

**2025 SENATE AGRICULTURE AND VETERANS AFFAIRS**

**SB 2202**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Agriculture and Veterans Affairs Committee

Fort Union Room, State Capitol

SB 2202  
1/24/2025

Relating to the definition of a cattle industry representative, the election and terms of members to the North Dakota beef commission, commission vacancies, and requiring livestock auction markets and livestock dealers to forward names of cattle sellers; to provide a penalty; and to provide an effective date.

9:49 Chairman Luick opened the hearing.

Members present: Chairman Luick, Vice-Chair Myrdal, Senator Marcellais, Senator Weston, Senator Weber, Senator Lemm

### **Discussion Topics:**

- Logistics of beef commission elections
- Current process for running for beef commission vacancies
- Publishing names of cattle sellers

9:49 a.m. Senator Schaible, District 32, introduced SB 2202, testified in favor and submitted testimony #30738.

9:50 a.m. Ben Fischbach, Lobbyist, Independent Beef Association of North Dakota, testified in favor and submitted testimony #31187, #31188, and #31186.

9:54 a.m. Matt Perdue, Government Relations Director, North Dakota Farmer Union, testified in favor and submitted testimony #31248.

9:56 a.m. August Heupel, Vice President, Independent Beef Association of North Dakota, testified in favor and submitted testimony #31235.

10:02 a.m. Samuel Wagner, Agriculture and Food Field Organizer, North Dakota Resource Council, testified in favor and submitted testimony #30904.

10:06 a.m. Larry Kinev, International Beef Association of North Dakota, testified in favor.

10:17 a.m. Kenny Graner testified in favor.

10:31 a.m. Mary Graner testified in favor.

10:33 a.m. Julie Ellingson, North Dakota Stockmen's Association, testified in opposition.

10:51 a.m. Clark Price testified in opposition.

10:55 a.m. Ray Erbele testified in opposition.

11:01 a.m. Erika Kenner, Beef Producer, testified in opposition and submitted testimony #31259.

11:06 a.m. Jeff Schafer, Beef Producer, testified in opposition.

11:10 a.m. Jullie Rice, Rancher, testified in opposition.

11:15 a.m. Kevin Hansen, Beef Producer, testified in opposition,

11:20 a.m. Warren Zenker, Rancher, testified in opposition.

11:26 a.m. Brian Amundson, Rancher, testified neutral.

11:28 a.m. Jason Schmidt, Rancher, testified neutral.

11:30 a.m. Allen Lund, Rancher, testified neutral.

11:33 a.m. Chairman Luick closed the hearing.

**Additional written testimony:**

#30547, #30716, #30806, #30813, #30928, #31122, #31123, #31124, #31172, #31192, #31227, #31232, #31236, #31242, #31257

11:33 a.m. Chairman Luick adjourned the meeting.

*Audrey Oswald, Committee Clerk*

Chairman Luick and Senate Agriculture and Veterans Affairs Committee,

My name is Kerry Dockter. I am a past president of I-BAND and a beef producer who supports SB 2202.

Thank you for this opportunity. My testimony centers on how times have changed since the inception of the beef checkoff program and why this bill is critical to ensuring fairness and representation for all producers today.

To illustrate my point, I'd like to draw an analogy from the evolution of small school systems in North Dakota's rural communities. As these schools have sought to provide the best possible education and opportunities for their students, they've often had to make difficult decisions—particularly regarding their athletic programs.

In many cases, small schools have formed co-ops or agreements with neighboring districts to ensure they have enough participation to field competitive teams. While these changes were initially met with opposition or resentment, they ultimately brought communities closer together. The schools worked collectively, realizing they shared a common goal: to do what was best for their students.

SB 2202 reflects a similar approach. This bill ensures that every producer who contributes to the beef checkoff has a voice and an opportunity to participate. Like those small-town sports co-ops, this change may face initial resistance, but it has the potential to unify producers. It prioritizes what is best for the beef industry as a whole, rather than individual organizations or interests.

At its core, this bill is not about choosing sides between two organizations. It's about fairness and representation for all producers who pay into the checkoff, regardless of their affiliations.

I respectfully ask for your support of SB 2202. By passing this bill, you will help unify producers and ensure the beef industry is positioned to work collaboratively toward its shared future.

Thank you for your time and consideration.

Respectfully,

Kerry Dockter

Chairman Luick and Senate Agriculture and Veterans Affairs Committee,

I'm here in support of SB 2202. This bill will put our Beef Checkoff in the hands of all producers in our state. Every producer, regardless of size or influence, deserves an equal opportunity to participate and have their interests represented. All we ask is for our check-off to be treated like the rest of the check-off groups.

I stand for any questions.

Respectfully,

Jeremy Maher

Cell 605-314-4760

Home 701-522-3696



# North Dakota Senate

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Senator Donald Schaible

District 31  
9115 Highway 21  
Mott, ND 58646-9200  
[dgschaible@ndlegis.gov](mailto:dgschaible@ndlegis.gov)

## COMMITTEES:

Appropriations

1/24/2025

Good morning, Chairman Luick and members of the Agriculture and Veterans Affair Committee. For the record, I am Senator Don Schaible, District 31, here to introduce SB 2202. This bill request was a concern of some patrons of mine, and as their senator, I believe it is my responsibility to get their concerns to the table. The intent of this bill is to change how the membership of the North Dakota Beef Commission are selected to a procedure to have them elected. Mr. Chairman and committee I am not a rancher and have no expertise in the workings of the ND Beef Commission, so I am going to let cattleman behind me to explain the rational and reasoning for this bill.

January 22, 2025

Testimony in support of passing SB2202

Thank you, Chairmen Luick and members of the Senate Agriculture and Veterans Affairs committee for being here working for North Dakotans on this invigorating January day.

I am Travis Anderson, and I farm and ranch on a Centennial farm in Benson County. Simply said I wish to be represented at the state level by a selection of ranchers across the state when it comes to the Beef checkoff dollars and where they are directed. The voice of the producers is healthy for progress rather than the voice of one organization as it has been lately. This bill will give fair representation to those that work proudly in this industry.

Respectfully submitted

Travis L. Anderson

Warwick, ND

Senator Jeffery J. Magrum  
Senate District 8  
Testimony for SB 2202

I support SB2208 based on the election method verses the appointment method for ND Beef Commission Members. Elections are the bedrock of our state and country. The new law will give everyone an opportunity to seek a seat on the North Dakota Beef Commission in a fair and just way.

Thank you for your consideration and I ask for a Do Pass recommendation on SB2202



## Testimony SB2202

Sam Wagner  
Ag and Food Field Organizer  
Dakota Resource Council  
1902 E Divide Ave  
Bismarck ND 58501  
Testimony in Support for SB2202

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

Mr Chairman,

We are glad to have a version of this bill finally in the Senate seeing that that it has never been submitted outside of the house before. We hope that

We would like to offer testimony in support of of SB2202 for the following reasons:

1. **This bill gives more people a fair chance to participate in the North Dakota Beef Commission.** HB2202 will end a system where independent cattle producers have to join memberships of an organization to be considered for the beef board. As it stands now the people that may be needed to advocate change in the cattle and beef industry are the ones who will be looked over in favor of those that support the status quo. If HB1207 were to be passed it would be the producers who could, with their votes, determine if they are satisfied with the status quo or opt for a change in leadership.
2. **This bill clearly defines an eligible voter.** Previous criticisms of the bill have often stated that there is no way to define a voter. Now it sets that limit at an 18 year old beef producer actively engaged means that the individual has an ownership interest in a cattle operation, is engaged in an activity of sufficient scope and significance as to constitute a distinct activity; and has direct control of the cattle operation for the preceding year.
3. **This bill does not immediately kick off existing members.** This bill will let people serving currently finish their terms until their time served has ended.
4. **This is how all the other commodity checkoff programs conduct business.** Corn, Soybean, Wheat, and Barley board positions are elected, so why can't beef.
5. **The Extension Office will conduct the vote.** This also spells out how the election will take place and still allow the governor and other government officials to have flexibility to nominate officials if needed.

There have been several criticisms of this bill that need to be addressed:

1. **This bill takes away public livestock market representatives, and dairy producers as board members.** In our opinion, requiring a dairy producer when we have 26 dairies left in the state and thousands of ranches seems that they are given a disproportionate amount of power in this system. Market Representatives are also still allowed to run but ultimately running the beef commission is about ideas rather than if you check a random box. Many people would easily
2. **There is no database of beef producers and it costs money.** Other organizations have made databases and kept records of who is eligible to vote. Soy Wheat and Corn all can do this. The beef commission is not broke, and 20-30 thousand dollars for a fair election seems reasonable to our organization after we've seen everything else it spends money on.

Ultimately Organizations that are opposing this want the status quo because they benefit from it. This bill would give us a better opportunity for all cattle ranchers to benefit from the systems and start making the markets work for them.

This is common sense legislation. We recommend a DO PASS.

Greetings Mr./Madam Chair, members of the Committee, I'm Kathrin Volochenko of the Nonpartisan League.

As a former beef cattle producer, I do support and ask that this committee recommend a **"Do Pass"** for Senate Bill 2202 to make some needed changes to the structure of the North Dakota Beef Commission, and to improve the efficiency and accessibility/representation of all of its members.

In doing so, the beef "check-off" dollars that all North Dakota beef producers have been contributing for so many years will have more transparency and input from beef producers in how they are allocated.

This is directly from the ND Beef Commission website;

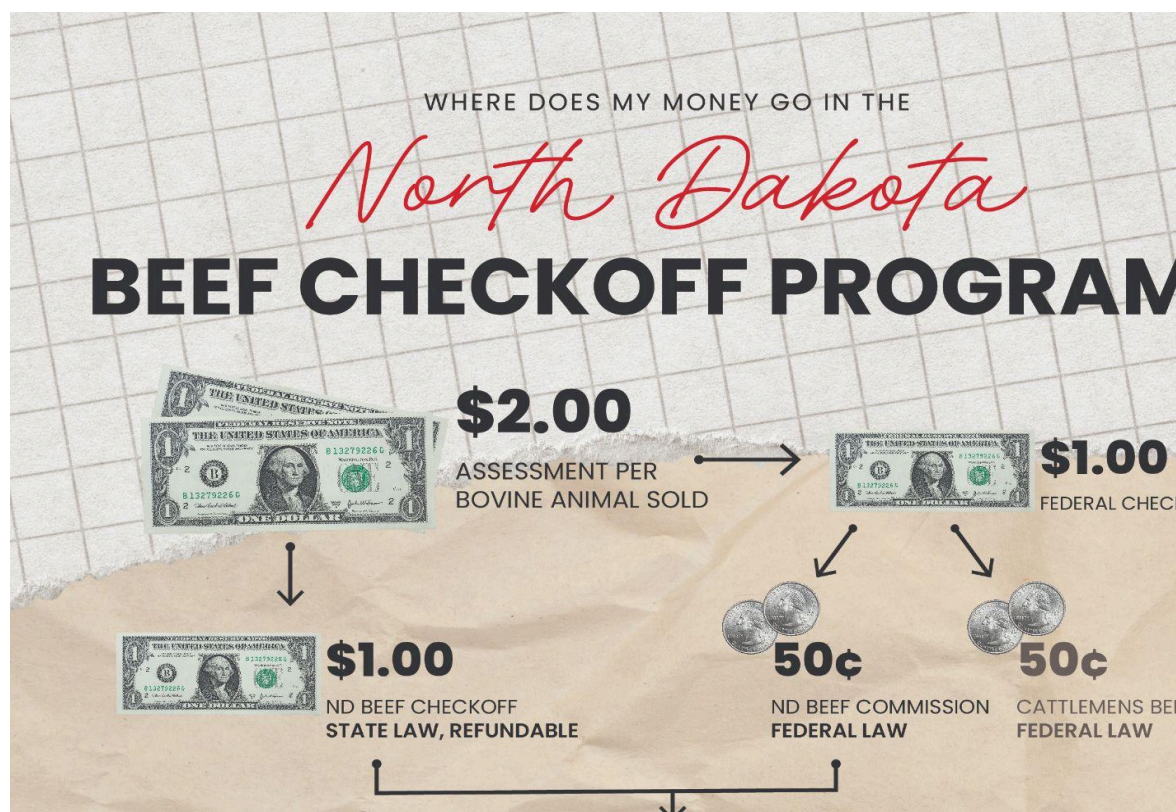
*"Collected funds are used for beef promotion, marketing, research and consumer education. The overall goal of the Beef Checkoff is to drive the overall demand for beef for every kind of producer. The money can be used in state, domestically and/or internationally, this is decided by our grassroots board of directors.*

*The federal act and order **does not allow** national checkoff funds to be used for the purpose of influencing governmental action or policy."*

At least now if this bill is passed, every beef producer will be able to have a direct influence in how these dollars are spent.

Below is an image from the beef commission website showing in very rough terms how the check-off dollars are spent. There doesn't seem to be very much detail.

In closing, I commend the efforts of Senators Schaible, Boehm, Magrum and



Representatives Hauck, Nelson for sponsoring a much needed bill to in a sense “update” and improve the North Dakota Beef Commission for all concerned.

Thanks for your time and attention.

Chairman Luick and Senate Agriculture and Veterans Affairs Committee,

Livestock producers deserve the right to choose their representatives from across the entire state of North Dakota. Currently, the beef checkoff and the NDSA handpick members for the beef commission, making it the only checkoff group operating in this manner.

I strongly urge you to vote in favor of SB 2202, a bill that would bring positive change by ensuring that livestock producers from equal districts across the state have the opportunity to serve on the beef commission.

It is worth noting that North Dakota is one of the few states in the country with a \$2 per animal checkoff fee that was quietly passed without a vote from the producers. This lack of transparency underscores the need for change to ensure fairness and proper representation for our producers. Our producers have long asked for equal treatment, and HB 1207 addresses this need effectively. Also, the Beef Commission has the names of the livestock producers in the state because we get a flyer in the mail throughout the year. For this reasoning, the cost of elections is not an issue.

Respectfully submitted,  
Hart Land and Cattle  
Corey Hart  
Chasely, ND

Chairman Luick and Senate Agriculture and Veterans Affairs Committee,

Livestock producers in North Dakota deserve the right to select their representatives from across the entire state, ensuring fair and equal representation. Currently, the Beef Commission is the only checkoff group where members are handpicked by the beef checkoff and the NDSA, by passing a more democratic process.

It is important to recognize that North Dakota is one of the few states with a \$2 per animal checkoff fee that was quietly implemented without a vote from producers. This lack of producer input highlights the need for reform to ensure transparency, fairness, and accountability moving forward."

I urge you to vote in favor of SB 2202, a measure that will promote positive change by establishing equal representation from districts statewide and giving livestock producers a stronger voice in decision-making.

Thank you,

Hart Land and Cattle

Kyle Hart

Chasely, ND

Chairman Luick and Senate Agriculture and Veterans Affairs Committee,

Livestock producers across North Dakota deserve the right to elect their representatives from every corner of the state, ensuring fair and equitable representation. Unfortunately, the current system allows the beef checkoff and the NDSA to handpick members of the beef commission, making it the only checkoff group in the state operating without input from all producers.

I strongly encourage you to vote in favor of **SB 2202**, a much-needed reform that would establish equal representation by placing livestock producers from balanced districts across the state on the beef commission.

Additionally, it is concerning that North Dakota is one of the few states where a \$2 per animal checkoff fee was quietly enacted without a vote from producers. This lack of transparency underscores the urgent need for change to restore trust, fairness, and accountability for the hardworking producers of our state.

Thank you for your time,

Kurt Hart

Hart Land & Cattle

Chasely, ND



## Testimony on SB2202 – Addition of a Commodity Election for the North Dakota Beef Commission

January 23, 2025

Chairman Luick and Members of the Senate Agriculture and Veterans Affairs Committee:

Thank you for the opportunity to provide testimony regarding SB2202, which proposes the addition of a commodity election for the North Dakota Beef Commission and includes NDSU Extension in some of the responsibilities. As NDSU Extension is currently tasked with conducting elections for county representatives to serve on several commodity councils and commissions in North Dakota, we offer the following background and items for consideration with this written testimony.

NDSU Extension is responsible for coordinating or assisting with elections for county representatives to serve on six commodity councils and commissions: the North Dakota Barley Council, the North Dakota Corn Council, the North Dakota Dry Pea and Lentil Council, the North Dakota Oilseed Council, the North Dakota Soybean Council, and the North Dakota Wheat Commission. These elections help ensure that each commodity group has elected representatives who reflect the interests and needs of producers across the state.

Elections for county representatives are coordinated by NDSU Extension's County Agricultural and Natural Resources (ANR) agents and are generally held in person during county events or educational programs. These elections for county representatives involve nominations followed by voting and counting of ballots. District elections are then often conducted electronically via Zoom to improve accessibility and reduce travel costs.

The election process for these councils typically begins in November and December, with county elections held in January and February, then followed by district elections in March. The process includes associated costs such as advertising, printing, and postage, with total annual expenditures dependent on the number of producers and the commodity involved.

In review of SB2202, and based on NDSU Extension's experiences facilitating commodity elections, we note the following for consideration:

- **Notification Requirement:** SB2202 proposes that NDSU Extension notify all cattle industry representatives in the respective district and request nominations for district representative commission candidates no fewer than 45 days before the district representative commission election. Currently, NDSU Extension does not maintain a comprehensive mailing list for all cattle industry representatives.
- **Election Costs:** The election may incur costs, including printing, mailing, and advertising. These costs are generally borne by the respective commodity councils, and the total expenditure



would depend on the number of eligible cattle industry representatives in the Beef Commission election.

- **Timeline:** The process outlined in SB2202 suggests an election timeline of October 1 through November 15, which differs from the timelines used for other commodity elections facilitated by NDSU Extension.

In conclusion, NDSU Extension remains committed to ensuring fair and transparent elections for all commodity groups, including the North Dakota Beef Commission if they choose to engage in this process. Our primary purpose in providing this testimony is to outline some of the key considerations of the election process in the proposal set forth in SB2202.

Thank you for your time and consideration and please let me know if you have additional questions.

Sincerely,

A handwritten signature in blue ink that reads "Lynette Flage".

Lynette Flage

Associate Director, NDSU Extension

[lynette.flage@ndsu.edu](mailto:lynette.flage@ndsu.edu)

# Vote DO PASS on SB 2202



## Fair

State law caps representation from some of the beef industry's most important members and denies dairy, feed, and livestock market producers a fair opportunity to participate. SB 2202 gives the power back to industry when deciding what the composition of the commission should be. Voting DO PASS takes the next step to **bring the beef commission in line with other commodity councils like soy and corn, who also elect their representatives.**

## Transparent

The Checkoff is a valuable and important tool to promote the beef industry. SB 2202 **gives farmers and ranchers confidence in the process and the knowledge that their money is well-managed.**

## Accountable

SB 2202 keeps the North Dakota Beef Commission accountable to North Dakota farmers and ranchers. **Just like a legislator, the Beef Commission should have to answer for the decisions they make on behalf of the people they represent.**

## Questions?

Contact Michael Linngren at 218-556-7704 or [mlinngren@jamesriverpublic.com](mailto:mlinngren@jamesriverpublic.com)

**SB 2202 keeps the North Dakota Checkoff fair, transparent, and accountable to the North Dakota farmers and ranchers who pay.**

PAID FOR BY INDEPENDENT BEEF ASSOCIATION OF NORTH DAKOTA



Mr. Chair, members of the senate agriculture committee, my name is Ben Fischbach, I am the registered lobbyist for the Independent Beef Association of North Dakota. I rise today in support of Senate Bill 2202.

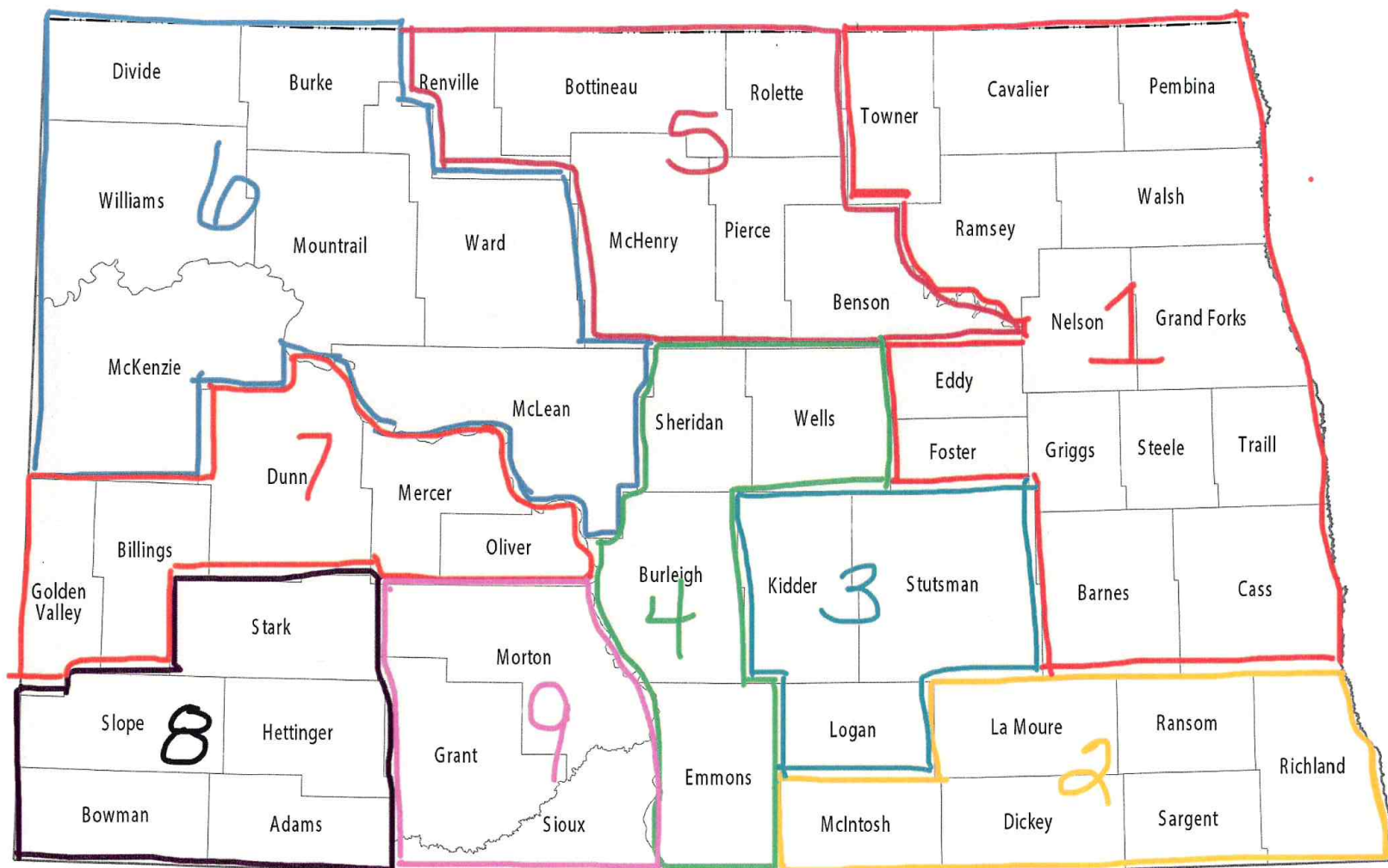
Senate Bill 2202 would bring the North Dakota Beef Commission in line with other state commodity boards in selecting its members through fair, democratic elections. Opening the beef commission's election process will provide a voice to every beef producer throughout North Dakota, including those unaffiliated with an organization or association. Every beef producer pays into the North Dakota Checkoff, and every beef producer deserves a say in promoting, marketing, and advertising their product in the state and beyond.

Senate Bill 2202 would ensure those in charge of regulating and promoting the beef industry of North Dakota are directly accountable to the farmers and ranchers they serve. Just like a legislator, beef commissioners will be expected to act in the best interests of their community and the constituents of their district.

North Dakota's beef industry operations vary in size and specialty around the state. By putting the beef commission in the hands of these producers, we can ensure different backgrounds and perspectives are represented on the commission. Electing these positions encourages greater transparency and includes all beef producers in the decision-making process. Such a process will improve trust and engagement in an industry that is vital to the North Dakota economy.

I would like to conclude by acknowledging a similar bill that was brought during the 2023 legislative session. The opposition raised several fair points regarding the specific language of that bill, HB 1436. We have spent the past two years considering these comments and have incorporated many into the bill before you today. These improvements include definitions for voter eligibility, more conservative provisions surrounding record collection, and the inclusion of a redistricting mechanism. We thank everyone for their contributions in making this bill what it is today, and we are confident that Senate Bill 2202, is the right bill to make Beef Commission elections a reality.

The Independent Beef Association of North Dakota strongly supports this bill as it will lead to greater fairness, transparency, and accountability within the North Dakota Beef Commission. By allowing producers to elect these representatives, we ensure that the voices of all producers are heard. Please vote DO PASS on Senate Bill 2202. Thank you.



I strongly support SB 2202.

It's time that the Beef Commission joins every other commodity council in the state and elects it's own representatives. Give us, the producers, back the power to elect who we choose to represent us and be good stewards of our checkoff dollars.

Make the Beef Commission accountable for the actions they take by making them democratically elected.

I strongly urge the House Ag Committee to pass this bill and do the will of your constituents in the beef sector.

Chairman Luick and Senate Agriculture and Veterans Affairs Committee,

I am Michelle (Shelly) Ziesch a 4<sup>th</sup> generation rancher and my husband and I ranch and farm near Pettibone, ND. I am testifying in favor of SB 2202. I believe this bill would allow more ranchers the opportunity to serve on the ND Beef Commission. I know that the perception of wanting this change is a disagreement between two cattle organizations in the state, but I do not believe this to be true. I believe many producers support this change because those who are paying into the Beef Checkoff should have an equal chance to be elected to the ND Beef Commission whether you belong to an organization or not. Having an appointed board selected by the governor becomes a political appointment for a board that is collecting a checkoff from all producers. I know there was concern about the expense of running an election and I think that if more people are happy with the process of getting elected on the beef commission that fewer people would request a refund and that would help defray the cost of an election. We currently do not have a way to remove board members if they are not looking out for the best interests of the industry and an election could fix that problem by being able to run against them. I really appreciate that the board members must be active producers within the previous year so that should alleviate the concerns of the entire board being retired producers. Hopefully, an election would get more young producers interested in serving on the beef commission and bring in current ideas to help get younger generations both raising and eating more beef. Thank you for taking the time to read my testimony and please vote in favor of SB 2202.

Sincerely,

Michelle (Shelly) Ziesch

Bailie Graner

bailiegraner@gmail.com

Testimony for SB 2202

Good Morning Chairman and Ag Committee members,

My name is Bailie Graner and I am a rancher south of Mandan. I am in favor of passing SB 2202. You will hear from the opposing that we already have a fair process and that anyone can apply to be appointed. I had applied to the Beef Commission and was endorsed by North Dakota Farmers Union, who has over 60,000 members, and the North Dakota Independent Beef Association. Even with these two large endorsements, my references were never contacted to verify my credentials, nor was I ever contacted personally regarding my qualifications or interviewed. My question is what does it mean to be fair?

The other question I have, is that with this current appointment process, how are people being notified of the open position currently? Why can we not use that same notification process that is being used in the appointing of a seat be the same in the event of an election? Either the ranchers are not being notified of the open position, OR the funding gap of an election is not as large as perceived.

This is our money and we would move to have the representation of our choosing. The democratic process is part of EVERY other commodity and we should be no different. We have other states whose Beef Commission have an election process as well. Again, SB 2202 should be passed so anyone in the cattle industry can promote our product. Thank you for your time and consideration!



Chairman Luick, Members of the Senate Agriculture and Veterans Affairs Committee,

Good Morning. For the record my name is August Heupel. I am a rancher from Medina, North Dakota and currently serve as the Vice President of I-BAND.

I am testifying this morning in support of SB 2202 and I would like to encourage a DO PASS recommendation from this committee.

I would like to touch on a few reasons why I feel this bill is important. SB 2202 will give every producer paying the checkoff a vote and a voice on who they feel can best represent them on the Beef Commission. Whether a producer is affiliated with an organization or not, they will have an equal and fair shot to run for the beef commission seat in their district if they so choose, and it will give producers the right to vote on who they feel their best representation is. This method is fair, transparent and quite honestly its AMERICAN. How can we as American citizens and producers argue against an election process? I understand and take my role in the organization I represent seriously, having been voted in to represent cattle producers from my district, just as I know all of you take your jobs seriously representing your respective districts and constituents.

Now some opposition to this bill may argue that nothing is wrong with the process now. Which is a governor appointed process. They may also state that the Beef Commission operates well under the current law. There is no problem now, let's not fix what is not broken. To these statements I would say, with all due respect to the current process, producers know producers best, allow us the opportunity to vote on our representation. This bill will allow us to settle this issue amongst ourselves out in the country. The North Dakota Beef Commission is not broken. The process by which you get to serve on the Beef Commission is broken. I stand here today to say yes, there is a problem, but this bill is a solution to the problem.

This bill is about the producer. That's it. It's not about the cattle policy groups we represent. I truly believe that every cattle producer in this room today, whether we agree or not, is doing what he or she feels is best for our industry and I respect them.

Change is good. This bill is about the future, the future of our way of life and hopefully were lucky enough to pass this way of life on to our children and

grandchildren. Let's let every producer be heard with their vote. Thank you and I stand for questions.

Testimony in Support of Senate Bill 2202

Dwight Keller  
North Dakota Rancher  
1573 55th St  
Mandan, ND 58554  
701-471-5215 (cell)  
701-445-7350 (home)

It is time to update the ND Beef Checkoff commission makeup, by requiring a fair election process. Almost all other checkoff board members in North Dakota are elected and ran by producers who pay that respective checkoff. SB 2202 provides an election process for the ND Beef Checkoff commission.

This bill allows beef producers (including milk producers) who pay the beef checkoff to run for a position on the ND Beef Commission through an election process within their districts.

It is past time to address this major inequality regarding a producer mandated checkoff. Thank you for having the courage to address this important issue in our state by voting to support SB 2202.

Dwight Keller  
North Dakota Rancher  
1573 55th St  
Mandan, ND 58554  
701-471-5215 (cell)  
701-445-7350 (home)

Thank you for the opportunity to express my support of SB2202.

I am Judy Johnson from Sentinel Butte, in Golden Valley County where I ranch with my husband, Doug.

I feel strongly about this bill being passed. The North Dakota Beef Commission should be comprised of a true representation of producers through election. North Dakota beef producers should have a say in who spends our checkoff dollars. Passage of SB2202 gives small and large beef producers who belong to varied groups to have an equal voice. Currently that is not the case.

If producers have a say in who represents them, perhaps more of them will be willing to voice their opinions. Younger producers might appreciate that and feel they want to be more involved. We need those younger producers more than ever.

The bill's content offers a way to make this happen. I urge you to vote to pass SB2202.

I respectfully request you support this bill.

Thank you

Judy Johnson

15451 30<sup>th</sup> Street SW

Sentinel Butte, ND

701-260-93675

badlandsangus@gmail.com



Contact:  
**Matt Perdue, Lobbyist**  
[mperdue@ndfu.org](mailto:mperdue@ndfu.org) | 701.641.3303

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**Testimony of  
Matt Perdue  
North Dakota Farmers Union  
Before the  
Senate Agriculture and Veterans Affairs Committee  
January 24, 2025**

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Chairman Luick and members of the committee,

Thank you for the opportunity to testify on Senate Bill No. 2202. My name is Matt Perdue, and I am testifying on behalf of North Dakota Farmers Union's (NDFU) members. NDFU supports SB 2202.

SB 2202 establishes an election process for the North Dakota Beef Commission. Under current law, the governor appoints every member of the Beef Commission. Six of those nine appointments are made from nominations by specific groups. This process is unique among checkoffs in North Dakota. Of the 10 commodity councils in the state, eight have elected boards.

Our member-driven Policy & Action recognizes that research and promotion are important to the success of family farmer and ranchers. We support elections of checkoff boards. Our members feel the election process gives all producers equal opportunity to serve. It also gives all producers the opportunity to vote for their representatives on the commission.

SB 2202 is very similar to House Bill No. 1207, which was heard in the House Agriculture Committee last week. There are a couple differences between the two bills I'd like to highlight.

- HB 1207 establishes a referendum process for adjusting the state beef checkoff. Our Policy & Action supports a referendum process. However, we are open to advancing this legislation without a referendum process, if that is deemed more agreeable to interested stakeholders.
- SB 2202 requires in-person voting, while HB 1207 allows mail-in ballots. While our Policy & Action does not specifically address voting methods for commodity councils, we generally support providing both mail-in and in-person voting options. We think the mail-in option reduces barriers to voting for people in remote areas.

We respectfully request a "Do Pass" recommendation on SB 2202. I will stand for any questions.

SB2202: This bill would benefit cattle producers across the state of North Dakota with greater transparency and representation. Commission positions should be divided by regions in the same manner as crops like corn, soy, and wheat. Regional representation provide an opportunity for voices of cattle producers across the state to be heard. This bill establishes a self-certified election process for these positions, promoting fair representation and regional accountability for cattle producers across North Dakota.

Good morning Mr. Chairman and Committee members! My name is Erika Kenner and I am a beef producer and farmer from Leeds. My father and I run a diversified grain and cattle ranch where we calve out 450 head of cows, have a bull sale and raise barley, wheat, soybeans and corn.

On our farm, we have always appreciated the check-off programs for all the commodities and what they do for us as producers, especially the beef check-off. I personally have been impressed with the promotion, education and research the ND Beef Commission has done. I am proud to know that I have contributed to funding the Check-Off programs. Each year at the ND Stockmen's Convention, we receive an update from the Beef Commission in the committee I chair. This last year, we learned about the 2023 Return On Investment Study that I believe you all have recently received. The statistics prove a positive impact from the check-off dollar to the National beef industry. Our state has developed new programs recently and one program I especially like is the work they've done with high school and college athletic programs in Powered by Beef! Without check-off dollars, these programs wouldn't exist.

I understand that the ND Beef Commission members are decided differently than some commodity groups in our state. But is that a reason to change? How do we know theirs is the right way? The beef industry is different than the other commodity groups. For one, our commission is made up of the different sectors of the industry which is important because there are major differences that need to be represented. It keeps all the sectors working together for the best interests of the beef industry. There also isn't a printed list of producers anywhere. I know anytime there is a disaster program for cattle producers, my local FSA office is always asking me for beef producers' names near me because they do not know who they all are in our county.

Beef producers aren't required to sign-up their operations at the FSA office. Soybean, corn and wheat producers, on the other hand, are generally part of the farm programs through FSA. The process identified in this bill has the potential to miss many.

The members who have historically served on the Beef Commission have been producers or livestock market owners who have large responsibilities running their operations. Ranching is very labor intensive especially during certain times of the year, but these producers graciously give their time to the Commission because they believe it is important to the industry. Serving on the committee and running a campaign for an election are two different things, however. As you all know, campaigning takes time reaching out to voters. Many of these producers will not have time to campaign and will choose not to run, losing valuable people who could have served.

Also, elections are expensive – printing and mailing costs add up. Plus, who knows if the mail service will even get the ballot delivered. Mail service has been challenging lately. I mailed 900 bull sale catalogs last year. 243 of them never were delivered and 184 of them

were last tracked to Bismarck. I am not the only beef producer having a bull sale who has struggled with that in our state.

Being a member of other organizations who hold elections done by mail-in ballots, I have seen that as time has gone on, less and less people vote in the elections anymore. There may be people interested the first year, but I'm certain as time goes on, voter interest and participation will dwindle, yet the industry will be spending all that money that could otherwise be used promoting beef and educating young people why beef is so important in our diets.

The system we have in place now works! It allows for the beef industry sectors to all have a voice and does allow for self-nomination. I encourage you to give SB 2202 a do-not-pass recommendation.

Thank you, Mr. Chairman and the Committee, for your time today!



# 2025 SENATE STANDING COMMITTEE MINUTES

## Agriculture and Veterans Affairs Committee

Fort Union Room, State Capitol

SB 2202  
1/30/2025

A bill relating to the creation of districts, district commission member nomination and election procedures, and the costs of elections of district representative commission members; and relating to the definition of a cattle industry representative, the election and terms of members to the North Dakota beef commission, commission vacancies, and requiring livestock auction markets and livestock dealers to forward names of cattle sellers; to provide a penalty; and to provide an effective date.

9:28 a.m. Chairman Luick opened the hearing.

Members present: Chairman Luick, Vice-Chair Myrdal, Senator Marcellais, Senator Weston, Senator Weber, Senator Lemm

### Discussion Topics:

- Current functionality level
- Opportunity for election
- Guaranteed position
- Beef Council and Cattleman's Beef Board

9:32 a.m. Senator Myrdal moved a Do Not Pass.

9:32 a.m. 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.

9:33 a.m. Chairman Luick closed the hearing.

*Audrey Oswald, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**SB 2202 ([25.0782.02000](#))**

**Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2202 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.