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Deanne Halliwell
Operator's Signature

10/17/03
Date

2003 SENATE AGRICULTURE

SB 2201

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10/17/03
Date


2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2201

Senate Agriculture Committee

☐ Conference Committee

Hearing Date 01/24/03

Tape Number	Side A	Side B	Meter #
1	x		5755 - end
2	x		0 - 840
Committee Clerk Signature 			

Minutes:

Chairman Flakoll opened the hearing on SB 2201. All members of the Senate Agriculture Committee were present.

Dr. Larry Schuler, State Veterinarian and Executive Officer of the State Board of Animal Health testified in favor of the bill. (written testimony)

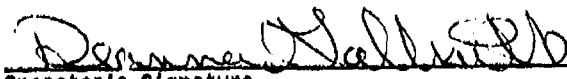
Senator Nichols asked what percentage of replacement females are calfhood vaccinated against brucellosis? (meter # 6145)

Dr. Schuler said roughly 150,000 females are calfhood vaccinated against brucellosis each year and he estimates half of those are kept for replacements.

(Tape two begins)

Dr. Schuler said there was concern that Canada would accept our non vaccinates but not our vaccinates and that is dealt with in the bill. We would reciprocate with Canada only if they will accept both vaccinates and non vaccinates.

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10/17/03
Date

Page 2
Senate Agriculture Committee
Bill/Resolution Number SB 2201
Hearing Date 01/24/03

Senator Urlacher asked if females have to be calfhood vaccinated against brucellosis if there is a change of ownership?

Dr. Schuler said the requirement for females to be calfhood vaccinated against brucellosis is only for cattle entering the state.

Jeff Dahl, North Dakota rancher from Gackle, member of the Board of Animal Health and the President of the North Dakota Stockmen's Association, testified in favor of the bill. (written testimony) (meter #109)

Beatrice Wall, Vice President of the North Dakota Grazing Association, clarified every grazing association in the state requires calfhood vaccination against brucellosis for cattle grazing with their association.

Senator Nichols asked if that is a grazing association rule?

Ms. Wall said she thinks it is a state law.

Senator Klein asked for clarification from Dr. Schuler.

Dr. Schuler said it is not specific in the code, each grazing association has its own rules. Most do require calfhood vaccination for brucellosis.

Senator Flakoll asked if there were federal laws applicable in this case?

Dr. Schuler said no. The United States is nearing the completion of a brucellosis eradication program. There are only two states that are not brucellosis free, Missouri and Texas. There is also the brucellosis infection in Yellowstone that is still an issue. When the country reaches a free status, vaccination will be phased out completely but we are not to that point yet.

Senator Erbele clarified that since we are a brucellosis free state, as a producer you don't have to bangs vaccinate and you can freely move to other bangs free states?

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01/17/03
Date

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Senate Agriculture Committee

Bill/Resolution Number SB 2201

Hearing Date 01/24/03

Dr. Schuler said we are a brucellosis free state and most states recognize our status. Some western states have a vaccination requirement for females entering their state, Montana for example. As you move east, most states will accept our cattle, regardless of brucellosis vaccination status.

Chairman Flakoll closed the hearing on SB 2201. (meter # 699)

It was moved by Senator Erbele, seconded by Senator Seymour and passed on a roll call vote that the Senate Agriculture Committee take a Do Pass action on SB 2201. Voting yes were Senator Flakoll, Senator Erbele, Senator Klein, Senator Urlacher, Senator Nichols, and Senator Seymour.

No negative votes were cast. Senator Klein will carry the bill to the floor.

Chairman Flakoll recessed the meeting of the Senate Agriculture Committee.

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01/17/03
Date

FISCAL NOTE
Requested by Legislative Council
01/16/2003

Bill/Resolution No.: SB 2201

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This proposed legislation has no impact on either revenues or expenditures of the Board of Animal health.

3. State fiscal effect detail: For information shown under state fiscal effect in 1A, please:

A. Revenues: Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Jeff K. Welspfenning	Agency:	Agriculture
Phone Number:	328-4758	Date Prepared:	01/20/2003

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10/17/03
Date

Date: 1/24/03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2201

Senate Agriculture Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen Erbele Seconded By Sen Seymour

Senators	Yes	No	Senators	Yes	No
Senator Tim Flakoll, Chair	✓		Senator Ronald Nichols	✓	
Senator Robert S. Erbele, V. Chair	✓		Senator Torn Seymour	✓	
Senator Jerry Klein	✓				
Senator Herb Urlacher	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Klein

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

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Deanne Hall 10/17/03
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)
January 24, 2003 12:22 p.m.

Module No: SR-14-1047
Carrier: Klein
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
SB 2201: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS**
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2201 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-14-1047

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Operator's Signature

10/17/03
Date

2003 HOUSE AGRICULTURE

SB 2201

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10/17/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2201

House Agriculture Committee

☐ Conference Committee

Hearing Date 3-06-03

Tape Number	Side A	Side B	Meter #
ONE	A		29.7 TO 34
Committee Clerk Signature <i>Edward D. Elbert</i>			

Minutes:

CHAIRMAN NICHOLAS: Committee Member we will go to SB 2201.

WADE MOSER: Committee Members I just want to go on the record for support of this bill.

We have had a lot of requests the past years by people buying cattle in Canada and wanting those come to ND and we have had a process in place that would allow that, however, we have continued to prod the Canadians along to recognize our free status. We think that this is maybe a we have this in statues already to recognize other states and we are tossing them a carrot. If you recognize ND's free status we will let your cattle flow in more freely. You have to start recognizing what we have in this State. You can't put requirements on our cattle that you don't Put on your own. Which they have and they use this as a trade barrier. I think this gives them an option to recognize ND and what they have done. We hope that they will bite on it.

CHAIRMAN NICHOLAS: Any questions from Wade.

OK Committee Members we are adjourned.

Deanne Hall
Operator's Signature

01/17/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2201

House Agriculture Committee

☐ Conference Committee

Hearing Date March 14, 2003

Tape Number	Side A	Side B	Meter #
2	X		2600-2820
Committee Clerk Signature <i>Elizabeth R. Fine</i>			

Minutes: **Chair Nicholas:** Opened discussion on SB 2201

Larry Schuler (State Vet): Supports with written testimony.

Chair Nicholas: Closed discussion on SB 2201.

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Deanne Hollister
Operator's Signature

10/17/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2201

House Agriculture Committee

☐ Conference Committee

Hearing Date 3--21--03

Tape Number	Side A	Side B	Meter #
ONE	A		9.0 TO 10.2
Committee Clerk Signature <i>Edward D. Clifton</i>			

Minutes:

CHAIRMAN NICHOLAS: Committee members. We have head this bill and I would like to act on it. What are the wishes of the Committee.

REP. FROELICH : MADE A MOTION FOR A DO PASS.

REP. ONSTAD : SECONDED THE MOTION.

THE ROLL WAS TAKEN. THERE WERE 11 YES 0 NO 2 ABSENT

THE BILL WAS CARRIED BY REPRESENTATIVE FROELICH

CHAIRMAN NICHOLAS CLOSED ON SB 2201.

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Deanne Hall
Operator's Signature

10/17/03
Date

SB 2201
3-21-03

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 FROELICH Seconded By ONSTAD

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 MELLER	✓				
REPRESENTATIVE ONSTAD	✓				

Total (Yes) 11 No 0

Absent 2

Floor Assignment FROELICH

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Deanna Vallack
Operator's Signature

10/17/03
Date

REPORT OF STANDING COMMITTEE (410)
March 21, 2003 11:39 a.m.

Module No: HR-51-5404
Carrier: Froelich
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
SB 2201: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS
(11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2201 was placed on the
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-51-5404

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Deanne Wallis KB
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10/17/03
Date

2003 TESTIMONY

SB 2201

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12/17/03
Date

**Testimony of Larry A. Schuler, DVM
State Veterinarian and
Executive Officer of the State Board of Animal Health
Senate Bill 2201
Senate Agriculture Committee
Roosevelt Park Room
January 24, 2003**

Chairman Flakoll and Committee members, my name is Larry Schuler. I am the state veterinarian and executive officer of the State Board of Animal Health. I am here to testify in favor of SB 2201, which deals with changes relating to requirements for calfhood vaccination of cattle against brucellosis prior to importation into North Dakota.

The current statute exempts female cattle from "brucellosis free" states that do not require North Dakota-origin female cattle to be calfhood vaccinated. This current statute is somewhat restrictive in that it allows us to only reciprocate with "brucellosis free states". The proposed changes allow us to reciprocate with "a free state, a United States possession, or a Canadian province or territory". We anticipate changes in Canada's recognition of the United States brucellosis status and, therefore, have proposed this change.

There are still safeguards built into the statute. North Dakota can only exempt Canadian cattle from the calfhood vaccination requirement if Canada (or another free state) does not place requirements on North Dakota-origin female cattle regarding calfhood vaccination or brucellosis testing before entry.

In addition, the proposed statute more clearly defines the procedure for a producer to request a waiver to the calfhood vaccination requirement and

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Deanna Waller
Operator's Signature

12/17/03
Date

defines the actions the board may take in granting a waiver.

Chairman Flakoll and committee members, I urge a do pass on SB 2201. I will be happy to answer any questions you may have.

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Operator's Signature

10/17/03
Date

Senator Flakoll and members of the committee. Thank you for the opportunity to offer testimony today.

My name is Jeff Dahl. I'm a cattle rancher from Gackle. I'm a member of the Board of Animal Health and also the President of the North Dakota Stockmen's Association. I am here to testify in favor of SB 2201.

This bill has been in the making for several years. I've been involved in cross-border issues meetings for the past four years on trade with Canada. I've found that Canadians are good horse traders. They are also very protective of their markets. One of the ways they protect their cattle and beef markets is by using health issues as trade barriers. It has been very difficult for producers on this side of the border to send cattle north. In recent years, we've been working on a regionalization concept and North Dakota has been one of the lead states in proving that we are well within the health issue limitation set by the Canadians. It seems that every time we meet one criteria, another one is brought forward. This bill in effect puts the shoe on the other foot, by offering them the opportunity to enter North Dakota if they reciprocate with us.

Also, over the past few years the Board of Animal Health has dealt with someone wanting to bring cattle into North Dakota from Canada at nearly every quarterly meeting. The only way that was allowed in the past was by the Board of Animal Health granting a waiver. This bill sets forth a standard procedure for this waiver to be issued which will streamline the process for a waiver to be granted.

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James Dahl
Operator's Signature

12/17/03
Date

Jeff Dahl

Senator Flakell - Members of the committee.

Thank you for the opportunity to offer testimony today.

My name is Jeff Dahl, I'm a cattle rancher from Dackle.

I'm a member of the BCAT and also the Pres. of NDST.

I'm here to testify in favour of SB 2201.

This bill has been in the making for several years. I've been involved in ~~meetings~~ cross-border issues meetings for the past 4 years on trade with Canada. I've found that Canadians are good horse traders. They also are very protective of their markets. One of the ways they protect their cattle and beef markets is by using health issues as trade barriers. It has been very difficult for producers on this side of the border to send cattle north. In recent years we've have been working on a regionalization concept and ND has been one of the lead states in proving that we are well within the health issue ~~limitations~~ limitations set by the Canadians. It seems that every time we meet one criterion another one is brought forward. This bill in effect, puts the shoe on the other foot. By offering them the opportunity to enter ND ~~with~~ if they will reciprocate with us.

Also, over the past few years the BCAT has dealt with someone wanting to bring cattle into ND from Canada. The only way that was allowed in the past was by an board granting an ~~exception~~ exemption. This bill sets forth a standard procedure for and allows to be issued from all ~~relevant~~ relevant ~~jurisdiction~~ jurisdictions in the process for a decision to be issued.

**Testimony of Larry A. Schuler, DVM
State Veterinarian and
Executive Officer of the State Board of Animal Health
Senate Bill 2201
House Agriculture Committee
Peace Garden Room
March 14, 2003**

Chairman Nicholas and Committee members, my name is Larry Schuler. I am the state veterinarian and executive officer of the State Board of Animal Health. I am here to testify in favor of SB 2201, which deals with changes relating to requirements for calfhood vaccination of cattle against brucellosis prior to importation into North Dakota.

The current statute exempts female cattle from "brucellosis free" states that do not require North Dakota-origin female cattle to be calfhood vaccinated from North Dakota's calfhood vaccination requirement. The current statute is somewhat restrictive in that it allows us to only reciprocate with "brucellosis free states". The proposed changes allow us to reciprocate with "a free state, a United States possession, or a Canadian province or territory". We anticipate changes in Canada's recognition of the United States' brucellosis status and, therefore, have proposed this change.

There are still safeguards built into the statute. North Dakota can only exempt Canadian cattle from the calfhood vaccination requirement if Canada (or another free state) does not place requirements on North Dakota-origin female cattle regarding calfhood vaccination or brucellosis testing before entry.

In addition, the proposed statute more clearly defines the procedure for a

producer to request a waiver to the calfhood vaccination requirement and defines the actions the board may take in granting a waiver.

Chairman Nicholas and committee members, I urge a do pass on SB 2201. I will be happy to answer any questions you may have.

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