

Fifty-sixth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2081**

Introduced by

Senators Tomac, Wanzek

Representatives Aarsvold, Nicholas

(At the request of the Commissioner of Agriculture)

1 A BILL for an Act to provide for the continuation of an agricultural pesticide and pesticide  
2 container disposal program; and to provide an expiration date.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. Pesticide and pesticide container disposal program - Pesticide**  
5 **container management - Compensation.**

- 6 1. The definitions contained in section 4-35-05 apply to this section.
- 7 2. In consultation with an advisory board consisting of the state health officer, director  
8 of the North Dakota state university extension service, two individuals representing  
9 agribusiness organizations, and two individuals representing farm organizations, all  
10 of whom must be selected by the commissioner of agriculture, the commissioner of  
11 agriculture shall continue to implement the project authorized by section 1 of  
12 chapter 74 of the 1997 Session Laws, which is known as project safe send. The  
13 purpose of the project is to:
- 14 a. Collect and either recycle or dispose of unusable pesticides and unusable  
15 pesticide containers. The commissioner shall provide for the establishment  
16 and operation of temporary collection sites for the pesticides and pesticide  
17 containers. The commissioner may limit the type and quantity of pesticides  
18 and pesticide containers acceptable for collection.
- 19 b. Promote proper pesticide container management. In consultation with the  
20 director of the North Dakota state university extension service, the  
21 commissioner shall evaluate and promote proper methods of pesticide  
22 container management, including information on the variety of pesticide  
23 containers available.

1           3. Any entity collecting pesticide containers or unusable pesticides shall manage and  
2           dispose of the containers and pesticides in compliance with applicable federal and  
3           state requirements. When called upon, any state agency shall assist the  
4           commissioner in implementing the project.

5           4. For services rendered in connection with the design and implementation of this  
6           project, the members selected by the commissioner of agriculture are entitled to  
7           reimbursement for mileage and travel expenses in the same manner and for the  
8           same amounts provided for state employees and officials. Compensation and  
9           expense reimbursement must be paid from the environment and rangeland  
10          protection fund.

11           **SECTION 2. PROJECT SCOPE AND EVALUATION - PROPOSED LEGISLATION.**

12          The project described in section 1 of this Act must occur in areas to be determined by the  
13          commissioner of agriculture in consultation with the advisory board under subsection 2 of  
14          section 1 of this Act. Before December 12, 2000, the commissioner of agriculture shall  
15          determine whether the project implemented and continued under section 1 of this Act should be  
16          continued. If the commissioner determines that the project should be continued or expanded,  
17          the commissioner shall introduce appropriate legislation in the fifty-seventh legislative  
18          assembly.

19           **SECTION 3. EXPIRATION DATE.** This Act is effective through July 31, 2001, and  
20          after that date is ineffective.