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One Page Broadcast Fax

To: North Dakota Elevator Managers and all Allied Members

The Association office has been told that BNSF is calling its customers and saying the North Dakota Grain Dealers Association and/or Steve Strege personally prompted the introduction of HCR 3034 in the North Dakota legislature. That is simply not true.

HCR 3034 calls on Congress to "enact federal legislation to create protections for railroad shippers, particularly those in areas without effective rail-to-rail competition". The BNSF doesn't agree. We became aware of the resolution only after it was introduced on January 29. Whether NDGDA supports will be determined by the Board and Legislative Committee. Your Association office would appreciate hearing what is being said by BNSF. Email [sstrege@ndgda.org](mailto:ssstrege@ndgda.org) Include your opinion on HCR 3034 if you'd like. Read it at <http://www.legis.nd.gov/>. Use Session Quick Links to House Concurrent Resolutions.

Commodity Checkoff Legislation: **HB 1402** keeps the wheat checkoff at 1.5¢ per bushel. Without this legislation that would decline to 1.2¢ per bushel on 7/1/09. This bill received a 11-0 Do Pass from the House Ag Committee. **SB 2203** doubles the barley checkoff from 1¢ per bushel to 2¢. It passed the Senate 44-1. **SB 2208** raises the sunflower checkoff from 3¢ per cwt to 4¢ and flax from 2¢ per bushel to 3¢. It received a unanimous Do Pass from the Senate Ag Committee. **SB 2242** increases the per diem paid to checkoff commission and council members from \$75 to \$135. It was heard in the Senate Government and Veteran Affairs Committee on 1/30.

At the Grain Dealers convention a couple resolutions about checkoffs were unanimously adopted. Those are posted under Convention Information on the www.ndgda.org website. The first requests consistency among the checkoff groups in reporting cycle, record retention and what grain is assessed, for example grain grown in the state or grain sold in the state. These aren't all the same and varying laws in surrounding states might preclude 100% uniformity.

The other resolution requests elevators receive some compensation from commodity groups for the collection services provided. Your Association has made that request. It was not greeted with enthusiasm. One response is that commodity group work increases grain volume and this benefits grain elevators. Retailers who collect state sales tax are allowed to withhold 1.5% up to \$85 per month to cover their administrative expenses. Numbers kicked around by the Grain Dealers Board are 1.5% up to \$100 per quarter per checkoff.

Your Association Board decided not to try force the issue with legislation because without the support of the commodity groups it would likely fail. If you would like to communicate your feelings to the commodity checkoff groups you can find their contact information on page 137 of your 2008 ND grain elevator directory. Feedback to NDGDA welcome.