

Fifty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2110

Introduced by

Senators Wanzek, Tomac

Representatives Aarsvold, Nicholas

(At the request of the Agriculture Commissioner)

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 agriculture commissioner, the agriculture
11 commissioner shall continue to implement the project authorized by section 1 of
12 chapter 63 of the 1999 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 agriculture commissioner 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 agriculture commissioner in consultation with the advisory board under subsection 2 of
14 section 1 of this Act. Before December 12, 2002, the agriculture commissioner shall determine
15 whether the project implemented and continued under section 1 of this Act should be continued.
16 If the commissioner determines that the project should be continued or expanded, the
17 commissioner shall introduce appropriate legislation in the fifty-eighth legislative assembly.

18 **SECTION 3. EXPIRATION DATE.** This Act is effective through July 31, 2003, and
19 after that date is ineffective.