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# North Dakota Department of Agriculture



**Engrossed SB 2009**  
**House Appropriations Subcommittee**  
**Representative David Monson, Chairman**  
**Friday, March 3, 2023**

**Doug Goehring**  
**Agriculture Commissioner**

# Table of Contents

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	<u>PAGE</u>
Purpose/Mission/Vision/Core Values Statement	3
Statutory Authority & Major Statutory Responsibilities	4
Organizational Chart	5
Administrative Services Division	6
Plant Industries Division	7
Livestock Industries Division	8
Grain & Livestock Licensing Division	9
Animal Health Division	10
Pesticide & Fertilizer Division	12
Business, Marketing & Information Division	13
Engrossed SB2009 Budget Summary	15
Highlights & Accomplishments	16
Objectives	19
2021-2023 One-Time Funding Reports	21
Senate Amendments	22
General Fund Collections	25
Special Fund Collections	26
Other Budgetary Bills	27
Federal State Recovery Funding	28
Federal Funding Available for 2023-2025	29
Summary	30

# **Purpose**

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“Government is instituted for the protection, security, and benefit of the people, and they have a right to alter or reform the same whenever public good may require.”

North Dakota Constitution, Article 1, Section 2

# **Mission**

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Serve, advocate, protect and promote agriculture to benefit everyone.

# **Vision**

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We support agriculture by embracing diversity, innovation, research and trade.

# **Core Values**

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Transparency, Respect, Integrity, Consistency

# Statutory Authority

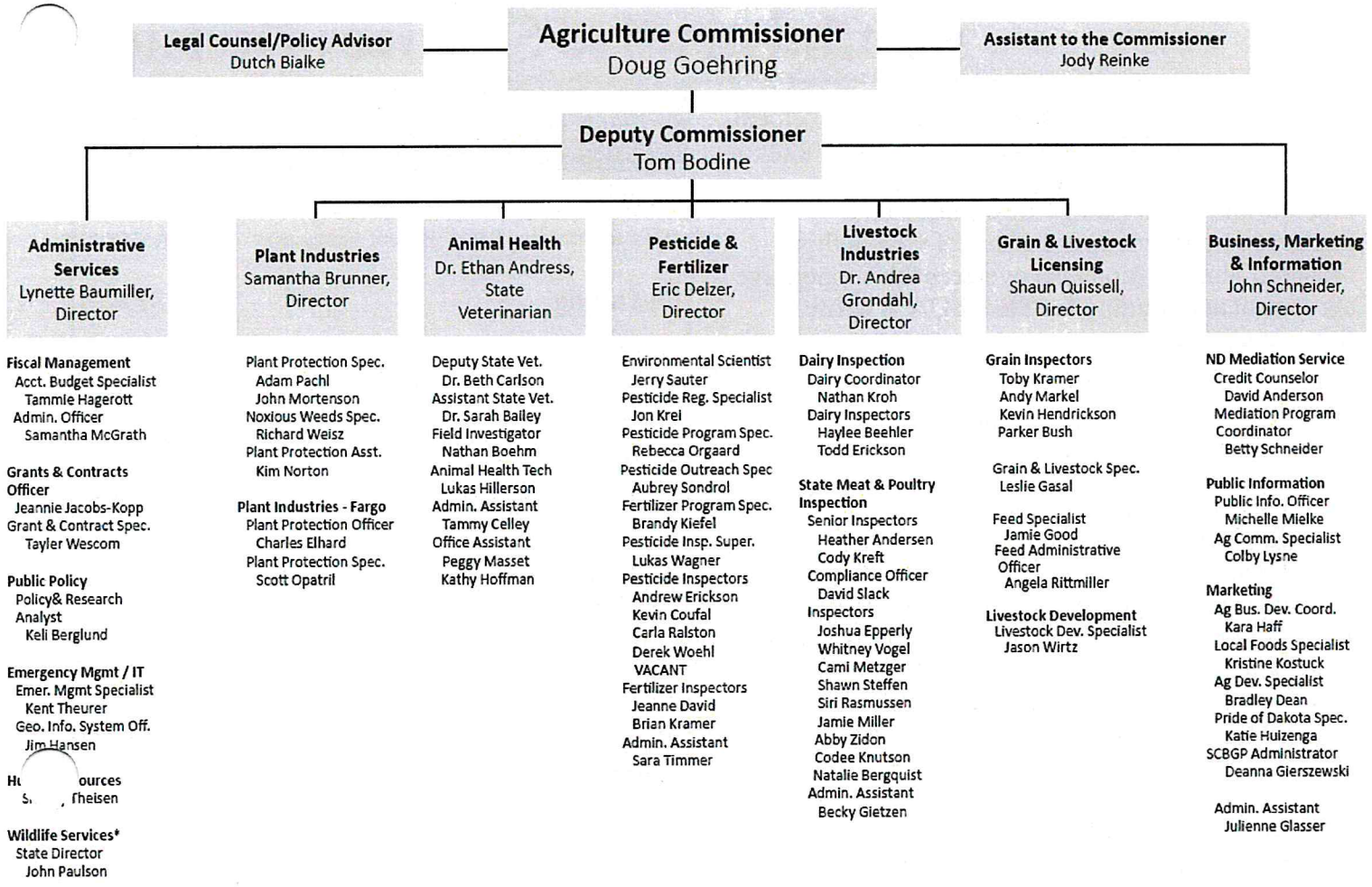
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North Dakota Century Code Chapters 4.1-01, 4.1-01.1, 4.1-02, 4.1-03, 4.1-04, 4.1-05, 4.1-06, 4.1-07, 4.1-08, 4.1-09, 4.1-10, 4.1-11, 4.1-12, 4.1-13, 4.1-14, 4.1-15, 4.1-16, 4.1-17, 4.1-18.1, 4.1-19, 4.1-20, 4.1-22, 4.1-23, 4.1-25, 4.1-26, 4.1-27, 4.1-28, 4.1-30, 4.1-31, 4.1-32, 4.1-33, 4.1-34, 4.1-35, 4.1-36, 4.1-37, 4.1-38, 4.1-39, 4.1-40, 4.1-41, 4.1-43, 4.1-44, 4.1-45, 4.1-47, 4.1-52, 4.1-53, 4.1-54, 4.1-55, 4.1-56, 4.1-57, 4.1-83, 4.1-88, 6-09.10, 10.06.1, 11-33-02.1, 36-01, 36-05, 36-06, 36-07, 36-14, 36-14.1, 36-15, 36-21.1, 36-21.2, 36-25, 36-26, 58-03, 60-01, 60-02, 60-02.1, 60-04, 60-05, 60-06, 60-10, 61.21, and 61-31.

## Major Statutory Responsibilities

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The agriculture commissioner is statutorily responsible for enforcing laws and regulations pertaining to pesticides, fertilizers, anhydrous ammonia, livestock sales, dairy production, noxious weed control, hemp, nursery stock, plant export certification, and beekeeping. The agriculture commissioner is also responsible for the registration of pesticides, fertilizers, animal feeds, and veterinary medicines; the administration of fair and timely mediation services to agriculture producers, creditors, and energy related issues; the collection and elimination of unusable pesticides; the promotion and marketing of North Dakota products; and the administration of a state meat inspection program. The responsibilities have expanded to include a leadership role in the formation of policies effecting the state's agricultural industries; the advocacy of the needs and concerns of farmers and ranchers on state and national levels; and the distribution of information concerning agricultural issues to the governor, legislature, and the general public. The agriculture commissioner works collaboratively with the Board of Animal Health to protect the health of domestic animals and nontraditional livestock of the state.



\* Wildlife Services, a division of the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture, operates in North Dakota under a cooperative agreement with the North Dakota Department of Agriculture, the North Dakota Game and Fish Department, and the North Dakota State Water Commission.

Updated 1/9/2023

# Lynette Baumiller, Director

## Administrative Services Division

Administrative Services includes fiscal management, risk management and emergency response, policy, information technology, and human resources. Pipeline and Wind Energy Restoration and Reclamation programs are also included in this division. This division also oversees the cooperative agreement and funding for the USDA Wildlife Services Program.

### Fiscal Management

- Oversees the development and tracking of the Department's budget.
- Processes payroll.
- Pays all bills and deposits all revenues.
- Reviews and approves contracts and grants.
- Ensures compliance with state and federal laws relating to the department's finances; including expenditure tracking and filing of required reports to federal agencies.
- Responsible for procurement of the goods and services for the department.

### Human Resources

- Responsible for human resource activities, including recruitment and training.
- Responds to public information requests.

### Risk Management & Emergency Response

- Plan, implement, and evaluate strategic emergency management plans.
- Develop and conduct training and education on risk management, loss control, and general safety issues.
- Coordinates with Department of Emergency Services.

### Policy

- Researches and analyzes agriculture, energy, water, infrastructure, and trade policy.
- Maintains policy interaction with National Association of State Departments of Agriculture (NASDA), tri-National Agricultural Accord as well as Federal Environmental Law Impact Review Committee (FERLIC).

### SB 2009 Base Level

Salaries	\$3,490,869
(Cost to Continue, Salary/Benefit Increases)	\$1,305,655
Operating	1,782,428
Capital Assets	7,000
Grants	100,000
Pipeline Oversight Program	200,000
Wildlife Services	1,657,400
<b>Total</b>	<b>\$8,543,352</b>
General	\$5,489,668
Federal	428,257
Special	2,625,427
<b>Total</b>	<b>\$8,543,352</b>
FTEs	14

### Information Technology

- Coordinate desktop support contract with NDIT.
- Maintains Department websites, email and intranet.
- Conducts GIS mapping and works with local government agencies to provide GIS mapping technology and expertise.

### Pipeline and Wind Energy Restoration and Reclamation Programs

- Connects landowners and tenants experiencing pipeline and wind energy reclamation issues with an ombudsman to help reach resolutions.
- Provides technical education, support, and outreach on pipeline and wind energy issues.
- Facilitates and promotes fairness when resolving reclamation and restoration issues, concerns, and disputes.

### Wildlife Services

- Reduces wildlife depredation and damage to property (conducted by USDA Wildlife Services in cooperation with NDDA, State Water Commission and ND Game and Fish Dept.).

# Plant Industries Division

Plant Industries includes the noxious weeds, apiary, plant protection, and hemp programs.

## Noxious Weeds

- Distributes state and federal funds for noxious weed control to weed boards.
- Manages federal funds for noxious and invasive weeds.
- Coordinates statewide biological weed control and obtains and distributes biological weed agents.
- Assists county and city weed boards in field days and weed management.
- Assists the general public with weed identification and control.
- Trains and assists weed boards with GPS/GIS mapping technology.
- Administers the weed seed free forage program.

## Apiary

- Licenses beekeepers.
- Registers and maps apiary locations.
- Inspects bees and issues health certificates for migratory movement.
- Investigates and responds to bee complaints.
- Visits apiaries and ensures compliance with the bee law.
- Administers the Honey Fund.
- Oversees the pollinator plan to enhance communication and emphasize best management practices for stakeholders.
- Conducts health inspections and assays with the National Agriculture Genotyping Center.
- Inspects bee shipments to California.

SB 2009 Base Level	
Salaries	\$1,287,814
Operating	878,762
Grants	1,698,969
<b>Total</b>	<b>\$3,865,545</b>
General	\$824,821
Federal	795,668
Special	2,245,056
<b>Total</b>	<b>\$3,865,545</b>
FTEs	7.4

## Plant Protection

- Surveys for exotic pests such as moths, nematodes, emerald ash borer, and other wood borers that threaten North Dakota agriculture, forestry, and horticulture.
- Surveys for pests, various diseases, insects, and nematodes including Japanese beetle, Karnal bunt, dwarf bunt, cereal leaf beetle, soybean cyst nematode, and potato cyst nematodes to enable export of agricultural products.
- Licenses and inspects nursery dealers and growers.
- Provides export certification/phytosanitary services for export of agricultural products.
- Reviews biotechnology permits.
- Conducts plant pest outreach.

## Hemp Program

- Licenses and inspects all hemp growers and processors.
- Inspects and samples hemp fields to ensure compliance with state and federal law.

Dr. Andrea Grondahl, Director

# Livestock Industries Division

Livestock Industries includes dairy/poultry, state meat, and poultry inspection.

### Dairy/Poultry

- Inspects dairy farms for equipment, facilities, sanitation, water purity, and proper drug usage and storage.
- Inspects dairy processing plants and milk transfer stations for equipment, facilities, and sanitation.
- Samples dairy products.
- Monitors financial conditions of milk buyers.
- Conducts Grade A survey work.
- Inspects manufacturing grade plants and transfer stations under agreement with USDA.
- Inspects distribution facilities, milk bulk trucks, and samplers/haulers.
- Inspects licensed commercial egg producers.
- Licenses and sets bonds for hatcheries.

### State Meat & Poultry Inspection

- Trains, certifies, and inspects meat processing facilities.
- Inspects custom-exempt processing plants.
- Inspects retail outlets for country-of-origin labeling.
- Enforces meat and poultry processing regulations.
- Grades livestock carcasses at official state and/or federal establishments.
- Provides consultation and education to the meat and poultry industry.
- Ensures proper label use by the industry.

SB 2009 Base Level	
Salaries	\$2,993,752
Operating	936,194
<b>Total</b>	<b>\$3,929,946</b>
General	\$2,228,296
Federal	1,701,650
Special	
<b>Total</b>	<b>\$3,929,946</b>
FTEs	17



# Grain & Livestock Licensing Division

Grain and Livestock Licensing includes the grain licensing, livestock licensing, livestock pollution prevention, feed and soil health programs.

## Grain Licensing

- Oversees licensing and bonding of all grain warehouses, grain processors, roving grain buyers, and grain brokers.
- Administers the Credit-Sale Contract Indemnity Fund.
- Monitors financial condition of all warehouses and grain buyers.

## Livestock Licensing

- Licenses and establishes bonds for livestock dealers and auction markets.
- Monitors financial conditions of dealers and auction markets.
- Contracts market reporters at auction markets to collect market data for the USDA.

## Livestock Pollution Prevention

- Cost-share funding assistance for livestock producers to install manure containment systems.
- Advises producers on nutrient management, project planning, regulations, and manure containment.
- Conducts age and source verification.
- Reviews livestock zoning ordinances.

SB 2009 Base Level	
Salaries	\$1,628,828
Operating	335,722
Grants	1,050,000
<b>Total</b>	<b>\$3,014,550</b>
General	\$1,351,797
Federal	1,254,139
Special	408,614
<b>Total</b>	<b>\$3,014,550</b>
FTEs	9

## Feed

- Registers all pet food sold in the state.
- Maintains a label file of commercial feeds sold in the state.
- Licenses commercial feed manufactures and retailers.
- Samples feed products to ensure that nutritional content matches the label claims.
- Inspects medicated feed plants.
- Verifies manufacturer and producer compliance with federal requirements to prevent bovine spongiform encephalopathy (BSE).
- Provides producer outreach for the Veterinarian Feed Directive.

## Soil Health Program

- Provide cost share assistance to producers to plant cover crops or applicable grass to address saline or alkaline soils.

# Dr. Ethan Andress, State Veterinarian

## Animal Health Division

The Animal Health Division protects the health of domestic animals and non-traditional livestock, and administers all rules and orders of the State Board of Animal Health.

### Animal Disease Traceability

- Traces animal movements as part of disease investigations.
- Monitors and regulates animal imports and exports.
- Maintains the state's animal health and disease related traceability database (USAHERDS).
- Monitors and reports diseases on state and national levels.
- Issues and maintains records of official USDA tags and official state certificates of veterinary inspection.

### Emergency Preparedness and Response

- Trains and coordinates a Reserve Veterinary Corps to assist in emergency situations and assist with disease investigations.
- Participates in animal emergency preparedness and response on state, regional and national levels.
- Provides oversight on proper carcass disposal following disease outbreaks and disasters.
- Coordinates pet sheltering and livestock relocation during disasters.

### Education and Outreach

- Provides inspection services at the ND State Fair.
- Communicates with other state and federal animal health officials regionally and nationally to guide animal health policy.
- Provides education and outreach for practicing veterinarians and the livestock industry.

SB 2009 Base Level	
Salaries	\$1,734,401
BOAH	865,718
<b>Total</b>	<b>\$2,600,119</b>
General	\$1,609,615
Federal	700,130
Special	290,374
<b>Total</b>	<b>\$2,600,119</b>
FTEs	7.6

### State and Federal Disease Control and Eradication

- Conducts case investigations on suspected cases of transboundary/foreign animal disease, emerging diseases, and other zoonotic diseases.
- Administers the National Brucellosis Eradication Program and Bovine Tuberculosis Eradication Program.
- Administers the voluntary Chronic Wasting Disease (CWD) Herd Certification program.
- Issues and maintains records of official USDA tags and official state certificates of veterinary inspection.
- Administers Johnes' disease control program.
- Acts as the Official State Agency (OSA) for the National Poultry Improvement Plan.
- Conducts avian influenza testing through USDA Avian Health Co-op Agreement.
- Acts as the OSA for US Swine Health Improvement Plan.
- Monitors for novel swine enteric coronavirus diseases, such as porcine epidemic diarrhea virus and emerging diseases.

# Animal Health Division

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## State and Federal Disease Control and Eradication

### (Continued)

- Administers the National Scrapie Eradication program.
- Oversees the Brucella ovis Free-Flock status program.

## Regulatory Oversight

- Enforces non-traditional livestock and farmed elk regulations, evaluates importation risk assessments, and conducts facility inspections.
- Issues permits to possess, propagate or domesticate live protected birds or animal species for North Dakota Game and Fish Department.
- Supports investigations of inhumane treatment complaints.
- Coordinates feral swine investigations with partner agencies.
- Collaborates with ND Department of Health and Human Services on zoonotic and anthroozoonotic disease issues.
- Inspects auction markets and approves veterinarians to provide auction market services.
- Registers veterinary medicines for sale in the state and approves the use of autogenous vaccines.
- Licenses dealers of modified live animal vaccines sold in state and inspects facilities.
- Registers and inspects restricted feedlots.
- Licenses and inspects rendering facilities.

Eric Delzer, Director

# Pesticide & Fertilizer Division

The Pesticide and Fertilizer Division oversees and regulates pesticides, fertilizers, and anhydrous ammonia to protect human health and the environment.

## Pesticides

- Conducts inspections of pesticide dealers, users and repackaging facilities to ensure compliance with state and federal laws.
- Provides outreach to inform the public of state and federal pesticide requirements.
- Prepares and submits emergency and special local needs exemption requests to ensure ND producers have access to necessary pest management tools including Section 18 and 24 (c) requests.
- Registers all pesticides including herbicides, fungicides, rodenticides, insecticides, avicides and disinfectants that are sold in ND and approves product labeling.
- Coordinate Project Safe Send; an annual, statewide collection of unusable pesticides.
- Works with EPA on national pesticide regulatory and policy issues.
- Conducts risk assessments, receives public input, and offers data and recommendations to EPA to mitigate risk of pesticides to threatened and endangered species as part of the ND Endangered Species Protection Plan.
- Investigates and responds to pesticide contamination of groundwater and surface water resources.
- Investigates complaints of pesticide misuse and other violations.
- Administers and enforces the federal Worker Protection Standard to protect workers who handle and use pesticides.

SB 2009 Base Level	
Salaries	\$2,712,761
Operating	1,836,095
Crop Harmonization Board	75,000
<b>Total</b>	<b>\$4,623,856</b>
General	\$0
Federal	907,020
Special	3,716,836
<b>Total</b>	<b>\$4,623,856</b>
FTEs	15

## Fertilizer and Anhydrous Ammonia

- Samples fertilizer products to ensure claims match labels.
- Licenses fertilizer distributors.
- Registers fertilizer products and approves product labeling.
- Samples fertilizer products to ensure claims match labels.
- Licenses anhydrous ammonia storage facilities.
- Conducts inspections of anhydrous ammonia storage facilities and nurse tanks to ensure compliance with federal regulations.
- Administers the Risk Management Program for agricultural anhydrous ammonia facilities and inspects facilities to ensure compliance with federal regulations.
- Provides outreach and compliance assistance to the fertilizer industry and anhydrous ammonia users.
- Audits fertilizer distributors to ensure compliance with fertilizer tonnage reporting.
- Administers the state waterbank program.

# Business, Marketing & Information Division

The Business, Marketing, and Information Division monitors and develops policy and provides education, promotion, and market enhancement to increase sales of North Dakota agricultural commodities and value-added agricultural products in international, domestic, and local markets.

## Pride of Dakota

- Administers Pride of Dakota (POD), including holiday showcases, annual meetings, and other events.
- Provides trade show assistance to ND companies.
- Maintains membership of over 500 POD Companies.

## Specialty Crop Block & Organic Grants

- Administers specialty crop grants.
- Administers organic certification and transition reimbursement grants.

## Agricultural Products Utilization Commission (APUC)

- Administers the Agricultural Products Utilization Grant Fund.
- APUC grant funds create new wealth and employment opportunities through the development of new and expanded uses of agricultural products.

## North Dakota Mediation Service

- Offers mediation services to resolve differences among creditors, farmers, and others.
- Provides financial counseling.
- Offers assistance for beginning farmer loan applications and farm program paperwork.
- Offers mediation to address energy related issues.
- Offers conflict resolution services to resolve deer depredation disputes.
- Recent Farm Bill authorizes work on lease issues, family farm transitions, farmer/neighbor conflicts, organic certification issues, and other issues.

SB 2009 Base Level	
Salaries	\$2,256,492
Operating	1,666,972
Grants	8,105,000
APUC	5,110,417
Trade Office	2,100,000
<b>Total</b>	<b>\$19,238,881</b>
General	\$4,176,204
Federal	8,709,704
Special	6,352,973
<b>Total</b>	<b>\$19,238,881</b>
FTEs	11

## Agriculture in the Classroom

- Helps K-12 teachers integrate agriculture information into science, math, social studies, and language curricula.
- Provides hands-on lessons to help students better understand the relationships between the world's environment, agriculture, and people.
- Publishes the Ag Mag three times a year for third, fourth, and fifth-graders.
- Underwrites ND FFA Foundation, ND Farm Bureau, ND Genotyping Center mini-grants for agriculture-related projects, units, and lessons used by school-age children.

## Public Information

- Writes and edits Department publications, including news releases, brochures, and annual/biannual reports.
- Monitors and updates the Department website and social media account.

# **Business, Marketing & Information Division**

## **Bioscience Innovation Program (BIG)**

- Administers the Bioscience Innovation Grant Fund.
- The Bioscience Innovation Grant Program supports biotechnology innovation and commercialization in areas including crop genetics, biofuels, biomaterials, biosensors, and biotechnology in relation to food, nutrition, animals, human, equipment, medical, and health products and services, medical diagnostics, medical therapeutics, and farm-based pharmaceuticals.

## **Grasslands Grazing Cost Share Program**

- Provides grants to organizations representing cooperative grazing organizations in the state.
- Grant funds are used for water development, fencing, conservation initiatives, compliance with federal permitting requirements, enhance wildlife habitat, capture carbon, and increase overall health of the grassland.

## **Export / International Trade Program**

- Conducts and participates in international trade events.
- Supports and coordinates with Food Export Midwest Association and North Dakota Trade Office.
- Issues Certificate of Free Sale Agreements.
- Conducts market research for ND companies to help them expand their businesses domestically and internationally.

## **Intermodal Facility Grant Program**

- Construction projects to expand rail capacity to support economic and workforce developments and growth to enhance the value of agriculture and commercial products exported through an intermodal facility in North Dakota.

## **Livestock Development**

- Assists producers and processors in expanding and promoting the state's livestock industry.
- Identifies and assists livestock friendly counties in developing animal agriculture.

## **North Dakota Trade Office**

- Administers contract with North Dakota Trade Office to expand North Dakota businesses with expertise and resources to grow their businesses through national and international trade.

# Engrossed SB 2009 Budget Summary

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## Budget by Fund

General Funds	\$ 15,680,401	34.2%
Federal Funds	\$ 14,496,568	31.6%
Special Funds	\$ 15,639,280	34.2%
<b>Total</b>	<b>\$ 45,816,249</b>	

FTEs 81

## Engrossed SB2009 by Line Item

Salary & Wages	\$ 16,104,917
(Cost to Continue, Salary/Benefit Increases)	\$ 1,305,655
Operating Expenses	\$ 7,436,173
Capital Assets	\$ 7,000
Grants	\$ 10,953,969
Agricultural Products Utilization Commission	\$ 5,110,417
North Dakota Trade Office	\$ 2,100,000
Board of Animal Health	\$ 865,718
Wildlife Services	\$ 1,657,400
Pipeline Restoration & Reclamation Oversight Program	\$ 200,000
Crop Harmonization Board	\$ 75,000
<b>Total</b>	<b>\$ 45,816,249</b>

# Highlights & Accomplishments

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## Administrative Services

- Processed 347 emergency feed transportation payments totaling \$1,693,557 (March 2022).
- Processed more than 500 contracts.
- Pipeline Restoration and Reclamation Oversight Program; 85 total cases, 12 active, 10 monitoring, 59 closed, and 4 outside the program scope.
- Maintain and enhance database systems as needs are identified to ensure that data is collected, processed and stored efficiently.
- Converted Department website from a custom 3rd party vendor-built site, that vendor could no longer maintain, to a modified version of the State Website Platform.
- Deployed enterprise web form solution with all website forms, to improve workflows, and better communicate with customers who complete an online form.
- Meat inspection passed federal audit for federal fiscal years 2019-2021.
- No audit findings on 2019-2021 Department audit.

## Livestock Industries

- Five new state slaughter establishments: Berthold, Carrington, Bowman, Wilton, and Edgeley.
- Three processing plants: Grand Forks, Dickinson, and Fargo transitioned to CIS (Cooperative Interstate Shipment Program).
- Two new custom exempt establishments: Killdeer and Kief.
- Two new mobile meat processing units for Central Regional Area Career and Technical Center (CRCTC) to go to various high schools for teaching purposes.
- Currently assisting two new establishments planning to be state slaughter establishments (Belfield and Devils Lake).
- Transitioned to electronic reporting for Federal State Audit Branch, FSIS/USDA.
- Inspectors certified by FDA/USDA for a Sanitation Rating Officer (SRO) for dairy plant inspections.
- Inspector approved by USDA for the survey requirements of the Agriculture Marketing Services (AMS) inspection of a butter plant.
- Two dairy plants expanded production capacity and increased product portfolio for frozen desserts and cheese. Cows and Co Creamery (Carrington) and Silver Lining Ice Cream (Fargo).

## Grain and Livestock Licensing Division

- Licensed and inspected 345 warehouse locations.
- Licensed and inspected 113 roving grain buyers.
- Created new licenses with legislative assembly for grain broker and grain processor.
- Coordinated two Livestock Pollution Prevention full containment systems.
- Licensed 12 auction markets, 7 video auctions, and 109 livestock dealers.
- Reviewed 3,897 commercial feed labels and 14,019 pet food labels (approved ingredients).
- Soil Health program assisted 38 applicants.



# Highlights & Accomplishments (2)

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## Plant Industries

- Issued over 5,500 phytosanitary certificates to 71 different countries to facilitate export of ND commodities.
- Licensed and inspected approximately 250 nurseries and garden centers to monitor for plant pests and various consumer protection requirements.
- Conducted 10 plant pest surveys to maintain free status of certain regulatory pests and the ability to export ND commodities and to monitor for plant pest in limited or no distribution.
- Assisted state and county weed boards with weed control efforts.
- Licensed 333 beekeepers maintaining 809,321 colonies. Inspected apiaries for honeybee health and compliance with state law.
- Certified 87,495 honeybee colonies for shipment to California as part of the Pre-Inspection Program that replaces the required inspection at the border stations in California.
- Issued 23 hemp processor licenses and 33 growing licenses for about 620 acres of hemp statewide.
- Collected biological control agents to assist in noxious weed control.
- Weed Seed Free Forage program certified over 10,000 acres of forage and straw.

## Animal Health

- Implemented USAHERDS, an animal health database. It provides free access to a digital platform for veterinarians to create electronic certificates of veterinary inspection (CVI).
- Reviewed 26,704 export CVIs and 16,215 import CVIs.
- In 2022, the Department responded to Highly Pathogenic Avian Influenza (HPAI) outbreak by investigating disease outbreaks in 48 flocks and identified 24 HPAI-positive flocks. Depopulated and disposed of 235,000 birds.
- Utilized ultra-high frequency tags to streamline bison movement processes and allowed local producers to import Canada animals efficiently and safely with reduced animal handling and stress.
- The Canada brand requirement was removed from both cattle and bison importation requirements to address the competitive needs of producers. Brucellosis regulations were modified to recognized progress in controlling the disease.
- Distribution of 512,800 official identification tags, licensed, and certified 58 different poultry tests for pathogens.
- Maintained the Reserve Corps Veterinarians which are utilized in emergency responses.
- Administered trainings and seminars for veterinarians, county emergency managers, and the public.
- Created an animal identification subcommittee for marketing and regulatory responsibilities of animal disease traceability.
- Collaborate with federal and state agencies to investigate rabies, infections of domestic and wild animals, and worked to remove feral swine.

# Highlights & Accomplishments (3)

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## **Pesticide and Fertilizer**

- Participated in over 60 outreach events reaching over 3,000 people.
- Collected / properly disposed of approximately 445,000 pounds of old unusable pesticides through Project Safe Send.
- Continue to address federal overreach and work with the industry to identify other threats.
- Worked extensively with others to enhance fertilizer production.
- Participated in the Hydrogen Economy Collaborative, with industry and government stakeholders, across the region to help build the roadmap for hydrogen energy generation using anhydrous ammonia as an energy carrier.

## **Business, Marketing & Information**

- Administered the Grape and Wine Program.
- Administered the Grassland Grazing Cost Share Program through 228 projects.
- Administered four projects in Agriculture in the Classroom Program. Attended KMOT Agriculture Expo, KFYZ Agri International Ag Expo, Fargo Living Agriculture Classroom, Morton County Agriculture Day.
- Administered the Bioscience Innovation Program (BIG).
- Administered the Agricultural Products Utilization Commission Program (APUC) with 45 projects.
- Administered the Agriculture Development and Diversification Fund through 10 projects.
- Managed the Pride of Dakota Tradeshow Assistance Program.
- Administered The Farm and Ranch Stress Assistance Network.
- Mediation cases received 85 requests, two farm service agency cases, one grain dispute, and 21 credit counseling cases.
- Administered the Specialty Crop Block Program:
  - FY21 funded 23 projects and FY22 funded 21 projects.
  - HR133 Bill funded 28 projects
- Administered Farm to School program, which includes farm to school activities, local food purchasing, hands-on, garden-based learning, farm field trips, cooking demonstrations, and integration of food-related information into classroom curriculum.
- Administered the Local Foods Purchase program procuring local foods for ND food pantries.
- Issued Centennial Farm certificates.
- Issued 74 certificates of free sale and health certificates.
- Participated in trade shows activities.
- Hosted Pride of Dakota showcases in 2021 (37,856) and 2022 (40,731).

# Objectives

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## **Administrative Services**

- Continue to support the divisions in the Department as internal service providers related to fiscal, human resources and IT concerns.
- Work with landowners/operators to resolve pipeline restoration and reclamation cases.
- Maintain contract with USDA Wildlife Services for predatory and nuisance species.
- Federal Environmental Law Impact Review Committee (FELRIC) reviews federal policy and proposed rules that support the need for litigation (ES Studies / WOTUS).

## **Plant Industries**

- Continue outreach on Department programs, educating the public and industries about the responsibilities of the program and ways to manage all aspects such as beekeeping, noxious weeds, nursery stock, hemp and plant pests.
- Continue with compliance assistance model.
- Updating their mapping technology for county weed boards.
- Exploring new biological control agents.
- Maintain/update outreach material for regulated species such as Emerald Ash Borer.
- Update Online Licensing and Chat website that is used for hemp, apiary and nursery licensing and registration.

## **Livestock Industries**

- Maintain inspections of state and custom exempt meat and poultry processing facilities.
- Provide assistance to new start new meat processing facilities.
- Maintain cooperative agreement with AMS-USDA and train a meat/dairy inspector to provide meat grading services.
- Continue to inspect dairy farms, processing plants, milk transfer stations, milk bulk trunks, samplers, haulers and distribution facilities.
- License and maintain inspections of commercial egg producers.
- License and set bonds for hatcheries.

## **Grain and Livestock Licensing**

- License roving grain buyers and grain brokers.
- Start new outreach program to licensees on inspection and license program.
- Provide technical and financial assistance for the Livestock Pollution Prevention Program. Anticipate for new containment systems in 2023 and 2024.
- Maintain oversight on feed and pet food labels.

# Objectives (2)

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## **Animal Health**

- Respond to needs of industry to balance disease control, while evaluating the current importation and disease surveillance requirements with industry stakeholders for diseases like brucellosis and tuberculosis.
- Provide value to the auction market system in the state. Providing access to technology, trainings, and support to auction market veterinarians.
- Improving disease traceability through cooperative strategies to improve efficiencies.
- Expand outreach and education to producers, industry groups, veterinarians, youth in agriculture, and communities to gain a better understanding of policy and regulations.
- Respond to animal health emergencies.
- Build on the USAHERDS database by strategically addressing the workflow and quality of data.
- Implement the US Swine Health Improvement Plan (US SHIP) by leveraging existing stakeholders to prepare for African Swine Fever.

## **Pesticide and Fertilizer**

- Continue to work with industry to bring more fertilizer production to ND.
- Replace the legacy database system with a new platform for greater e-commerce capabilities.
- Continue to monitor and push back against unnecessary and burdensome federal regulations.

## **Business, Marketing & Information**

- Expand ND presence in domestic and international markets.
- Expand outreach to commodity groups to engage in additional marketing and promotional activities.
- Identify potential projects and promote economic development to the agriculture industry.
- Promote and expand resources available to producers who are facing farm and ranch stress.
- Engage producers in farm to school activities and encourage schools to incorporate agriculture in their classrooms and cafeterias.
- Continue to promote livestock development.

# 2021-2023 One-Time Funding Reports

## Agricultural Products Utilization Commission (APUC)

Financials as of January 31, 2023:

### Revenue

APUC Fund Balance: July 2021	\$	2,424,920.80
Bank of North Dakota	\$	2,700,000.00
ND Mill & Elevator	\$	733,889.47
APUC Fund Interest	\$	5,622.64
Motor Fuel Tax	\$	561.75
<b>Total Revenue</b>	\$	<b>5,864,994.66</b>

### Expenditures

Expenditures	\$	2,567,399.23
Commitments / Obligations	\$	1,663,618.14
<b>Remaining Fund Balance</b>	\$	<b>1,633,977.29</b>

In total APUC funded 49 projects to date.

### Grant Types

Basic & Applied Research	9
Farm Diversification	3
Marketing & Utilization	27
Nature Based Agri Tourism	2
Prototype & Technology	8
Technical Assistance	0
<b>Total</b>	<b>49</b>

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## Soil Health Program (SHP) - \$300,000 (Bank of North Dakota)

Funded 38 projects through December 2022.

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## Grasslands Grazing Cost Share Program - \$5,000,000 (SIIF)

Funded 228 projects through December 2022.

# Senate Amendments

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## Systems Coordinator FTE

Coordinate information and system development and maintenance, including work orders for IT Vendors. This position would also coordinate server deployments and User Acceptance Testing for vendor or Department-initiated changes. Act as primary contact for NDIT divisions; including End User Compute and Collaborate with other divisions related to NDDA equipment and electronic systems requests or incidents. Also attend NDIT trainings or other events to learn about new deployments or other features, support.

Total:           \$ 180,326 (General Funds)  
                            Salary           \$ 170,326  
                            Operating       \$ 10,000

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## Marketing Specialist FTE

Assist the Department and companies in setting up domestic trade shows, recruiting companies for international trade missions, increase Department interaction with commodity groups as well as assist with marketing of the Department and its many programs.

Total:           \$ 316,230 (General Funds)  
                            Salary           \$ 214,930  
                            Operating       \$ 101,300

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## North Dakota Trade Office

This is for an additional \$500,000 for the North Dakota Trade Office regarding their trade missions for the state of North Dakota. This is to add one additional employee who would assist in operations on the Western side of the state. In addition, the North Dakota Trade Office is moving to a new location where it has a partnership with NCI to share a building receptionist. This additional funding brings the total for the North Dakota Trade Office to \$2.1 million.

Total:           \$ 500,000 (General Funds)

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# Senate Amendments (2)

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## Bioscience Innovation Grants (BIG)

This is for an appropriation of \$12,000,000 for the Bioscience Innovation Grant fund. For the 2021-2023 biennium the Department was appropriated \$5,500,000 (One-Time Funding). 10 grants were awarded to various companies and the ND Bioscience Association. Two more companies have relocated to the state and one that is considering opening operations. Eastern North Dakota has become known nationwide as a leader in the bioscience industry. Companies located within the State already are showing tremendous growth. Since the inception of the funding, 136 jobs have been added to the state with an average salary of \$75,531 a year. The Department continues to receive high interest in the program and feels the funding is critical to capturing the emerging opportunities and diversifying the economy.

Total:           \$ 12,000,000 (Special Funds)  
                          \$ 5,500,000 (SIIF)  
                          \$ 6,500,000 (Legacy Funds)

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## Wildlife Services

This is to offset increased aerial costs (aerial contract aircraft per hour). USDA-Wildlife Services uses highly effective and target specific aerial operations to protect livestock from depredation in vast, open, and remote locations. USDA-WS provides capable, mission ready aircraft with professionally trained crews in the aircraft as well as on the ground. There is a downward trend in overall aerial hours flown in ND, primarily due to the cost of aerial contract aircraft per hour.

Total:           \$ 200,000 (General Funds)

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## Agriculture Products Utilization Program (APUC)

This is for additional special fund authority to expand the APUC program with a transfer from BND profits.

Total:           \*\$ 5,110,417 (Special Funds)  
                          \*\$ 3,000,000 from BND

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# Senate Amendments (3)

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## Post-Production Oversight Royalty Program (Special Funds)

\$500,000 to defray the expenses of the Post-Production Royalty Oversight Program. SB2374 and SB2194 are still alive.

Total: \$500,000 (Abandoned Oil and Gas Well Plugging and Site Reclamation Fund)

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## Other Fund Authority Increase

Add \$136,000 of operating authority. \$110,000 for Local Food Purchase Assistance (LFPA) Cooperative Agreement Program and \$26,000 for Potato Cyst Nematode (PCN).

Add \$2,122,195 of grant line authority. \$868,000 for LFPA and \$198,695 for Noxious Weeds. \$1,055,500 for Specialty Crop.

Total: \$ 2,258,195 (Other Funds)  
                                  \$ 2,139,500 (Federal Funds)  
                                  \$ 118,695 (Special Funds)

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## Environmental Impact Mitigation (Special Funds)

Transfer \$250,000 from the environment and rangeland protection fund to the environmental impact mitigation fund for the purpose of mitigation of agricultural land under section 4.1-01-21.1.

Total: \$ 250,000 (ERP Fund)

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# General Fund Collections

**GENERAL FUND COLLECTIONS**  
602 DEPARTMENT OF AGRICULTURE

Source of Collections	Statutory Authority	2021-2023 Estimated Collections	2023-2025 Estimated Collections	2023-2025 Increase/ (Decrease)	Division
AUCTION MARKET	NDCC Chapter 4.1-27-03	\$ 6,400	\$ 6,400	\$ -	Grain License
COMM. FEED REG. & TONNAGE	NDCC Chapter 4.1-41	\$ 1,400,000	\$ 1,400,000	\$ -	Grain License
GRAIN STOREHOUSE LIC.	NDCC Chapter 60-02	\$ 600,000	\$ 850,000	\$ 250,000	Grain License
LIVESTOCK DEALERS	NDCC Chapter 4.1-83-04	\$ 12,000	\$ 11,750	\$ (250)	Grain License
WOOL DEALERS	NDCC Chapter 4.1-88-04	\$ -	\$ -	\$ -	Grain License
CREAMERY-CREAMERY STATE LIC.	NDCC Chapter 4.1-25-02	\$ 11,000	\$ 11,500	\$ 500	Livestock
MILK - CREAM TESTERS LIC.	NDCC Chapter 4.1-25-22	\$ 1,550	\$ 1,550	\$ -	Livestock
POULTRY FEES	NDCC Chapter 4.1-19-04	\$ 600	\$ 630	\$ 30	Livestock
FINES-FORFEITURES-ESCHEAT	NDCC Chapter 4.1-19-05	\$ 250	\$ -	\$ (250)	Livestock
INSPECTION FEES-NOT CLASS	NDCC Chapter 4.1-23-12	\$ -	\$ -	\$ -	Livestock
NURSERY LICENSE	NDCC Chapter 4.1-22-06	\$ 22,500	\$ 23,000	\$ 500	Plant
FINES-FORFEITURES-ESCHEAT	NDCC Chapter 4.1-22-11	\$ 1,000	\$ 2,000	\$ 1,000	Plant
INSPECTION FEES-NOT CLASS	NDCC Chapter 4.1-23-12	\$ 130,000	\$ 150,000	\$ 20,000	Plant
LIVESTOCK MEDICINES	NDCC Chapter 4.1-43-02	\$ 63,280	\$ 67,560	\$ 4,280	Animal Health
NON-TRADITIONAL LIVESTOCK LIC.	NDCC Chapter 36-01-08.1	\$ 2,995	\$ 2,995	\$ -	Animal Health
SEEDING PLANTS	NDCC Chapter 4.1-32-03	\$ -	\$ -	\$ -	Animal Health
FINES-FORFEITURES-ESCHEAT	NDCC Chapter 36-01-28	\$ 1,000	\$ -	\$ (1,000)	Animal Health
ANHYDROUS AMMONIA LICENSE	NDCC Chapter 4.1-37-04	\$ 1,260	\$ 1,260	\$ -	Pest/Fert
FINES-FORFEITURES-ESCHEAT	NDCC Chapter 4.1-37-16	\$ 5,000	\$ 5,000	\$ -	Pest/Fert
<b>TOTAL</b>		\$ 2,258,835	\$ 2,533,645	\$ 274,810	

# Special Fund Collections

## SPECIAL FUND COLLECTIONS

602 DEPARTMENT OF AGRICULTURE

Source of Collections	Statutory Authority	Fund	2021-2023 Estimated Collections	2023-2025 Estimated Collections	2023-2025 Increase/ (Decrease)	Division
APIARY LICENSE	NDCC Chapter 4.1-16-06, 07	308	\$ 218,610	\$ 217,702	\$ (908)	Plant
COMM. FEED REG. & TONNAGE	NDCC Chapter 4.1-41-02	376	\$ 727,500	\$ 727,500	\$ -	Grain License
FERTILIZER REG. & TONNAGE	NDCC Chapter 4.1-40-02,03,07	376	\$ 1,400,000	\$ 1,400,000	\$ -	Pesticide
HEALTH CERT/BRUC TAGS	NDCC Chapter 36-01-08	308	\$ 15,000	\$ 15,000	\$ -	Animal Health
HEMP LICENSE	NDCC Chapter 4.1-18.1-02, 03	308	\$ 43,240	\$ 29,750	\$ (13,490)	Plant
MEDIATION USER FEES	NDCC Chapter 6-09.10-03	308	\$ 9,000	\$ 9,000	\$ -	Marketing
PESTICIDE REGISTRATION	NDCC Chapter 4.1-34-03	376	\$ 5,175,000	\$ 5,495,000	\$ 320,000	Pesticide
PRIDE OF DAKOTA MEMBERSHIP	NDCC Chapter 4.1-01-08	308	\$ 103,000	\$ 103,000	\$ -	Marketing
PRIDE OF DAKOTA SUPPLIES	NDCC Chapter 4.1-01-08	308	\$ 6,000	\$ 6,000	\$ -	Marketing
WEED SEED FREE FORAGE FEES	NDCC Chapter 4.1-14-04	376	\$ 30,000	\$ 35,000	\$ 5,000	Plant
CONFERENCE REGISTRATION FEES	NDCC Chapter 4.1-01-10	308	\$ 355,000	\$ 355,000	\$ -	Marketing
<b>TOTAL</b>			<b>\$ 8,082,350</b>	<b>\$ 8,392,952</b>	<b>\$ 310,602</b>	

## **Other Budgetary Bills**

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- **HB1276** - Agriculture Diversity and Development Fund - \$30 million (General)
- **HB1379** - Agriculture Diversity and Development Fund - \$15 million (Legacy Fund)  
- Bioscience Innovation Fund - \$15 million (Legacy Fund)
- **HB1437** - Regional Livestock Planning Grants - \$600,000 (General)
- **HB1519** - Uncrewed Aircraft Systems Grant - \$250,000 (Federal State Fiscal Recovery Fund)
- **SB2290** - Grasslands Grazing Grants - \$3 million plus carry over authority (SIF)

# Federal State Recovery Funding

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## Intermodal Facility Grant Program

### **Financials as of February 28, 2023**

During the 2021 special session, HB1505 funded the Intermodal Facility Grant Program with \$2,000,000. The program has funded one project for a total of \$2,000,000. The project was dedicated to the expansion of rail capacity at an existing intermodal facility connected to a class 1 railroad. All funds have been spent.

# Federal Funding Available for 2023-2025

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## 2023-2025 Federal Funding

Federal spending is per the allowable and approved work plans; which pay for salaries, operating, and grants.

- Total federal grants: 32

## Purpose of Funding

- Purpose of funding is for various programs; pest detection, mediation services, dairy plant inspections, meat facility inspections, country of origin labeling, specialty crop grants, food safety, farm and ranch stress assistance, medicated feeds, farm to school, local food purchase assistance, market news, pesticide enforcement, livestock pollution prevention, organic cost certification, animal disease traceability, cooperative weed management, animal health surveillance and response.
- Agencies – 13
  - USDA - Animal and Plant Health Inspection Service
  - USDA - Farm Service Agency - Mediation Program
  - USDA - Food and Drug Administration
  - USDA - Agricultural Marketing Service
  - FDA - Dept. of Health and Human Services
  - USDA - Food Safety and Inspection Service
  - The Department of Treasury (COVID 2.0)
  - USDA - National Institute of Food and Agriculture (NIFA)
  - USDA - Food and Nutrition Service
  - EPA - Environmental Protection Agency
  - USDA - Natural Resources Conservation Service
  - USDA - Forest Service

## Deadlines for Spending

- Deadlines for spending varies depending on the grant; monthly, semiannual, calendar year, fiscal year, federal fiscal year per grant year funding.

# Summary

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The work of the North Dakota Department of Agriculture is vital to our state's most important industry. This budget presentation was designed to provide transparency and to assist the Legislative Assembly to determine spending priorities for the 2023-2025 biennium.



Doug Goehring  
Agriculture Commissioner

