direction to our land grant University, NDSE in Fargo. We become a leader in research in modified crops, transgenic crops, biotech. Whatever phrase we are using today. I went to NDSE for five years.

I think 3031 will provide some direction that we do want them involved in discussions.

We want them to be the main player because let's face it that is where the experts reside.

It seems like over the last three or four years surrounding GMO. Sometimes I think we end up putting them in the middle. I think 3031 will provide some direction that we do want them involved. In fact we want them to be the main player. Folks from NDSU are here to testify on the Bill. You will notice the first part of the resolution where AS's, they talk a lot about

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*Yolanda Rickford*  
Operator's Signature

*10/16/03*  
Date

Page 2

House Agriculture Committee  
Bill/Resolution Number HCR 3031  
Hearing Date 2--07--03

wheat in particular, I am kind of a whea' guy. That is the way the resolution came out. You will note

That the center for GMO research located at NDSU talks about superior crop varieties. Potential against negative economic or health from GMO CROPS. That is what we are asking these people to study. All Crops. Not just wheat. We could have a GMO variety that would not scab that would save me \$.35 cents a bushel on discounts alone. That adds up to a lot of money. There is also production and variety research. I want NDSU to be the leader. I want to have the farmers have a good resource for information.

KEITH BJERKE: Vice President for University Relations for NDSU. We stand in support of HCR 3031. To get to the issue we were just talking about. We see this as very multidisciplinary. Wheat is a big issue right now. There needs to be oversight, transparency to this process. We read about crops that might produce pharmaceuticals. We have a school of Pharmacy. There are all kinds of interest GMO, BIO TEC all of these things. There is a tremendous need in this state and in this world for putting some of those pieces together. We think that NDSU, the land grant for this state would be the outstanding place to be deeply involved in the process. We should address plants, animals and other issues that are of concern.

CHAIRMAN NICHOLLAS Any question?

CAL ROLFSON: I represent Crop Life America. We support HCR 3031

KEN BERTSCH: ND SEED DEPARTMENT. We support HCR 3031.

BRUCE FRETAG: We support HCR 3031. We realize there are challenges ahead. Should address these issues at NDU would be best alternative. I hope this can be funded.

Page 3

House Agriculture Committee  
Bill/Resolution Number HCR 3031  
Hearing Date 2--07--03

KEN GRAFTON: ND AGRICULTURE EXPERIMENT STATION. ND is moving into  
GMO to be competitive in global economy we train student at NDSU I want to make sure that  
everyone realizes that ND is moving into biotechnology arena and we are going to continue to  
use this technology. Product information necessary to make sound decisions in there  
business's

And be competitive in a global economy. I STAND IN SUPPORT OF THIS BILL,

REPRESENTATIVE MUELLER: Is research and biotechnology an expensive process?

KEN GRAFTON: Definitely expensive process. It is competitive. We may not get all the  
grants we write but we receive about 20 to 25 percent which is typical.

REPRESENTATIVE MUELLER: I agree with the intent of this HCR. It is a good concept..

I think though again without putting our money where are mouth is, is it going to do a whole  
lot of good on your campus.

KEN GRAFTON: I think this is an opportunity. I would obviously be concerned about the  
funding, but this is not just agriculture, it is multi.

CHAIRMAN NICHOLAS: Other testimony.

PAUL THOMAS. ND AGRICULTURE COALITION: We are in support of this  
Resolution. {{{{testimony was read which is attached}}}} Urge do pass.

JOHN MITTLEIDER: ND FARM BUREAU. We support HCR 3031

EDWARD M LARSON: PRESIDENT OF ND DURAM GROWERS: We are going on  
record in support of this Resolution.

WE WILL CLOSE THE HEARING ON HCR 3031.

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3031

House Agriculture Committee

☐ Conference Committee

Hearing Date 2--07--03

Tape Number	Side A	Side B	Meter #
ONE		B	TO END
Committee Clerk Signature <i>Edward J. Elgson</i>			

Minutes:

CHAIRMAN NICHOLAS: Committee Members, we will open on HCR 3031.

The chair will entertain a motion on HCR 3031.

REPRESENTATIVE KELSCH MOVED FOR A DO PASS, SECONDED BY

REPRESENTATIVE BOEHNING. ROLL WAS TAKEN.

THERE WERE 11 YES 0 NO 2 ABSENT

CHAIRMAN CARRIED THE BILL..

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*Ja Costa Rickford*  
Operator's Signature

*10/16/03*  
Date

HCR 3031

2-7

Date:  
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

House AGRICULTURE COMMITTEE

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken

DO PASS

Motion Made By

KELSON

Seconded By

BOEHNING

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN NICHOLAS	✓				
VICE CHAIRMAN POLLERT	✓				
REPRESENTATIVE BELTER					
REPRESENTATIVE BOEHNING	✓				
REPRESENTATIVE KELSCH	✓				
REPRESENTATIVE KINGSBURY	✓				
REPRESENTATIVE KREIDT	✓				
REPRESENTATIVE UGLEM	✓				
REPRESENTATIVE WRANGHAM					
REPRESENTATIVE BOE	✓				
REPRESENTATIVE FROELICH	✓				
REPRESENTATIVE MUELLER	✓				
REPRESENTATIVE ONSTAD	✓				

Total (Yes)

11

No

0

Absent

2

Floor Assignment

NICHOLAS

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Salvatore Riccardi  
Operator's Signature

10/16/03  
Date

REPORT OF STANDING COMMITTEE (410)  
February 7, 2003 2:49 p.m.

Module No: HR-24-2049  
Carrier: Nicholas  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE  
HCR 3031: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS**  
(11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3031 was placed on the  
Tenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-24-2049

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2003 SENATE AGRICULTURE

HCR 3031

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10/6/03  
Date


2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3031

Senate Agriculture Committee

☐ Conference Committee

Hearing Date 03/20/03

Tape Number	Side A	Side B	Meter #
1	x		58 - 4694
1	x		5328 - 5930
Committee Clerk Signature 			

Minutes:

Chairman Flakoll opened the hearing on HCR 3031. All members were present.

Representative Brusegaard introduced and testified in favor of the resolution. The whereas's are specific to wheat because he is a wheat producer. The goal of the resolution is, as we continue to have ongoing discussions regarding the viability of biotechnology and genetically engineered crops, we rely on our scientists at NDSU for good answers to hard questions. There is a lot of information out there on both sides of this issue and we in North Dakota would be wise to trust the NDSU scientists for factual information. This will also include issues dealing with release times and handling practices.

Lt. Governor Jack Dalrymple testified in support of the resolution. (meter # 323) This resolution is quite important and is a significant statement of policy regarding what direction we will take in this area. We need to take this issue very seriously. The GMO debate will go on for decades and this is the most sensible proposal the governor's office has seen. We need a mechanism to guide

Page 2

Senate Agriculture Committee

Bill/Resolution Number HCR 3031

Hearing Date 03/20/03

us through the GMO maize. North Dakota farmers are telling us to be careful with GMO crops but to cautiously move forward. NDSU is in the best position to guide us.

For decades, NDSU has been making recommendations to North Dakota producers regarding agronomic practices. Non farmers may not realize how this system works. On every type of crop, every variety, seed treatments, grain handling practices, NDSU is in the business of making recommendations and have been for years. They have a good track record and people trust them. They are ultimately the scientists and they understand genetics.

This is a tremendous responsibility which is why we need this policy statement. They need this confirmation from the legislature. We need to say to them, we want you to guide us through this, we want you to tell us what you need to do it right.

They stake their reputation on their recommendations. If they show us we need stronger enforcement, they will be the first ones to tell us what we need.

Senator Seymour asked if Lt. Governor Dalrymple heard about biotechnology while he was in Cuba? (meter # 743)

Lt. Governor Dalrymple said no, they have higher priorities right now such as keeping their people fed and creating hard currency to do some fundamental things for their country.

Ken Grafton, currently director of the North Dakota Agriculture Experiment Station and prior to this position was the dry bean breeder at NDSU, testified in support of the resolution. (meter # 805) It is a tremendous responsibility for NDSU but they have the capability and expertise to develop useful materials and information and distribute them to growers to allow for sound management decisions. Their research is moving in this direction anyway.

Page 3  
Senate Agriculture Committee  
Bill/Resolution Number HCR 3031  
Hearing Date 03/20/03

NDSU is conservative in their policies. Their recommendations to producers are often based on many years of research. In the case of round up ready wheat, they have a policy that has been implemented that took a year to develop. It provides for field testing of regulated crops. The policy and procedures are more restrictive than at the federal level. They have had input from sustainable agriculture and extension to seek coexistence with sustainable agriculture and organic enterprises. They will focus on many issues including the market, studying micro array and chip technology for rapid screening as well as a tissue culture center to allow for rapid expansion of double haploid techniques for wheat and barley.

Senator Flakoll asked if they do collaborative work with other universities? (meter # 1215)

Dr. Grafton said they have extensive research agreements with other universities, usually scientist to scientist and very specific. One NDSU researcher has recently received a \$5 million grant to work with 9 other institutions to study new genetic wheat material. There are also other vehicles such as the US Wheat Barley Scab Initiative.

Senator Erbele said regarding the NDSU policies being more stringent than federal regulations, what is the relationship with federal agencies regarding release of varieties? (meter # 1409)

Dr. Grafton said if a non transgenic variety is released, that is within the NDSU domain. They have a release committee consisting of producers and scientists where the merits of the variety are discussed and a recommendation is made and Dr. Grafton makes the decision about release. With a non regulated transgenic crop (soybeans, corn, canola) they must work carefully and closely with the company that owns the technology, those genes they have been incorporated into NDSU material.

Richard Costa  
Operator's Signature

10/16/03  
Date

Page 4  
Senate Agriculture Committee  
Bill/Resolution Number HCR 3031  
Hearing Date 03/20/03

In the case of round up ready wheat, they can't release anything until the release is approved by the FDA, EPA and USDA. Once those approvals are made, release would still depend on the impact on the markets. Their concern is to do benefit, not harm.

Senator Erbele asked if FDA, EPA and USDA standards are met, would NDSU still control the release?

Dr. Grafton said the North Dakota Agriculture Experiment Station has that responsibility, but of course, they can't control South Dakota or Montana or Minnesota or Canada.

Senator Urlacher asked if they would also address tolerances and co-mingling? (meter # 1699)

Dr. Grafton said yes, it is important to meet all tolerances and marketing.

Senator Klein asked for all the issues that need to be addressed, where will the funding come from?

Dr. Grafton asked how much money do we have? This is very expensive research. The resources of North Dakota could be taxed. We have to live within our means. If any funding is available from the state, NDSU would use it to leverage federal funding and private dollars, too.

Senator Nichols asked with regard to the wheat disease portion of this resolution, what is the progress with durum? (meter # 1849)

Dr. Grafton said NDSU currently has 13 lines of durum with scab resistance equal to or greater than Alsen. Plant breeding is a long process. In 1988, in the middle of a drought, Dr. Froberg was told of scab in Minnesota and started looking for material resistant to scab in hard red spring wheat. In 1990 a variety which ultimately became Alsen was released, with its high level of scab resistance and with the milling and baking qualities to make it successful as well as the adaptation to North Dakota conditions. Durum scab research was started later and is more

Page 5  
Senate Agriculture Committee  
Bill/Resolution Number HCR 3031  
Hearing Date 03/20/03

difficult but is moving rapidly now. The US Wheat Barley Scab Initiative has provided \$1 million per year from this USDA entity.

Senator Flakoll asked what criteria is used to determine what problem to attack? (meter # 2145)

Dr. Grafton said plant breeders try to think 10 - 15 years in advance. They need vision.

Senator Seymour asked how they work with USDA staff?

Dr. Grafton said they have excellent communications with USDA. They have a USDA Agriculture Research Station in Fargo. The NDSU scientists and the federal scientists work very closely together.

Lance Hagen, executive director of the North Dakota Grain Growers, testified in support of the resolution. (meter #2484) Hopefully it will help our NDSU scientists become leaders in biotechnology. Since the legislative session started in January, Syngenta has applied for field trials in Germany to do research on fusarium head blight and Egypt, our largest wheat buyer, has announced they will buy wheat from the US that is genetically modified as long as it is scientifically proven sound. There are many exciting things going on in this area. The board of directors want to take a cautious approach and working with NDSU is the way to do it.

Regarding Senator Klein's question about funding, with HB 1003 they had worked to set aside \$1 million for this project. He is hopeful the Grain Growers can work with a conference committee or with the Senate Appropriations Committee to restore this money so NDSU can leverage it and move along with this research.

Lowell Berntson, chairman of the North Dakota Ag Coalition, testified in support of the resolution. (meter # 2968) This resolution is a priority of the Ag Coalition. This resolution is a unified statement from mainstream agriculture in support of biotechnology.

Yolanda Richardson  
Operator's Signature

10/16/03  
Date

Page 6  
Senate Agriculture Committee  
Bill/Resolution Number HCR 3031  
Hearing Date 03/20/03

Gary Knutson, North Dakota Agricultural Association, representing more than 350 dealers and distributors of crop production inputs across the region, testified in support of the resolution.

(meter # 3117) Our industry needs new technology on an ongoing basis and it makes sense that NDSU serve as the regional center. North Dakota is a diversified agricultural state. They hope this goes beyond wheat research. NDSU has the credibility and expertise to get the job done.

Brian Kramer, North Dakota Farm Bureau, testified in support of the resolution. (meter # 3238) They feel marketing is important, particularly in wheat, and NDSU can provide valuable help.

Terry Wanzek, testified in favor of the resolution. The discussion on this issue has gotten a little off track over the past few years and needs to be pulled back together in a more cooperative effort. He is a fourth generation wheat farmer and cares about the market. The other bills were well intentioned but they were not a proactive approach to prepare North Dakota for this new technology. This resolution takes the issue out of the political arena and puts it into a scientific environment. We need to find real answers and real solutions.

Senator Flakoll asked a question of Keith Bjerke. (meter # 3717) What would happen if a university misrepresented their research findings?

Keith Bjerke, from NDSU, said he is not seasoned enough to even think of an example of this. He is not aware of a single case where science, properly reported, hasn't had enough oversight and debate so that final recommendations are based on fact rather than on agenda. What encourages scientists to select a particular project has a lot to do with personal agenda and personal interest. The outcome has to stand the test of time. There is no secrecy. What he likes best about HCR 3031 is the transparency it brings to the process. The world is working in genetic modification. Its a shame if we drive that underground and behind closed doors. The

La Costa Richard  
Operator's Signature

10/16/03  
Date

Page 7

Senate Agriculture Committee  
Bill/Resolution Number HCR 3031  
Hearing Date 03/20/03

university system, by law and by reputation is the public part of the equation. Its a very necessary partner in this kind of research particularly.

Senator Flakoll asked if the university keeps samples around for a long time?

Mr. Bjerke said we have warehouses full of such information and USDA has a national requirement for genetic preservation. All varieties are kept in laboratories in vaults for future use, many going back before our lifetime.

He is intrigued about the dollar issue. (meter # 4260) He has been talking to Senate Appropriations regarding funding. The Centers for Excellence part of that is still in disarray. Any support the Senate Agriculture Committee could provide for allocating funds directly to this resolution would be beneficial for its progress. They understand funding is thin. When we add additional requirements, it would help if additional dollars were provided for implementation.

Senator Nichols said the Lt. Governor alluded to the fact we need to be cautious as did Dr. Grafton. Given this responsibility, are procedures in place so as things progress, buyers and customer acceptance will be a part of the process?

Mr. Bjerke said it is absolutely the best way we can get to this end. We can't wait every two years for the legislature to rule on a release. NDSU is a public institution with a very real responsibility to producers and the legislature. This can't and won't be snuck out the back door.

(meter # 4694)

Chairman Flakoll closed the hearing on HCR 3031.

Senator Nichols said this is the way to handle the issue. They will have to be careful with the marketing aspects and he trusts they will be. (meter # 5328)



Page 8

Senate Agriculture Committee

Bill/Resolution Number HCR 3031

Hearing Date 03/20/03

Senator Klein said NDSU seems to be the most reasonable place to put this discussion. If the money is not there, maybe there will be a way they can get it started.

Senator Flakoll said we can't tack the money onto a resolution, the fight will have to be done down the hall.

Senator Urlacher said appropriations is aware of the importance and the governor's office places a high priority on the issue. Passing this out of our committee will send a message.

It was moved by Senator Erbele, seconded by Senator Klein and passed on a roll call vote that the Senate Agriculture Committee take a Do Pass action on HCR 3031. Voting yes were Senator Flakoll, Senator Erbele, Senator Klein, Senator Urlacher, Senator Nichols and Senator Seymour. Senator Flakoll will carry the bill to the floor.

Chairman Flakoll moved on to other business of the committee.

Date: 3/20/03  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. So 31

Senate Agriculture Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen Erbele Seconded By Sen Klein

Senators	Yes	No	Senators	Yes	No
Senator Flakoll, Chairman	✓		Senator Nichols	✓	
Senator Erbele, Vice Chairman	✓		Senator Seymour	✓	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Flakoll

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

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La Costa Richard 10/16/03  
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)  
March 20, 2003 12:53 p.m.

Module No: SR-50-5311  
Carrier: Flakoll  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE  
HCR 3031: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3031 was placed on the  
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-50-5311

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Operator's Signature

10/16/03  
Date

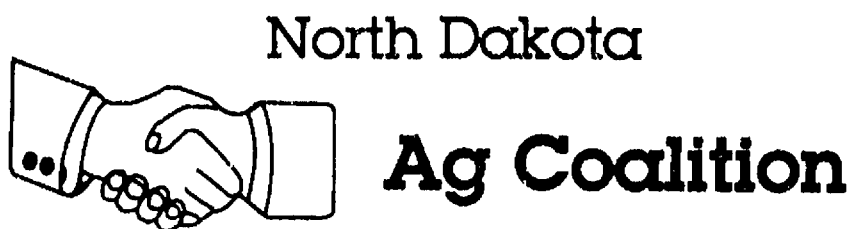
2003 TESTIMONY

HCR 3031

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Alceta Richard  
Operator's Signature

10/6/03  
Date



Chairman Nicholas, members of the House Agriculture Committee. I am Paul Thomas Administrator of the North Dakota Ag Coalition. I am here to testify in support of HCR 3031 directing North Dakota State University to become a leader in the field of biotechnology.

The thirty-nine agriculture organizational members of the North Dakota Ag Coalition adopted the following Biotech Position Statement in early January of 2003:

The North Dakota Ag Coalition supports the research and development of GMO small grains. The Coalition encourages and supports NDSU to become a leader in biotechnology research. The Coalition also urges NDSU to take the lead in developing segregation methods, tolerance levels, education, etc., not only variety development.

Chairman Nicholas, members of the House Agriculture Committee I urge a do pass on HCR 3031.

---

4007 State Street • Bismarck, North Dakota 58503 • Phone (701) 355-4330 • Fax (701) 223-4130

*A nonpartisan group of organizations involved in all aspects of agriculture. Organized in April 1982, the Coalition has been successful in providing a unified "voice" on behalf of North Dakota agricultural interests.*

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Paul Thomas  
Operator's Signature

10/6/03  
Date