

2011 HOUSE AGRICULTURE

HB 1341


# 2011 HOUSE STANDING COMMITTEE MINUTES

House Agriculture Committee  
Peace Garden Room, State Capitol

HB 1341  
January 28, 2011  
Job # 13616

☐ Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to the disposition of property used for county fairs and to the filing of agricultural fair exhibition dates.

## Minutes:

**Vice Chairman Kingsbury, Co-Sponsor:** This is a clean-up bill from the Dept of Ag. Section 1 changes one word "may" on line 13 and puts it on line 14. I don't think it changes the intent of the bill.

Section 2 is repealed. It relates to the filing of agricultural fair exhibition dates, making it unnecessary to notify the Agricultural Commissioner on fair dates any more.

**Representative Mueller:** The repealer is about having county fairs file their dates of the county fair with the Ag. Dept.?

**Vice Chairman Kingsbury:** Yes.

**Representative Mueller:** And we've been doing that?

**Vice Chairman Kingsbury:** It has fallen off. Thus, the clean up.

**Representative Mueller:** We're going to codify what we have been doing already.

**Vice Chairman Kingsbury:** The rest of the bill talks about what you would do if the county fair failed to hold a fair two years in a row. If you don't hold a fair two years in a row, then you need to dispose of your property. It should go back to the discretion of the Board of County Commissioners.

**Chuck Fleming, Business Development Director, ND Dept. of Agriculture:** Let me read the language that you are repealing in Section 2. Current language says: The secretary or other executive officer of every county or district fair association, or other exhibition at which the resources or products of the state are displayed, shall file with the agriculture commissioner, on or before May first of each year, the dates on which such fair or exhibition will be held, together with the name of the place where the same will be held

and the name of the president and secretary of such association. Failure to comply with this section shall be an infraction.

That is the section you are eliminating. The first part of the bill is simply saying that since you are removing 4-02-06, you have to renumber the lines accordingly. Anita Thomas also says "may" is in the wrong place.

Fairs that did file with my office then sat on my desk. Currently the ND Association of Fairs has a website [www.nd.fairs.org](http://www.nd.fairs.org). Those fair dates are on their website. We have a link to that site on our Dept. of Ag. website. I think it is too much to ask fairs associations to send in their dates to us.

**Chairman Johnson:** The intent of the original law was so there would be a statewide acknowledgment of fair dates around the state?

**Chuck Fleming:** The Governor of ND has declared 2011 the year of the fair. Our dept. is going to make a special effort to promote fairs because that is the show place of agriculture.

**Vice Chairman Kingsbury:** The fair to go to is the oldest fair in Pembina County.

**Chuck Fleming:** That will be the 119<sup>th</sup> continuous fair this summer.

**Representative Boe:** Section 4-02-06. Was there anything in there that required approval of that date or was it just to file it?

**Chuck Fleming:** Just to file it. There is no approval required.

**Representative Mueller:** Who owns the fairgrounds now?

**Chuck Fleming:** The Fair Association which a nonprofit organization owns the grounds in some counties. It is a wide variety of ownership.

**Representative Trottier:** How many county fairs are there in ND?

**Chuck Fleming:** There are 33 are listed. There are about 30 some.

**Representative Boe:** Moved Do Pass

**Vice Chairman Kingsbury:** Seconded the motion

A Roll Call vote was taken. **Yes:** 14, **No:** 0, **Absent:** 0,

**DO PASS** carries.

**Representative Rust will carry the bill.**

Date: 1/28/11

Roll Call Vote # 1

**2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES**

**BILL/RESOLUTION NO.** HB 1341

House **Agriculture** Committee

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

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended

☐ Rerefer to Appropriations

Motion Made By Representative Boe Vice Chairman Kingsbury  
Seconded By \_\_\_\_\_

Representatives	Yes	No	Representatives	Yes	No
Dennis Johnson, Chair	X		Tracy Boe	X	
Joyce Kingsbury, Vice Chair	X		Tom Conklin	X	
Wesley Belter	X		Richard Holman	X	
Craig Headland	X		Phillip Mueller	X	
David Rust	X				
Mike Schatz	X				
Jim Schmidt	X				
Wayne Trottier	X				
John Wall	X				
Dwight Wrangham	X				

Total Yes 14 No 0

Absent 0

Bill Carrier Representative Rust

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

**REPORT OF STANDING COMMITTEE**

**HB 1341: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS**  
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1341 was placed on the  
Eleventh order on the calendar.

2011 SENATE FINANCE AND TAXATION

HB 1341

## 2011 SENATE STANDING COMMITTEE MINUTES

### Senate Finance and Taxation Committee Lewis and Clark Room, State Capitol

HB 1341  
3/7/2011  
Job Number 14993

☐ Conference Committee

A. B. Miller

#### Explanation or reason for introduction of bill/resolution:

Relating to the disposition of property used for county fairs

#### Minutes:

**Chairman Cook** opened the hearing on HB 1341.

**Representative Kingsbury** – I'm bringing this bill forward for the Ag Department. HB 1341 relates to the disposition of property used for county fairs. It changes one word, "may" without changing the intent. When a county fair fails to hold a fair within the county for 2 successive years, any property on hand may be sold and the proceeds of such a sale may be transferred to the county general fund. Also there is a provision making it unnecessary to notify the Ag Commissioner of fair dates, previously they would have to notify the Ag Department of the dates of the upcoming fair. It's just a cleanup and makes those 2 little changes.

**Chairman Cook** – There is no problem we are trying to solve?

**Representative Kingsbury** – It's just a matter of clarification.

**Chuck Fleming, North Dakota Department of Agriculture** – I am here to testify in favor of the bill.

He went on to read section 2.

**Chuck Fleming, North Dakota Department of Agriculture** – Like Representative Kingsbury said, this is just to clean up the language. This is old language that is no longer needed.

**Chairman Cook** asked for testimony in opposition to HB 1341. No one came forward.

**Chairman Cook** asked for neutral testimony for HB 1341. No one came forward.

**Vice Chairman Miller** – I'll move a Do Pass.

Seconded by **Senator Triplett**.

Carried by **Vice Chairman Miller**.

Date: 3-7-11  
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1341

Senate Finance and Taxation Committee

☐ Check here for Conference Committee

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

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Senator Miller Seconded By Senator Triplett

Senators	Yes	No	Senators	Yes	No
Dwight Cook – Chairman	X		Jim Dotzenrod	X	
Joe Miller – Vice Chairman	X		Connie Triplett	X	
Randy Burckhard	X				
David Hogue					
Dave Oehlke	X				

Total (Yes) 6 No 0

Absent 1

Floor Assignment Senator Miller

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

**REPORT OF STANDING COMMITTEE**

**HB 1341: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1341 was placed on the Fourteenth order on the calendar.