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**Testimony of Beth W. Carlson, DVM
Deputy State Veterinarian
House Bill 1210
House Agriculture Committee
Peace Garden Room
January 23, 2009**

Chairman Johnson and members of the Agriculture Committee, I am Deputy State Veterinarian Beth Carlson. I am here today on behalf of the North Dakota Department of Agriculture and the State Board of Animal Health in opposition to HB 1210, which would prohibit the use of state or federal funds by the North Dakota Game and Fish Department and the North Dakota State Board of Animal Health to regulate "big game or farmed elk" in North Dakota.

NDCC §36-01-08 defines the duties of the State Board of Animal Health. Included in this statute is the mandate to 'protect the health of the domestic animals and non-traditional livestock of the state'. This can be done 'by using the most efficient and practical means for the prevention, suppression, control, and eradication of dangerous, contagious, and infectious diseases among the domestic animals and nontraditional livestock of the state, and shall prevent the escape and release of an animal injurious to or competitive with agriculture, horticulture, forestry, wild animals, and other natural resource interests'.

The State Board of Animal Health has been responsible for oversight of non-traditional livestock and farmed elk since 1991. There are very stringent rules in place to protect the health of farmed elk and animals classified as non-traditional livestock.

Prohibiting the funding of the regulation of farmed deer and elk would prevent the State Board of Animal Health from fulfilling its statutory responsibility. Many entities spent years developing the current regulations. If these species are not regulated, they could move freely into and within the state. The animals could be released, with no ramifications. There would be no disease surveillance or management of farmed deer and elk.

The Board and the State Game and Fish Department occasionally work together on various issues relating to NTL and farmed elk. In some instances, we must rely on the Game and Fish Department because of their law enforcement authority and firearm training, as well as their ability to respond because of their larger staff and field office locations. It is imperative that this working relationship be allowed to continue.

It does not matter where the funding for the regulation of farmed deer and elk comes from. As a matter of job security, it is not imperative that the Board is the agency with the responsibility to regulate these industries, although our animal health knowledge and the regulatory nature of our domestic animal duties make us the appropriate agency to do so. However, from a domestic, nontraditional, and even wildlife animal health standpoint, it would be irresponsible to discontinue all regulation of the nontraditional livestock and farmed elk industries.

Chairman Johnson and committee members, for these reasons, we urge a “do not pass” on HB 1210. I would be happy to answer any questions you may have.