

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1009

That the Senate recede from its amendments as printed on pages 1291 and 1292 of the House Journal and pages 1129 and 1130 of the Senate Journal and that Engrossed House Bill No. 1009 be amended as follows:

Page 1, line 3, after "Code" insert "and to amend and reenact the new section to chapter 4-35 of the North Dakota Century Code as created by section 3 of House Bill No. 1328, as approved by the fifty-seventh legislative assembly"

Page 1, line 4, after the first comma insert "the membership of the crop protection product harmonization and registration board,"

Page 1, line 14, replace "1,361,357" with "1,338,864"

Page 2, line 2, replace "11,192,073" with "11,169,580"

Page 2, line 4, replace "4,393,889" with "4,371,396"

Page 2, after line 11, insert:

**"SECTION 3. AMENDMENT.** The new section to chapter 4-35 of the North Dakota Century Code as created by section 3 of House Bill No. 1328, as approved by the fifty-seventh legislative assembly, is amended and reenacted as follows:

**Crop protection product harmonization and registration board - Duties - Grants.**

1. The crop protection product harmonization and registration board consists of:
  - a. ~~the~~ The governor or the governor's designee; ;
  - b. ~~the~~ The agriculture commissioner; or the commissioner's designee;
  - c. ~~the~~ The chairman of the house agriculture committee; or the chairman's designee;
  - d. ~~the~~ The chairman of the senate agriculture committee, ~~one crop protection product manufacturing industry representative appointed by the chairman of the legislative council, and two consumers~~ or the chairman's designee;
  - e. A member of the house or senate agriculture committee who is not a member of the faction in which the committee chairman is a member, appointed by the legislative council chairman;
  - f. A crop protection product dealer in the state appointed by the governor from a list of three nominees submitted by the North Dakota agricultural association;

- g. A consumer of crop protection products appointed by the governor from a list of three nominees submitted by the North Dakota grain growers association;
  - h. A consumer of crop protection products appointed by the governor from a list of three nominees submitted by the North Dakota oilseed council;
  - i. A representative of the crop protection product manufacturing industry appointed by the chairman of the legislative council; and
  - j. The director of the North Dakota state university agricultural experiment station.
2. The representative of the crop protection product manufacturing industry and the director of the agricultural experiment station shall serve as nonvoting members. The governor or the governor's designee shall serve as chairman of the board.
3. The board shall:
- a. Identify and prioritize crop protection product labeling needs;
  - b. Explore the extent of authority given to this state under the federal Insecticide, Fungicide, and Rodenticide Act [7 U.S.C. 136a];
  - c. Identify the data necessary to enable registration of a use to occur in a timely manner;
  - d. Determine what research, if any, is necessary to fulfill data requirements for activities listed in this section;
  - e. Request the agriculture commissioner to pursue specific research funding options from public and private sources;
  - f. Request the North Dakota state university agricultural experiment station to pursue specific research to coordinate registration efforts; and
  - g. Pursue any opportunities to make more crop protection product options available to agricultural producers in this state through any means the board determines advisable.
- 2- 4. The board may contract with a consultant to conduct studies or provide research or information regarding crop protection product registration and labeling needs.
- 3- 5. The board may administer a grant program through which agriculture commodity groups ~~established under this title~~ may apply for funds to be used by the groups to address issues related to the registration of crop protection products. To be eligible for receipt of a grant, an applicant must submit an application to the board which requests a specific amount of funds, specifies the exact purposes for which the grant would be used, and provides a detailed timetable for the use of the grant funds. The board may impose any additional conditions it determines appropriate for grant recipients, including requiring periodic reports and furnishing of matching funds. The board may terminate funding of a previously approved grant at any time if the board is dissatisfied with the performance of the grant recipient.

- 4- 6. The board may use not more than fifteen percent of the funds under its supervision for administrative purposes, including the cost of contracting for administrative services and reimbursement of board member expenses. The members of the board who are members of the legislative assembly are entitled to compensation from the legislative council for attendance at board meetings at the rate provided for members of the legislative assembly for attendance at interim committee meetings and are entitled to reimbursement for expenses incurred in attending the meetings in the amounts provided by law for other state officers.

- 5- 7. The board may adopt rules to implement this section."

Page 2, line 23, remove the overstrike over "~~(Effective through June 30,~~", after "~~2001~~" insert "2003", and remove the overstrike over "~~) Registration Fees.~~"

Page 2, remove the overstrike over lines 24 through 31

Page 3, remove the overstrike over lines 1 through 25

Page 3, line 26, remove the overstrike over "~~(Effective July 1,~~", after "~~2001~~" insert "2003", and remove the overstrike over the closing parenthesis

Page 4, line 1, remove "fifty"

Page 5, line 12, replace "select chemicals" with "rinsate"

Page 5, line 13, replace "an estimated \$100,000" with "enough revenues to cover the cost of disposal associated with the rinsate collected"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1009 - Department of Agriculture - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION
Salaries and wages	\$3,519,782	\$3,513,495		\$3,513,495
Operating expenses	1,361,357	1,361,357	(\$22,493)	1,338,864
Equipment	30,400	30,400		30,400
Grants	161,700	161,700		161,700
Board of Animal Health	538,614	538,614		538,614
Ag mediation	1,075,808	1,075,808		1,075,808
Ag in the classroom	96,000	96,000		96,000
State meat inspection	711,964	631,750		631,750
Waterbank program	900,000	900,000		900,000
Pride of Dakota	157,050	157,050		157,050
Wildlife services	779,694	779,694		779,694
Safe Send	599,369	599,369		599,369
Noxious weeds	<u>1,346,836</u>	<u>1,346,836</u>		<u>1,346,836</u>
Total all funds	\$11,278,574	\$11,192,073	(\$22,493)	\$11,169,580
Less estimated income	<u>6,638,291</u>	<u>6,798,184</u>		<u>6,798,184</u>
General fund	\$4,640,283	\$4,393,889	(\$22,493)	\$4,371,396
FTE	55.50	55.50	0.00	55.50

**Dept. 602 - Department of Agriculture - Detail of Conference Committee Changes**

	REDUCE OPERATING <sup>1</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		
Operating expenses	(\$22,493)	(\$22,493)
Equipment		
Grants		
Board of Animal Health		
Ag mediation		
Ag in the classroom		
State meat inspection		
Waterbank program		
Pride of Dakota		
Wildlife services		
Safe Send		
Noxious weeds		
	<hr/>	<hr/>
Total all funds	(\$22,493)	(\$22,493)
	<hr/>	<hr/>
Less estimated income		
	<hr/>	<hr/>
General fund	(\$22,493)	(\$22,493)
FTE	0.00	0.00

<sup>1</sup> Adjustment to reflect increases in travel authorized in the executive recommendation. Reduces the \$72,493 increase in travel for administration to \$50,000.

The amendment extends the sunset clause on the \$350 pesticide product registration fee until June 30, 2003. The product registration fee will revert to \$300 for each product registered after June 30, 2003. The Conference Committee did not change the Senate language.

The Conference Committee changed the Senate requirement for fees for collection of select chemicals to fees for the collection of rinsate sufficient to cover the cost of disposal associated with the rinsate collected.

The Conference Committee added a section to amend a section created in House Bill No. 1328 relating to the membership of the Crop Protection Product Harmonization and Registration Board.