

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2009

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Operator's Signature

*Yherosa J. Lee*

Date

10-11-03

2003 SENATE APPROPRIATIONS

SB 2009

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Cheresa J. Lee  
Operator's Signature

10-14-03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

Senate Appropriations Committee

☐ Conference Committee

Hearing Date 1-21-03

Tape Number	Side A	Side B	Meter #
2	X		3000- end
		X	0-1848
Committee Clerk Signature <i>Sandra Davison</i>			

Minutes: Chairman Holmberg opened the hearing to SB 2009. (Meter #3000) Roger Johnson, ND Agriculture Commissioner: Hand out of Exhibit 1 with Attachments 1-10, requested members to review all of this information at their leisure and then preceded to outline his overview of his department and mission of his department. Outlined several pages such as page 3, pointed out the four program areas of ND Department of Agriculture. (Meter 3050) Chairman Holmberg announced the Agriculture Subcommittee. Requested the subcommittee to look at the hydrogenous ammonia unit inspection fund - how it works, how it is being used.

**Tape 2 Side B**

(Meter18) Roger Johnson handed out two written testimonies from concerned citizens that could not attend the hearing, Jon Grunefelder, farmer (see written testimony Exhibit 6), and Gary Knutson, ND Agriculture Association( Exhibit 4) (Meter 64) Melissa Massjeo, Gifts Dakota Style/Dakota Gardens: See written testimony Exhibit 2 and Exhibit 5. (Meter 462) Charles McCay, Farm Credit Services: Support the portion of the budget that deals with the mediation

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*Yvonne A. Bee*  
Operator's Signature

*10-14-03*  
Date

Page 2

Senate Appropriations Committee

Bill/Resolution Number SB 2009

Hearing Date 1-21-03

service. Farm Credit is mandated by federal law to work cooperatively with state mediation service for about 15 years now. There is no question in the ag community about whether or not it is an effective program - it is. One of the keys is experience and trained administrators and staff, the negotiators and mediators are expected to go sit down at a kitchen table at a farmhouse that is under some financial stress and are expected to have knowledge of the accounting and business issue, lending programs, objectivity. Keep experience staff is important to keep the follow of communications to continue. (Meter 611) Brent Nelson, ND Weed Control Association: See written testimony Exhibit 3. (Meter 790) Nathan Boehm, Board of Animal Health, farmer Morton county: Supported this bill so his organization can continue its service to the farmers in areas of regulating inspections. Dairy farmers need to be protected to be able to sell our product out of state. (Meter 909) Larry Coon, Edgeley Meat Processing Plant: Owns the plant in Edgeley, the program that the Ag Commission represents is a good program for his business. It allows his business to grow, hire employees from the area, helps growth within the town, out of state customers who purchase his sausages. (Meter 1188) Burdell Johnson, ND Lam and Wool Producers: See written testimony Exhibit 7. Committee discussed the problem of coyotes on area farms and funds available to agencies to help control such issues. (Meter 1665) Wade Moser, ND Stockmen's Association: Several areas in the budget his association support, the Board of Animal Health, the State Meat Inspection, Wildlife Services, Noxious weeds, and one line item Livestock Division. (Meter 1730) Brian Kramer, ND Farm Bureau: Supports several sections of the Ag Budget, named several, reinstatement of the \$100 thousand dollars for Wildlife Services. (Meter 1803) Mark Sitts: Support the Ag commission budget.

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Date

10-14-03



Page 3  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date 1-21-03

Chairman Holmberg closed the hearing to SB 2009 and reminded public of the Ag  
Subcommittee.

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Cheresea J. Lee  
Operator's Signature

10-14-03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009 Votes

Senate Appropriations Committee

☐ Conference Committee

Hearing Date Feb. 17, 2003

Tape Number	Side A	Side B	Meter #
#1	x		-4,500
Committee Clerk Signature <i>Jan Hendrickson</i>			

Minutes:

**Senator Bowman** presented amendments (38032.0104) to SB 2009. He explained them, amendments attached.

Motion by **Senator Bowman**, seconded by **Senator Krauter** for a DO PASS as AMENDED.

Discussion: **Senator Lindaas**: Wanted to know if there was a per ton fee on anhydrous ammonia and where does that go? **Senator Bowman** replied that he understood that was the fee that helps pay insurance department but it isn't enough money because it is split between the two departments, but we are giving them enough money for each department , by giving the increase in pet food to them. **Voice vote on amended passed.**

Motion by **Senator Bowman**, seconded by **Senator Krauter** for a DO PASS as AMENDED.

**Senator Krauter** stated that there was something missing that he thought should be addressed.

SB 2026 which is the crop protection, the Lt. governor had requested that this bill not be left out there hanging all by itself, that it be rolled into the Ag. Dept. **Senator Bowman** and I talked

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*Cheresea W. Bee*  
Operator's Signature

*10-14-03*  
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Page 2

Senate Appropriations Committee

Bill/Resolution Number SB 2009 Votes

Hearing Date Feb. 17, 2003

about this and did not come to a mutual agreement about this, about this being with the Ag. bill

.Since the testimony by the Lt. Governor, the committee hasn't done anything about it, my

comment would be to eliminate the \$50,000, in such a tight budget as this we could save \$50,000

and put those responsibilities back to the minor crop pesticide fund, I had hoped that would be in

this bill, but it isn't. **Senator Bowman** stated that he had gone to the Lt. Governor's office, but

he was gone and I know that he didn't want to eliminate the board. I think he said to put that

board in a line item in the Ag Dept. budget and I don't have any documentation of that so I didn't

make the decision. If that is the case, then they can do that in the House and let him explain that

to the House. I didn't want to do it without his knowledge of what we were doing and being that

he didn't have anything in writing, I just left it out.

Roll call vote was taken, which is attached. **Total: 13 yes, 0- no and 1 absent and not voting.**

**Senator Krauter** will carry the bill to the floor.

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Cheresea J. Bee  
Operator's Signature

10-14-03  
Date

**FISCAL NOTE**  
Requested by Legislative Council  
02/26/2003

**REVISION**

Amendment to: SB 2009

**1A. State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$180,500	\$0	\$180,500	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This fiscal note analyzes amending NDCC 19-13.1-03 to increase pet food registrations from \$50 per product per two year registration period to \$100 per product per two year registration period and amending NDCC 19-14-04 to increase livestock medicine registration fees from \$20 per product per two year registration period to \$40 per two year registration.

**3. State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

**A. Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

We estimate that the pet food registrations will generate \$152,500 per biennium to the general fund and the livestock medicine registrations will generate \$28,000 per biennium for the general fund, for a total revenue increase of \$180,500.

**B. Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

This will have no impact on expenditures.

**C. Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

This will have no impact on appropriations.

Name:	Jeff Weispfenning	Agency:	Agriculture
Phone Number:	701.328.4758	Date Prepared:	02/26/2003

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Operator's Signature

*Yuberena W. Lee*

Date

10-14-03

**FISCAL NOTE**  
Requested by Legislative Council  
02/18/2003

Amendment to: SB 2009

**1A. State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$180,000	\$0	\$180,000	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This fiscal note analyzes amending NDCC 19-13.1-03 to increase pet food registrations from \$50 per product per two year registration period to \$100 per product per two year registration period and amending NDCC 19-14-04 to increase livestock medicine registration fees from \$20 per product per two year registration period to \$40 per two year registration.

**3. State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

**A. Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

We estimate that the pet food registrations will generate \$152,000 per biennium to the general fund and the livestock medicine registrations will generate \$28,000 per biennium for the general fund, for a total revenue increase of \$180,000.

**B. Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

This will have no impact on expenditures.

**C. Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

This will have no impact on appropriations.

Name:	Jeff Welspfenning	Agency:	Agriculture
Phone Number:	701.328.4758	Date Prepared:	02/21/2003

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*Y. Hernandez*  
Operator's Signature

10-14-03  
Date

**FISCAL NOTE**  
Requested by Legislative Council  
12/24/2002

Bill/Resolution No.: SB 2009

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$2,048	\$0	\$4,928	\$0
Appropriations	\$0	\$0	\$2,048	\$0	\$4,928	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This fiscal note analyzes the impact of amending NDCC 4-01-21 relating to the salary of the agriculture commissioner.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

<b>Name:</b>	Jeff Weispfenning	<b>Agency:</b>	Agriculture
<b>Phone Number:</b>	328-4758	<b>Date Prepared:</b>	01/03/2003

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Date

38032.0104  
Title.0200  
Fiscal No. 2

Prepared by the Legislative Council staff for  
Senator Borman  
February 14, 2003

*[Handwritten signature]*  
2-17-03  
1st

PROPOSED AMENDMENTS TO SENATE BILL NO. 2009

Page 1, line 2, after "reenact" insert "subsection 1 of section 19-13.1-03 and" and replace "4-01-21" with "19-14-04"

Page 1, line 3, replace "the salary of the agriculture commissioner" with "pet food and livestock medicine registration fees"

Page 1, line 11, replace "4,555,365" with "4,495,813"

Page 1, line 18, replace "788,209" with "800,000"

Page 1, line 21, replace "12,604,626" with "12,556,865"

Page 1, line 22, replace "8,336,778" with "8,607,851"

Page 1, line 23, replace "4,267,848" with "3,949,014"

Page 2, remove lines 1 through 7

Page 2, line 14, replace "\$156,359" with "\$54,496"

Page 2, line 19, replace "\$550,000" with "\$950,000"

Page 2, line 22, after the period insert "The agriculture commissioner may spend moneys from the game and fish department operating fund only after costs for the various agriculture department programs have been incurred."

**SECTION 5. AMENDMENT.** Subsection 1 of section 19-13.1-03 of the North Dakota Century Code is amended and reenacted as follows:

1. Each pet food and specialty pet food must be registered before being distributed in this state. The application for registration must be submitted on forms furnished by the commissioner. The application must be accompanied by a label and any other printed matter describing each product and the registration fee of ~~forty~~ one hundred dollars per product. Upon approval by the commissioner, a certificate of registration must be furnished to the applicant. Registrations are not transferable. Registration covers a two-year period beginning January first and ending December thirty-first. Registration renewals received after January thirty-first must be assessed a penalty fee of ten dollars per product. Products found marketed in this state without proper registration must be assessed the penalty fee of twenty-five dollars.

**SECTION 6. AMENDMENT.** Section 19-14-04 of the North Dakota Century Code is amended and reenacted as follows:

**19-14-04. Registration fee.** Prior to each two-year registration, a registration fee of ~~twenty~~ forty dollars must be paid to the ~~commissioner of agriculture~~ commissioner for each livestock medicine that is registered."

Renumber accordingly

Page No. 1

38032.0104

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*[Handwritten signature]*  
Operator's Signature

*[Handwritten date]*  
Date

# STATEMENT OF PURPOSE OF AMENDMENT:

## Senate Bill No. 2009 - Department of Agriculture - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$4,555,365	(\$59,552)	\$4,495,813
Operating expenses	3,358,672		3,358,672
Capital assets	8,000		8,000
Grants	100,000		100,000
Board of Animal Health	876,517		876,517
State meat inspection	770,554		770,554
Pride of Dakota	180,948		180,948
Wildlife services	788,209	11,791	800,000
Safe Send	619,525		619,525
Noxious weeds	1,346,836		1,346,836
Total all funds	\$12,604,626	(\$47,761)	\$12,556,865
Less estimated income	8,336,778	271,073	8,607,851
General fund	\$4,267,848	(\$318,834)	\$3,949,014
FTE	57.00	0.00	57.00

## Dept. 602 - Department of Agriculture - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE 1	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES 2	INCREASES FUNDING FOR WILDLIFE SERVICES 3	FUNDING SOURCE CHANGE 4	TOTAL SENATE CHANGES
Salaries and wages	(\$59,552)				(\$59,552)
Operating expenses					
Capital assets					
Grants					
Board of Animal Health					
State meat inspection					
Pride of Dakota					
Wildlife services			\$11,791		11,791
Safe Send					
Noxious weeds					
Total all funds	(\$59,552)	\$0	\$11,791	\$0	(\$47,761)
Less estimated income	(27,064)	388,209	11,791	(101,863)	271,073
General fund	(\$32,488)	(\$388,209)	\$0	\$101,863	(\$318,834)
FTE	0.00	0.00	0.00	0.00	0.00

1 This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

2 This amendment changes the funding source for wildlife services from the general fund to the game and fish fund.

3 This amendment increases funding for wildlife services from the game and fish fund to a total of \$800,000.

4 This amendment changes the funding source from the anhydrous ammonia storage inspection fund to the general fund. The increase in the general fund appropriation of \$101,863 is offset by an increase in pet food and livestock medicine registration fees which are anticipated to increase general fund revenues by \$180,500. The total funding to the Agriculture Commissioner from the anhydrous ammonia storage inspection fund is \$54,496.

A section is added that increases the pet food registration fee from \$50 to \$100 for a two-year period. This increase is estimated to generate an additional \$152,500 in general fund revenues.

A section is added that increases the livestock medicine registration fee from \$20 to \$40 for a two-year period. This increase is estimated to generate an additional \$28,000 in general fund revenues.

The section providing for the Agriculture Commissioner's salary increase is removed.

This amendment provides that the Agriculture Commissioner is to be reimbursed from the game and fish fund only after costs have been incurred. The Department of Agriculture may receive up to \$800,000 from the game and fish fund for wildlife services. In addition, the Board of Animal Health may receive up to \$150,000 from the game and fish fund.



Amend  
Vote  
Motion  
passed

Date: 2/17/03  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2009

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do pass as amended

Motion Made By Bowman Seconded By Krauter

Senators	Yes	No	Senators	Yes	No
Senator Holmberg, Chairman	✓				
Senator Bowman, Vice Chair	✓				
Senator Grindberg, Vice Chair					
Senator Andrist	✓				
Senator Christmann	✓				
Senator Kilzer	✓				
Senator Krauter	✓				
Senator Kringstad	✓				
Senator Lindaas	✓				
Senator Mathern	✓				
Senator Robinson	✓				
Senator Schobinger	✓				
Senator Tallackson	✓				
Senator Thane	✓				

Total (Yes) 13 No \_\_\_\_\_

Absent 1

Floor Assignment Krauter

If the vote is on an amendment, briefly indicate intent:

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Operator's Signature

Cherene A. Bee

Date

10-14-03

REPORT OF STANDING COMMITTEE (410)  
February 17, 2003 4:30 p.m.

Module No: SR-30-2984  
Carrier: Krauter  
Insert LC: 38032.0104 Title: .0200

**REPORT OF STANDING COMMITTEE**

**SB 2009: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2009 was placed on the Sixth order on the calendar.

Page 1, line 2, after "reenact" Insert "subsection 1 of section 19-13.1-03 and" and replace "4-01-21" with "19-14-04"

Page 1, line 3, replace "the salary of the agriculture commissioner" with "pet food and livestock medicine registration fees"

Page 1, line 11, replace "4,555,365" with "4,495,813"

Page 1, line 18, replace "788,209" with "800,000"

Page 1, line 21, replace "12,604,626" with "12,556,865"

Page 1, line 22, replace "8,336,778" with "8,607,851"

Page 1, line 23, replace "4,267,848" with "3,949,014"

Page 2, remove lines 1 through 7

Page 2, line 14, replace "\$156,359" with "\$54,496"

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Page 2, line 22, after the period insert "The agriculture commissioner may spend moneys from the game and fish department operating fund only after costs for the various agriculture department programs have been incurred."

**SECTION 5. AMENDMENT.** Subsection 1 of section 19-13.1-03 of the North Dakota Century Code is amended and reenacted as follows:

1. Each pet food and specialty pet food must be registered before being distributed in this state. The application for registration must be submitted on forms furnished by the commissioner. The application must be accompanied by a label and any other printed matter describing each product and the registration fee of ~~forty~~ one hundred dollars per product. Upon approval by the commissioner, a certificate of registration must be furnished to the applicant. Registrations are not transferable. Registration covers a two-year period beginning January first and ending December thirty-first. Registration renewals received after January thirty-first must be assessed a penalty fee of ten dollars per product. Products found marketed in this state without proper registration must be assessed the penalty fee of twenty-five dollars.

**SECTION 6. AMENDMENT.** Section 19-14-04 of the North Dakota Century Code is amended and reenacted as follows:

**19-14-04. Registration fee.** Prior to each two-year registration, a registration fee of ~~twenty~~ forty dollars must be paid to the ~~commissioner~~ agriculture commissioner of agriculture for each livestock medicine that is registered."

Renumber accordingly

REPORT OF STANDING COMMITTEE (410)  
February 17, 2003 4:30 p.m.

Module No: SR-30-2984  
Carrier: Krauter  
Insert LC: 38032.0104 Title: .0200

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2009 - Department of Agriculture - Senate Action

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Total all funds	\$12,604,626	(\$47,761)	\$12,556,865
Less estimated income	8,336,778	271,073	8,607,851
General fund	\$4,267,848	(\$318,834)	\$3,949,014
FTE	57.00	0.00	57.00

Dept. 602 - Department of Agriculture - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE 1	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES 2	INCREASES FUNDING FOR WILDLIFE SERVICES 3	FUNDING SOURCE CHANGE 4	TOTAL SENATE CHANGES
Salaries and wages	(\$59,552)				(\$59,552)
Operating expenses					
Capital assets					
Grants					
Board of Animal Health					
State meat inspection					
Pride of Dakota					
Wildlife services			\$11,791		11,791
Safe Send					
Noxious weeds					
Total all funds	(\$59,552)	\$0	\$11,791	\$0	(\$47,761)
Less estimated income	(27,084)	388,209	11,791	(101,863)	271,073
General fund	(\$32,488)	(\$388,209)	\$0	\$101,863	(\$318,834)
FTE	0.00	0.00	0.00	0.00	0.00

1 This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

2 This amendment changes the funding source for wildlife services from the general fund to the game and fish fund.

3 This amendment increases funding for wildlife services from the game and fish fund to a total of \$800,000.

4 This amendment changes the funding source from the anhydrous ammonia storage inspection fund to the general fund. The increase in the general fund appropriation of \$101,863 is offset by an increase in pet food and livestock medicine registration fees which are anticipated to increase general fund revenues by \$180,500. The total funding to the Agriculture Commissioner from the anhydrous ammonia storage inspection fund is \$54,496.

A section is added that increases the pet food registration fee from \$50 to \$100 for a two-year period. This increase is estimated to generate an additional \$152,500 in general fund revenues.

A section is added that increases the livestock medicine registration fee from \$20 to \$40 for a two-year period. This increase is estimated to generate an additional \$28,000 in general fund revenues.

(2) DESK, (3) COMM

Page No. 2

SR-30-2984

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Operator's Signature

Date

REPORT OF STANDING COMMITTEE (410)  
February 17, 2003 4:30 p.m.

Module No: SR-30-2984  
Carrier: Krauter  
Insert LC: 38032.0104 Title: .0200

The section providing for the Agriculture Commissioner's salary increase is removed.

This amendment provides that the Agriculture Commissioner is to be reimbursed from the game and fish fund only after costs have been incurred. The Department of Agriculture may receive up to \$800,000 from the game and fish fund for wildlife services. In addition, the Board of Animal Health may receive up to \$150,000 from the game and fish fund.

2003 HOUSE APPROPRIATIONS

SB 2009

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10-14-03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date March 5, 2003

Tape Number	Side A	Side B	Meter #
2	xx	xx	
3	xx		
Committee Clerk Signature <i>Kelly Shurtl</i>			

Minutes:

**Chairman Carlisle** called the meeting to order roll call was taken with all members present.

**AG Commissioner Roger Johnson**, shared written testimony in support of SB 2009.

**Rep. Carlisle** shared with the committee the Wildlife Services Division is being fully funded by Game and Fish dollars, to reduce general fund expenditures. Just a note this committee will also be hearing the Game & Fish Budget.

**Rep. Carlson** The Project Safe Send, when originally started was suppose to be a short term venture, where is the end?

**Roger Johnson** This project has a sunset clause, there doesn't seem to be an end due to new pesticides being introduced and the reoccurrence issues with the old ones. I.e.: abandoned farmsteads are still holding hazardous pesticides that need disposal. The Senate has amended a

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Date

Page 2  
Government Operations Division  
Bill/Resolution Number SB 2009  
Hearing Date March 5, 2003

bill this session to deal with Rinsate issues. He will submit written response regarding the list of cost for Project Safe Send from inception.

**Rep. Skarphol** noted the list of 89 chemical are still being used.

**Roger Johnson** They throw the chemicals away because they have no economic value to them.

**Nathan Boehm, Dairy Farmer and Member of the Board of Animal Health** shared the Board Has 2 main purposes. 1. They enforce Century Code requirements when shipping Grade A milk Out of state. Currently 50% of product is being shipped out of state. 2. The Board of Animal Health, we are doing what we can with inspection and regulating. I respectfully ask that you maintain this work. He is also concerned with marketing and education, any decrease could effect inspections.

**Jeff Weisz, Deputy Commissioner** responded to a question from Rep. Carlson that the change in salary line item and loss of 1 FTE is due to a retirement in the department and the replacement of that position was at less salary.

**Burton Pfliger, ND Lamb and Wool Producers** shared written testimony in support of SB 2009. He shared his organization doesn't care where the money comes from, just that it's fully Funded at \$800,000.

**Burdell Johnson** written testimony was circulated regarding the coyote population in his area.

**Rep. Carlson** addresses an issue of threat to hunters by not being allowed to hunt on land if this Money is not made available.

**Burton Pfliger** advised the committee that was not his intent and apologized if the implication was made, he feels this would only improve relations.

**Roger Johnson** shared he and Dean Hildebrand, Game and Fish see many of these issue's

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10-14-03  
Date

Page 3  
Government Operations Division  
Bill/Resolution Number SB 2009  
Hearing Date March 5, 2003

similarly. We as a department try to promote the landowner and the hunter. We didn't ask for these changes in our budget. We are very sensitive to these issues.

**Terry Dammel, Rolling Hills Meats, Medina, ND** shared written testimony in support of Pride Of North Dakota.

**John Greunefelder, Farmer and Bison Raiser** testified in support of SD 2009 and the AG Mediation program. The program needs mediation to address the constant changing programs. He is very pleased with the assistance of the AG mediation program.

**Charles McCay, Farm Credit Services** testified in support of SB 2009 and the AG mediation Services Project. Farm Credit system operates under federal law to restructure finances. There are no government offsets when financing these borrowers, these are obtained by the interest charged.

**Brent Nelson, ND weed control, Assoc. President** shared written testimony in support of SB 2009 and the weed program.

**Jeff Wretling, Garrison Custom Meats** shared written testimony in support of SB 2009. Value Added sales and products. The state is willing and available in helping up with our process.

"Market ND Program"

**Roger Johnson** advised the committee federal money is not available for this program.

**Leo Brunner, Minot Park District** testified in support of SD 2009 and the related AG depart. They support the Wildlife Service Program, they in Minot use this program to deal with the Beaver population.

**Jeff Welsz, AG dept.** Ag funding for Wildlife Services has been at the \$779,000 level

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Page 4  
Government Operations Division  
Bill/Resolution Number SB 2009  
Hearing Date March 5, 2003

Consistently, historically \$100,000 was added by Game & Fish in the 01-03 biennium, \$100,000

Was dropped, a detailed written response will follow.

**Rep. Carlson** Why was the fee increase included in this bill and not a separate one? He also  
Requested a summary of the budget changes to date.

**Roger Johnson** it was a general fund adjustment, we requested fee increases go to special funds,  
They gave us the fee increase and added to the general fund.

**Sandy, OMB** shared with the committee the estimated turn back for this budget is extremely  
low.

**Rep. Carlson** asked why the Pride of Dakota is not in the Dept. Of Commerce.

**Roger Johnson** most marketing relates to the Food and AG, most states do this similarly to us.  
We work closely with the Dept. Of Commerce especially with APUC. We coordinate efforts  
With Commerce. This fit is better.

**Terry Dummel, Rolling Hills Meats** we are not familiar with the Dept. Of Commerce. We  
Have been in business for 14 years and have never been contacted by Commerce or their people.

**Rep. Skarphol** asked about the 75% increase in ITD costs and the 50% increase in phone costs.

**Roger Johnson** will prepare a written response.

Hearing no further testimony the hearing was closed.

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10-14-03  
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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date March 18, 2003

Tape Number	Side A	Side B	Meter #
1	xx	xx	
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes:Committee Work

**Roger Johnson, Ag Commissioner** revisited the March 10, 2003 memo previously distributed.

**Jeff Olson, Program Manager** advised the committee the pesticide fee has a 2 yr. Registration which run opposite of the Legislative Session. All chemicals are included in IRP household and farm. 75% is lawn & garden /household chemicals, 25% are farm chemicals. The collection process, has it's majority in farm chemicals due to volume. See pg. 7 original testimony. There is a \$1/lb. Of rinsate, 1 year ago we received 3700 pounds of rinsate. They don't like being changed, the numbers have gone down since we start the charge. Last biennium we collected 50,000 pounds. There is an educational rinsate process in place which includes alternative disposal, and some storing issue which create hazardous waste issues, we are currently addressing this.

**Roger Johnson** address the Wildlife Services issue. No general fund money is being used, the

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*10-14-03*  
Date

Page 2

Government Operations Division  
Bill/Resolution Number SB 2009  
Hearing Date March 18, 2003

Senate moved it all and funded it with Game and Fish dollars, the blackbird portion is federally funded.

**Jeff Weisz, Deputy Commissioner** There is an annual operating agreement with the Wildlife Service Division of the USDA. This is a negotiate annual agreement which includes the cost of their salary, vehicle costs, and flying. These services are billed to us on a monthly basis. There is concern with the appropriation. Their appropriation has been reduced \$100,000 from the State of North Dakota. We have concerns regarding federal requirements and the Game and Fish money. The Senate side acknowledge the issues are wildlife related. Game and Fish has advised there isn't a federal law issue.

**Rep. Kroeber** There will be more scrutiny with a general fund issue vs. A special fund issue. This would all be special funds.

**Rep. Carlisle** Commerce department could be responding to the same needs as Pride of Dakota.

**Roger Johnson** The US Ag has a linkage to foreign markets there is a strong need to keep Pride of Dakota in the Ag Department. A written response will follow regarding Homeland Security money and the Ag department.

Discussion ceased

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date March 21, 2003

Tape Number	Side A	Side B	Meter #
1	xx	xx	
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes: Committee Work

**Rep. Carlson** shared his Safe Send idea with the committee. He would like the project to continue on a every other year basis with a sunset four years from now. This program was intended to be sunset years ago, he recalled the discussion during the 1999 session. We are now disposing of product from many entities that should be doing their own disposal. He also noted the EARP could be used in other areas

**Rep. Warner** noted the cost will remain and dollars saved if an alternating year program.

**Rep. Skarphol** noted the Rinsate issue, he would like to see an amendment to increase the fee to cover the cost to the department. There needs to be pressure to reduce poundage.

**Rep. Warner** commented, What is research and what is corporate marketing?

**Rep. Skarphol** moved a DO PASS on Amendment 38032.0201, second by **Rep. Carlson**

**ROLL CALL VOTE** 7 yes 0 no 2 absent (Koppelman/Glassheim)

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Page 2  
Government Operations Division  
Bill/Resolution Number SB 2009  
Hearing Date March 21, 2003

Discussion was held to move SB 2398 to SB 2009 as a means of housekeeping.

**Rep. Carlson** asked if Pride of Dakota should be moved to the Department of Commerce. There is currently 3 marketing agents in the current budget. (See agency response, March 10, 2003)

**Rep. Warner** noted the biggest challenge in Ag is marketing our products out of state. The marketing is needed.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date March 24, 2003

Tape Number	Side A	Side B	Meter #
3	XX		
Committee Clerk Signature <i>Kelly G. Smith</i>			

Minutes: **Committee Work**

**Legislative Council** introduced 38032.0201 amendment, also .0202 this incorporated language for Safe Send, including the sunset clause. There will be no appropriation for the 05-07 biennium to accommodate the sunset.

**Rep. Carlson** reviewed .0203 address the Wildlife Services section of the budget. .0204 the Board of Health. He also noted a concern regarding the reduction in the Dairy Board.

**OMB** the reduction was due to a decrease in the number of Dairy's in the state. Services would not be effected.

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date March 25, 2009

Tape Number	Side A	Side B	Meter #
1	xx		
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes: Committee Work

**Lt. Gov. Dalrymple** addressed the committee regarding the EARP and Minor use funds. (See Analysis handout) He wanted to address the under funding of the Experiment Station, this was moved to the pesticide handling facilities and pesticide related research. These entities work with insecticides and herbicides. The wanted it to be known the funds were there.

**Rep. Timm** asked if the EARP fund will replenish itself?

**Lt. Gov. Dalrymple** 05-07 biennium. This fund has been supplying the minor use fund by transfer.

**Rep. Carlson** The fee increase will raise \$450,000 with \$200,000 going to the Minor Use Pesticide Fund and \$250,000 goes to Salt Cedar.

**Rep. Glassheim** asked LC to look into the difference in the Noxious weeds funding shown on the sheet provided from the Lt. Gov., and what is shown on the amendment.

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*10-14-03*  
Date

Page 2

Government Operations Division  
Bill/Resolution Number SB 2009  
Hearing Date March 25, 2004

**Rep. Carlson** noted \$16,000 is salaries is paid from the EARP fund.

**OMB** noted part of the salary line for Ag is paid from this fund.

**Rep. Carlson** moved a DO PASS on Amendment .0202, second by **Rep. Thoreson**,

**Rep. Warner** noted his opposition to this amendment because of it's widespread support for the chemical industry.

**Rep. Carlson** noted that private industry is available for use during the off years of Safe Send.

**Rep. Skarphol** commented there has to be a limit to what the state collects in poundage.

**Rep. Glassheim** asked if there had been any complaints regarding this action.

**Rep. Carlson** we have heard from no one.

Roll Call Vote on .0202    6 yes   3 no   0 absent    **MOTION CARRIES**

**Rep. Carlson** moved a DO PASS on Amendment .0203, second by **Rep. Thoreson**.

**Legislative Council** shared the overview of amendment .0203

**Rep. Kroeber** share the history of the fund and it's use (see previous written testimony) He

Noted the \$400,000 should be adequate, the large amount of this isn't related to game. This

Amendment keeps the amount to the Governors proposed budget amount.

Roll Call Vote on .0203    9 yes   0 no   0 absent    **MOTION CARRIES**

**Legislative Council** noted a conflict between .0204 and .0205 amendments. These to need to be

Reconciled. After further discussion, the amendments were eliminated and will be replaced with

.0207

**Rep. Carlson** moved a DO PASS on Amendment .0207, second by **Rep. Kroeber**

ROLL CALL VOTE    9 yes    0 no    0 absent    **MOTION CARRIES**

**Legislative Council** reviewed Amendment .0206

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Y. Thoreson  
Operator's Signature

10-14-03  
Date



Page 3  
Government Operations Division  
Bill/Resolution Number SB 2009  
Hearing Date March 25, 2004

Rep. Carlson moved a DO PASS on amendment .0206, second by Rep. Skarphol.

ROLL CALL VOTE 9 yes 0 no 0 absent MOTION CARRIES

Rep. Carlson moved a DO PASS on SB 2009 as AMENDED 38032.0201, .0202, .0203  
.0206, .0207, second by Rep. Skarphol.

ROLL CALL VOTE 9 yes 0 no 0 absent MOTION CARRIES

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10-14-03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

House Appropriations Committee

☐ Conference Committee

Hearing Date 04-02-03

Tape Number	Side A	Side B	Meter #
1		X	23
2	X		1
Committee Clerk Signature <i>Chris S. Svedjan</i>			

Minutes:

**Chairman Svedjan** Opened SB 2009 for discussion. A quorum was present.

**Rep. Carlson** I move amendment .0209 to SB 2009. 2nd.

**Rep. Gulleson** Why reduce project SafeSend?

**Rep. Carlson** This project has always, every biennium, been in its final biennium.

**Rep. Gulleson** I'll be disappointed if we make that reduction.

**Rep. Brusegaard** Safe Send is valid, but container technology has gone a long way. The needs for services today and when it was started are different.

**Rep. Warner** HB 1066 requires the Department of Agriculture to set a fee for RinseAid.

**Rep. Aarsvold** These are all special funds.

**Rep. Rennerfeldt** RinseAid isn't being used by most farmers due to a lack of necessity. Where does the money for it come from?

**Rep. Skarphol** Commercial Operators. This assesses direct costs.

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*10-14-03*  
Date

Page 2

House Appropriations Committee

Bill/Resolution Number SB 2009

Hearing Date 04-02-03

**Rep. Delzer** I support the reduction of this project. We don't need to pick these chemicals up every year.

**Rep. Warner** If we go every other year he's right, it won't increase because things will get dumped.

**Rep. Gulleeson** Tillage practices have heavily impacted farming practices, thus varying the types of chemicals needed.

**Rep. Carlson** The EARP Fund handles this.

**Motion Carries**

**Rep. Carlson** I move a Do Pass As Amended. 2nd by Rep. Skarphol. Motion Carries

**18-4-1. Rep. Carlson will carry this bill on the floor.**

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10-14-03  
Date

38032.0204  
Title.  
Fiscal No. 2

Prepared by the Legislative Council staff for  
Representative Carlson  
March 24, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

Page 1, line 23, replace "8,607,851" with "8,525,851"

Page 1, line 24, replace "3,949,014" with "4,031,014"

Page 2, line 12, replace "\$950,000" with "\$868,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2009 - Department of Agriculture - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,555,365	\$4,495,813		\$4,495,813
Operating expenses	3,358,872	3,358,872		3,358,872
Capital assets	8,000	8,000		8,000
Grants	100,000	100,000		100,000
Board of Animal Health	878,517	878,517		878,517
State meat inspection	770,554	770,554		770,554
Pride of Dakota	180,948	180,948		180,948
Wildlife services	788,209	800,000		800,000
Safe Send	819,525	819,525		819,525
Noxious weeds	<u>1,348,838</u>	<u>1,348,838</u>		<u>1,348,838</u>
Total all funds	\$12,604,828	\$12,550,865	\$0	\$12,556,865
Less estimated income	<u>8,336,778</u>	<u>8,607,851</u>	<u>(82,000)</u>	<u>8,525,851</u>
General fund	\$4,287,848	\$3,949,014	\$82,000	\$4,031,014
FTE	57.00	57.00	0.00	57.00

Dept. 602 - Department of Agriculture - Detail of House Changes

	CHANGES FUNDING SOURCE FOR BOARD OF ANIMAL HEALTH <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Capital assets		
Grants		
Board of Animal Health		
State meat inspection		
Pride of Dakota		
Wildlife services		
Safe Send		
Noxious weeds		
Total all funds	\$0	\$0
Less estimated income	<u>(82,000)</u>	<u>(82,000)</u>
General fund	\$82,000	\$82,000
FTE	0.00	0.00

<sup>1</sup> This amendment decreases the funding for the Board of Animal Health by \$82,000 from the game and fish fund and increases the funding from the general fund by the same amount. The executive recommendation had increased the funding from the game and fish fund from \$68,000 to \$150,000.

*Deed  
replaced w/ .0207*

38032.0205  
Title.  
Fiscal No. 5

Prepared by the Legislative Council staff for  
Representative Carlson  
March 25, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

Page 1, line 16, replace "876,517" with "826,517"

Page 1, line 22, replace "12,556,865" with "12,506,865"

Page 1, line 23, replace "8,607,851" with "8,557,851"

Page 2, line 12, replace "\$950,000" with "\$900,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2009 - Department of Agriculture - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,555,365	\$4,495,813		\$4,495,813
Operating expenses	3,358,872	3,358,872		3,358,872
Capital assets	8,000	8,000		8,000
Grants	100,000	100,000		100,000
Board of Animal Health	876,517	876,517	(\$50,000)	826,517
State meat inspection	770,554	770,554		770,554
Pride of Dakota	180,948	180,948		180,948
Wildlife services	788,209	800,000		800,000
Safe Send	819,525	819,525		819,525
Noxious weeds	<u>1,346,838</u>	<u>1,346,838</u>		<u>1,346,838</u>
Total all funds	\$12,804,828	\$12,556,865	(\$50,000)	\$12,506,865
Less estimated income	<u>8,338,778</u>	<u>8,607,851</u>	<u>(50,000)</u>	<u>8,557,851</u>
General fund	\$4,267,848	\$3,949,014	\$0	\$3,949,014
FTE	57.00	57.00	0.00	57.00

Dept. 602 - Department of Agriculture - Detail of House Changes

	DECREASES FUNDING FOR BOARD OF ANIMAL HEALTH <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Capital assets		
Grants		
Board of Animal Health	(\$50,000)	(\$50,000)
State meat inspection		
Pride of Dakota		
Wildlife services		
Safe Send		
Noxious weeds		
Total all funds	(\$50,000)	(\$50,000)
Less estimated income	<u>(50,000)</u>	<u>(50,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> This amendment decreases the funding for the Board of Animal Health from the game and fish fund by \$50,000, from \$150,000 to \$100,000.

Dead  
replaced w/ .0207

38032.0201  
Title.  
Fiscal No. 3

Prepared by the Legislative Council staff for  
House Appropriations - Government  
Operations

March 24, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

Page 1, line 12, replace "4,495,813" with "4,509,537"

Page 1, line 16, replace "876,517" with "869,980"

Page 1, line 17, replace "770,554" with "764,183"

Page 1, line 20, replace "619,525" with "618,709"

Page 1, line 21, replace "1,346,836" with "1,346,836"

Page 1, after line 21, insert:

"Crop protection product harmonization and registration board      \$25,000"

Page 1, line 22, replace "12,556,865" with "12,581,865"

Page 1, line 23, replace "8,607,851" with "8,632,851"

Page 2, line 3, replace "\$2,499,215" with "\$2,524,215"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2009 - Department of Agriculture - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,555,365	\$4,495,813	\$13,724	\$4,509,537
Operating expenses	3,358,872	3,358,872		3,358,872
Capital assets	8,000	8,000		8,000
Grants	100,000	100,000		100,000
Board of Animal Health	876,517	876,517	(6,537)	869,980
State meat inspection	770,554	770,554	(6,371)	764,183
Pride of Dakota	180,948	180,948		180,948
Wildlife services	786,209	800,000		800,000
Safe Send	619,525	619,525	(816)	618,709
Noxious weeds	1,346,836	1,346,836		1,346,836
Crop Protection Product Harmonization and Registration Board			25,000	25,000
Total all funds	\$12,604,826	\$12,556,865	\$25,000	\$12,581,865
Less estimated income	<u>8,336,778</u>	<u>8,607,851</u>	<u>25,000</u>	<u>8,632,851</u>
General fund	\$4,267,848	\$3,949,014	\$0	\$3,949,014
FTE	57.00	57.00	0.00	57.00

Dept. 602 - Department of Agriculture - Detail of House Changes

	ADDS FUNDING FOR CROP PROTECTION PRODUCT HARMONIZATION AND REGISTRATION BOARD 1	ADJUSTS SPECIAL LINE ITEM SALARY REDUCTION 2	TOTAL HOUSE CHANGES
Salaries and wages		\$13,724	\$13,724
Operating expenses			
Capital assets			
Grants			
Board of Animal Health		(6,537)	(6,537)
State meat inspection		(6,371)	(6,371)
Pride of Dakota			
Wildlife services			
Safe Send		(816)	(816)
Noxious weeds			
Crop Protection Product Harmonization and Registration Board	\$25,000		25,000
Total all funds	\$25,000	\$0	\$25,000
Less estimated income	25,000		25,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

1 This amendment provides \$25,000 from the environment and rangeland protection fund for expenses of the Crop Protection Product Harmonization and Registration Board.

2 This amendment adjusts the removal of the executive recommendation for salary increases to reflect the salaries within the Board of Animal Health, state meat inspection, and Safe Send line items. The Senate amendment removed all of the funding from the salaries and wages line item.

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Operator's Signature

*Yherosa A. Lee*

Date

10-14-03

Date:03-24-03

Roll Call Vote Number #

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2009**

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38032.0201

Action Taken Do Pass on Amendment

Motion Made By Rep. Skarphol Seconded By Rep. Carlson

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	x				
Vice Chairman Carlson	x				
Rep. Koppelman					
Rep. Skarphol	x				
Rep. Thoreson	x				
Rep. Timm	x				
Rep. Glassheim					
Rep. Kroeber	x				
Rep. Warner	x				

Total (Yes) 7 No 0

Absent 2  
Glassheim/Koppelman

Floor Assignment ~~Rep. Thoreson~~

If the vote is on an amendment, briefly indicate intent:  
See attached amendment

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Cheresea A. Lee  
Operator's Signature

10-14-03  
Date



38032.0202  
Title.  
Fiscal No.4

Prepared by the Legislative Council staff for  
Representative Carlson  
March 24, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

Page 1, line 2, replace the first "and" with "to provide for the continuation of an agricultural pesticide and pesticide container disposal program;"

Page 1, line 4, after "fees" insert "; and to provide an expiration date"

Page 1, line 20, replace "619,525" with "309,763"

Page 1, line 22, replace "12,556,865" with "12,247,103"

Page 1, line 23, replace "8,607,851" with "8,298,089"

Page 2, line 3, replace "\$2,499,215" with "\$2,189,453"

Page 2, after line 17, insert:

**"SECTION 5. PESTICIDE AND PESTICIDE CONTAINER DISPOSAL  
PROGRAM - PESTICIDE CONTAINER MANAGEMENT - COMPENSATION.**

1. The definitions contained in section 4-35-05 apply to this section.
2. In consultation with an advisory board consisting of the state health officer, director of the North Dakota state university extension service, two individuals representing agribusiness organizations, two individuals representing farm organizations, all of whom must be selected by the agriculture commissioner, the commissioner shall continue to implement the project authorized by section 1 of chapter 77 of the 2001 Session Laws, which is known as project safe send. The purpose of the project is to:
  - a. Collect and either recycle or dispose of unusable pesticides and unusable pesticide containers. The commissioner shall provide for the establishment and operation of temporary collection sites for the pesticides and pesticide containers. The commissioner may limit the type and quantity of pesticides and pesticide containers acceptable for collection.
  - b. Promote proper pesticide container management. In consultation with the director of the North Dakota state university extension service, the commissioner shall evaluate and promote proper methods of pesticide container management, including information on the variety of pesticide containers available.
3. Any entity collecting pesticide containers or unusable pesticides shall manage and dispose of the containers and pesticides in compliance with applicable federal and state requirements. When called upon, any state agency shall assist the commissioner in implementing the project.
4. For services rendered in connection with the design and implementation of this project, the members selected by the commissioner are entitled to reimbursement for mileage and travel expenses in the same manner and for the same amounts provided for state employees and officials.

Page No. 1

38032.0202

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*Y. Beresova*  
Operator's Signature

*10-14-03*  
Date

Compensation and expense reimbursement must be paid from the environment and rangeland protection fund.

**SECTION 6. PROJECT SCOPE AND EVALUATION - PROPOSED**

**LEGISLATION.** The project described in section 5 of this Act must occur in areas to be determined by the agriculture commissioner in consultation with the advisory board under subsection 2 of section 5 of this Act and may only be conducted in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006.

**SECTION 7. PROJECT SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - USER FEES.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund."

Page 3, after line 5, insert:

**"SECTION 10. EXPIRATION DATE.** Sections 5, 6, and 7 of this Act are effective through July 31, 2007, and after that date are ineffective."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2009 - Department of Agriculture - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,555,365	\$4,495,813		\$4,495,813
Operating expenses	3,358,872	3,358,872		3,358,872
Capital assets	8,000	8,000		8,000
Grants	100,000	100,000		100,000
Board of Animal Health	878,517	878,517		878,517
State meat inspection	770,554	770,554		770,554
Pride of Dakota	180,948	180,948		180,948
Wildlife services	788,209	800,000		800,000
Safe Send	619,525	619,525	(\$309,782)	309,763
Noxious weeds	<u>1,346,836</u>	<u>1,346,836</u>		<u>1,346,836</u>
Total all funds	\$12,804,826	\$12,556,865	(\$309,782)	\$12,247,103
Less estimated income	<u>8,336,778</u>	<u>8,607,851</u>	<u>(309,782)</u>	<u>8,298,069</u>
General fund	\$4,267,848	\$3,949,014	\$0	\$3,949,014
FTE	57.00	57.00	0.00	57.00

**Dept. 602 - Department of Agriculture - Detail of House Changes**

	REDUCES FUNDING FOR PROJECT SAFE SEND 1	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Capital assets		
Grants		
Board of Animal Health		
State meat inspection		
Pride of Dakota		
Wildlife services		
Safe Send	(\$309,782)	(\$309,782)
Noxious weeds		
Total all funds	(\$309,782)	(\$309,782)
Less estimated income	<u>(309,782)</u>	<u>(309,782)</u>
General fund	\$0	\$0

FTE

0.00

0.00

1 This amendment reduces funding for Project Safe Send by \$309,762, from \$619,525 to \$309,763. This amendment also provides for the project to be conducted only in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006, and for the project to be effective through July 31, 2007.

Page No. 3

38032.0202

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Yherosa J. Lee  
Operator's Signature

10-14-03  
Date

Date:03-25-03

Roll Call Vote Number #1

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2009**

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38032.0202

Action Taken Do Pass on Amendment

Motion Made By Rep. Carlson Seconded By Rep. Thoreson

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	x				
Vice Chairman Carlson	x				
Rep. Koppelman	x				
Rep. Skarphol	x				
Rep. Thoreson	x				
Rep. Timm	x				
Rep. Glassheim		x			
Rep. Kroeber		x			
Rep. Warner		x			

Total (Yes) 6 No 3

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:  
See attached amendment

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Operator's Signature

Date

38032.0203  
Title.  
Fiscal No. 1

Prepared by the Legislative Council staff for  
Representative Carlson  
March 24, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

Page 1, line 23, replace "8,607,851" with "8,207,851"

Page 1, line 24, replace "3,949,014" with "4,349,014"

Page 2, line 12, replace "\$950,000" with "\$550,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2009 - Department of Agriculture - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,555,365	\$4,495,813		\$4,495,813
Operating expenses	3,358,672	3,358,672		3,358,672
Capital assets	8,000	8,000		8,000
Grants	100,000	100,000		100,000
Board of Animal Health	876,517	876,517		876,517
State meat inspection	770,554	770,554		770,554
Pride of Dakota	180,948	180,948		180,948
Wildlife services	788,209	800,000		800,000
Safe Send	619,525	619,525		619,525
Noxious weeds	<u>1,346,836</u>	<u>1,346,836</u>		<u>1,346,836</u>
Total all funds	\$12,604,628	\$12,556,665	\$0	\$12,556,665
Less estimated income	<u>9,336,778</u>	<u>8,807,851</u>	<u>(400,000)</u>	<u>8,207,851</u>
General fund	\$4,267,648	\$3,949,014	\$400,000	\$4,349,014
FTE	57.00	57.00	0.00	57.00

Dept. 602 - Department of Agriculture - Detail of House Changes

	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Capital assets		
Grants		
Board of Animal Health		
State meat inspection		
Pride of Dakota		
Wildlife services		
Safe Send		
Noxious weeds		
Total all funds	\$0	\$0
Less estimated income	<u>(400,000)</u>	<u>(400,000)</u>
General fund	\$400,000	\$400,000
FTE	0.00	0.00

<sup>1</sup> This amendment changes \$400,000 of funding for wildlife services from the game and fish fund to the general fund. The total funding for wildlife services is \$400,000 from the general fund and \$400,000 from the game and fish fund.

Date: 03-25-03

Roll Call Vote Number #2

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**

**BILL/RESOLUTION NO. SB 2009**

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38032.0203

Action Taken Do Pass on Amendment

Motion Made By Rep. Carlson Seconded By Rep. Thoreson

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	x				
Vice Chairman Carlson	x				
Rep. Koppelman	x				
Rep. Skarphol	x				
Rep. Thoreson	x				
Rep. Timm	x				
Rep. Glassheim	x				
Rep. Kroeber	x				
Rep. Warner	x				

Total (Yes) 9 No 0

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

See attached amendment

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Cheresea J. Bee  
Operator's Signature

10-14-03  
Date

38032.0206  
Title.

Prepared by the Legislative Council staff for  
House Appropriations - Government  
Operations

March 25, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

Page 1, line 2, remove the first "and"

Page 1, line 4, after "fees" insert "; and to provide for a transfer of funds"

Page 3, after line 5, insert:

**"SECTION 7. TRANSFER.** The state treasurer shall transfer \$200,000, or so much of the sum as may be necessary, from the environment and rangeland protection fund to the minor use pesticide fund, during the biennium beginning July 1, 2003, and ending June 30, 2005."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Dept. 602 - Department of Agriculture

HOUSE - This amendment incorporates the provisions of Senate Bill No. 2398, which transfers \$200,000 from the environment and rangeland protection fund to the minor use pesticide fund, available to the Crop Protection Product Harmonization and Registration Board as a continuing appropriation pursuant to North Dakota Century Code Section 4-35-06.3.

Page No. 1

38032.0206

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Yvonnea A. Lee  
Operator's Signature

10-14-03  
Date

Date:03-25-03  
Roll Call Vote Number #3

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2009**

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38032.0206

Action Taken Do Pass on Amendment

Motion Made By Rep. Carlson Seconded By Rep. Skarphol

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	x				
Vice Chairman Carlson	x				
Rep. Koppelman	x				
Rep. Skarphol	x				
Rep. Thoreson	x				
Rep. Timm	x				
Rep. Glassheim	x				
Rep. Kroeber	x				
Rep. Warner	x				

Total (Yes) 9 No 0

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate Intent:  
See attached amendment

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Yvonne A. Lee  
Operator's Signature

10-14-03  
Date



38032.0207  
Title.  
Fiscal No. 6

Prepared by the Legislative Council staff for  
House Appropriations - Government  
Operations

March 25, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

Page 1, line 2, replace the first "and" with "to provide for the continuation of an agricultural pesticide and pesticide container disposal program;"

Page 1, line 4, after "fees" insert "; to provide for a transfer of funds; and to provide an expiration date"

Page 1, line 12, replace "4,495,813" with "4,509,537"

Page 1, line 16, replace "876,517" with "869,980"

Page 1, line 17, replace "770,554" with "764,183"

Page 1, line 20, replace "619,525" with "308,947"

Page 1, line 21, replace "1,346.836" with "1,346,836"

Page 1, after line 21, insert:

"Crop protection product  
harmonization and registration board

\$25,000"

Page 1, line 22, replace "12,556,865" with "12,272,103"

Page 1, line 23, replace "8,607.851" with "7,873.089"

Page 1, line 24, replace "3,949,014" with "4,399,014"

Page 2, line 3, replace "\$2,499,215" with "\$2,214,453"

Page 2, line 12, replace "\$950,000" with "\$400,000"

Page 2, line 15, after "commissioner" insert ", including the board of animal health,"

Page 2, after line 17, insert:

**"SECTION 5. PESTICIDE AND PESTICIDE CONTAINER DISPOSAL  
PROGRAM - PESTICIDE CONTAINER MANAGEMENT - COMPENSATION.**

1. The definitions contained in section 4-35-05 apply to this section.
2. In consultation with an advisory board consisting of the state health officer, director of the North Dakota state university extension service, two individuals representing agribusiness organizations, two individuals representing farm organizations, all of whom must be selected by the agriculture commissioner, the commissioner shall continue to implement the project authorized by section 1 of chapter 77 of the 2001 Session Laws, which is known as project safe send. The purpose of the project is to:

Page No. 1

38032.0207

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Cherese A. Lee  
Operator's Signature

10-14-03  
Date

- a. Collect and either recycle or dispose of unusable pesticides and unusable pesticide containers. The commissioner shall provide for the establishment and operation of temporary collection sites for the pesticides and pesticide containers. The commissioner may limit the type and quantity of pesticides and pesticide containers acceptable for collection.
  - b. Promote proper pesticide container management. In consultation with the director of the North Dakota state university extension service, the commissioner shall evaluate and promote proper methods of pesticide container management, including information on the variety of pesticide containers available.
3. Any entity collecting pesticide containers or unusable pesticides shall manage and dispose of the containers and pesticides in compliance with applicable federal and state requirements. When called upon, any state agency shall assist the commissioner in implementing the project.
  4. For services rendered in connection with the design and implementation of this project, the members selected by the commissioner are entitled to reimbursement for mileage and travel expenses in the same manner and for the same amounts provided for state employees and officials. Compensation and expense reimbursement must be paid from the environment and rangeland protection fund.

**SECTION 6. PROJECT SCOPE AND EVALUATION.** The project described in section 5 of this Act must occur in areas to be determined by the agriculture commissioner in consultation with the advisory board under subsection 2 of section 5 of this Act and may only be conducted in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006.

**SECTION 7. PROJECT SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - USER FEES.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund."

Page 3, after line 5, Insert:

**"SECTION 10. TRANSFER.** The state treasurer shall transfer \$200,000, or so much of the sum as may be necessary, from the environment and rangeland protection fund to the minor use pesticide fund, during the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 11. EXPIRATION DATE.** Sections 5, 6, and 7 of this Act are effective through July 31, 2007, and after that date are ineffective."

Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

## Senate Bill No. 2009 - Department of Agriculture - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,555,385	\$4,495,813	\$13,724	\$4,609,537
Operating expenses	3,358,672	3,358,672		3,358,672
Capital assets	8,000	8,000		8,000
Grants	100,000	100,000		100,000
Board of Animal Health	878,517	878,517	(8,537)	869,980
State meat inspection	770,554	770,554	(8,371)	764,183
Pride of Dakota	180,948	180,948		180,948
Wildlife services	788,209	800,000		800,000
Safe Send	819,525	819,525	(310,578)	308,947
Noxious weeds	1,346,836	1,346,836		1,346,836
Crop Protection Product Harmonization			25,000	25,000
Total all funds	\$12,804,626	\$12,558,865	(\$284,762)	\$12,272,103
Less estimated income	<u>8,336,776</u>	<u>8,607,851</u>	<u>(734,762)</u>	<u>7,873,089</u>
General fund	\$4,287,848	\$3,949,014	\$450,000	\$4,399,014
FTE	57.00	57.00	0.00	57.00

## Dept. 602 - Department of Agriculture - Detail of House Changes

	REDUCES FUNDING FOR PROJECT SAFE SEND 1	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES 2	ADDS FUNDING FOR CROP PROTECTION PRODUCT HARMONIZATION AND REGISTRATION BOARD 3	ADJUSTS SPECIAL LINE ITEM SALARY REDUCTION 4	CHANGES FUNDING SOURCE FOR BOARD OF ANIMAL HEALTH 5	TOTAL HOUSE CHANGES
Salaries and wages				\$13,724		\$13,724
Operating expenses						
Capital assets						
Grants						
Board of Animal Health				(8,537)		(8,537)
State meat inspection				(8,371)		(8,371)
Pride of Dakota						
Wildlife services						
Safe Send	(\$309,762)			(816)		(310,578)
Noxious weeds						
Crop Protection Product Harmonization			\$25,000			25,000
Total all funds	(\$309,762)	\$0	\$25,000	\$0	\$0	(\$284,762)
Less estimated income	<u>(309,762)</u>	<u>(400,000)</u>	<u>25,000</u>		<u>(50,000)</u>	<u>(734,762)</u>
General fund	\$0	\$400,000	\$0	\$0	\$50,000	\$450,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

1 This amendment reduces funding for Project Safe Send by \$309,762, from \$819,525 to \$309,763. This amendment also provides for the project to be conducted only in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006, and for the project to be effective through July 31, 2007.

2 This amendment changes \$400,000 of funding for wildlife services from the game and fish fund to the general fund. The total funding for wildlife services is \$400,000 from the general fund and \$400,000 from the game and fish fund.

3 This amendment provides \$25,000 from the environment and rangeland protection fund for expenses of the Crop Protection Product Harmonization and Registration Board.

4 This amendment adjusts the removal of the executive recommendation for salary increases to reflect the salaries within the Board of Animal Health, state meat inspection, and Safe Send line items. The Senate amendment removed all of the funding from the salaries and wages line item.

5 This amendment changes \$50,000 of funding for the Board of Animal Health from the game and fish fund to the general fund. The total funding for the Board of Animal Health from the game and fish fund is \$100,000, which is to be reimbursed to the Department of Agriculture on a fee-for-service basis.

The House amendment incorporates the provisions of Senate Bill No. 2398, which transfers \$200,000 from the environment and rangeland protection fund to the minor use pesticide fund, available to the Crop Protection Product Harmonization and Registration Board as a continuing appropriation pursuant to North Dakota Century Code Section 4-35-06.3.

Date:03-25-03

Roll Call Vote Number #3

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2009**

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38032.0201 38032.0202 38032.0203  
38032.0206 38032.0207

Action Taken Do Pass as Amended

Motion Made By Rep. Carlson

Seconded By Rep. Skarphol

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	x				
Vice Chairman Carlson	x				
Rep. Koppelman	x				
Rep. Skarphol	x				
Rep. Thoreson	x				
Rep. Timm	x				
Rep. Glassheim	x				
Rep. Kroeber	x				
Rep. Warner	x				

Total (Yes) 9 No 0

Absent \_\_\_\_\_

Floor Assignment Rep. Carlson

If the vote is on an amendment, briefly indicate intent:  
See attached amendment

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Yubereoa A. Lee  
Operator's Signature

10-14-03  
Date

REPORT OF STANDING COMMITTEE (410)  
April 3, 2003 1:30 p.m.

Module No: HR-60-6645  
Carrier: Carlson  
Insert LC: 38032.0209 Title: .0300

**REPORT OF STANDING COMMITTEE**

SB 2009, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2009 was placed on the Sixth order on the calendar.

Page 1, line 2, replace the first "and" with "to provide for the continuation of an agricultural pesticide and pesticide container disposal program;"

Page 1, line 4, after "fees" insert "; to provide for a transfer of funds; and to provide an expiration date"

Page 1, line 12, replace "4,495,813" with "4,504,970"

Page 1, line 13, replace "3,358,672" with "3,328,600"

Page 1, line 16, replace "876,517" with "869,464"

Page 1, line 17, replace "770,554" with "763,461"

Page 1, line 20, replace "619,525" with "308,870"

Page 1, line 21, replace "1,346,836" with "1,346,836"

Page 1, after line 21, insert:  
"Crop protection product 25,000  
harmonization and registration board

Page 1, line 22, replace "12,556,865" with "12,236,149"

Page 1, line 23, replace "8,607,851" with "7,870,178"

Page 1, line 24, replace "3,949,014" with "4,365,971"

Page 2, line 3, replace "\$2,499,215" with "\$2,214,453"

Page 2, line 12, replace "\$950,000" with "\$400,000"

Page 2, line 15, after "commissioner" insert ", including the board of animal health,"

Page 2, after line 17, Insert:

**"SECTION 5. PESTICIDE AND PESTICIDE CONTAINER DISPOSAL  
PROGRAM - PESTICIDE CONTAINER MANAGEMENT - COMPENSATION.**

1. The definitions contained in section 4-35-05 apply to this section.
2. In consultation with an advisory board consisting of the state health officer, director of the North Dakota state university extension service, two individuals representing agribusiness organizations, two individuals representing farm organizations, all of whom must be selected by the agriculture commissioner, the commissioner shall continue to implement the project authorized by section 1 of chapter 77 of the 2001 Session Laws, which is known as project safe send. The purpose of the project is to:

- a. Collect and either recycle or dispose of unusable pesticides and unusable pesticide containers. The commissioner shall provide for the establishment and operation of temporary collection sites for the pesticides and pesticide containers. The commissioner may limit the type and quantity of pesticides and pesticide containers acceptable for collection.
  - b. Promote proper pesticide container management. In consultation with the director of the North Dakota state university extension service, the commissioner shall evaluate and promote proper methods of pesticide container management, including information on the variety of pesticide containers available.
3. Any entity collecting pesticide containers or unusable pesticides shall manage and dispose of the containers and pesticides in compliance with applicable federal and state requirements. When called upon, any state agency shall assist the commissioner in implementing the project.
  4. For services rendered in connection with the design and implementation of this project, the members selected by the commissioner are entitled to reimbursement for mileage and travel expenses in the same manner and for the same amounts provided for state employees and officials. Compensation and expense reimbursement must be paid from the environment and rangeland protection fund.

**SECTION 6. PROJECT SCOPE AND EVALUATION.** The project described in section 5 of this Act must occur in areas to be determined by the agriculture commissioner in consultation with the advisory board under subsection 2 of section 5 of this Act and may only be conducted in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006.

**SECTION 7. PROJECT SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - USER FEES.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund."

Page 3, after line 5, Insert:

**"SECTION 10. TRANSFER.** The state treasurer shall transfer \$200,000, or so much of the sum as may be necessary, from the environment and rangeland protection fund to the minor use pesticide fund, during the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 11. EXPIRATION DATE.** Sections 5, 6, and 7 of this Act are effective through July 31, 2007, and after that date are ineffective."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2009 - Department of Agriculture - House Action**

(2) DESK, (3) COMM

EXECUTIVE

SENATE

HOUSE

HOUSE

Page No. 2

HR-60-6645

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**REPORT OF STANDING COMMITTEE (410)**  
**April 3, 2003 1:30 p.m.**

**Module No: HR-60-6645**  
**Carrier: Carlson**  
**Insert LC: 38032.0209 Title: .0300**

	BUDGET	VERSION	CHANGES	VERSION
Salaries and wages	\$4,555,366	\$4,495,813	\$9,157	\$4,504,970
Operating expenses	3,358,872	3,358,872	(30,072)	3,328,800
Capital assets	8,000	8,000		8,000
Grants	100,000	100,000		100,000
Board of Animal Health	876,517	876,517	(7,053)	869,464
State meat inspection	770,554	770,554	(7,093)	763,461
Pride of Dakota	180,948	180,948		180,948
Wildlife services	788,209	800,000		800,000
Safe Send	619,525	619,525	(310,655)	308,870
Noxious weeds	1,346,836	1,346,836		1,346,836
Crop Protection Product Harmonization			25,000	25,000
Total all funds	\$12,604,626	\$12,556,865	(\$320,716)	\$12,236,149
Less estimated income	<u>8,336,778</u>	<u>8,607,851</u>	<u>(737,673)</u>	<u>7,870,178</u>
General fund	\$4,267,848	\$3,949,014	\$416,957	\$4,365,971
FTE	57.00	57.00	0.00	57.00

**Dept. 602 - Department of Agriculture - Detail of House Changes**

	REDUCES FUNDING FOR PROJECT SAFE SEND <sup>1</sup>	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES <sup>2</sup>	ADDS FUNDING FOR CROP PROTECTION PRODUCT HARMONIZATION AND REGISTRATION BOARD <sup>3</sup>	ADJUSTS SPECIAL LINE ITEM SALARY REDUCTION <sup>4</sup>	CHANGES FUNDING SOURCE FOR BOARD OF ANIMAL HEALTH <sup>5</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>6</sup>
Salaries and wages				\$13,724		
Operating expenses						(\$30,072)
Capital assets						
Grants						
Board of Animal Health				(8,537)		
State meat inspection				(6,371)		
Pride of Dakota						
Wildlife services						
Safe Send	(\$309,762)			(816)		
Noxious weeds						
Crop Protection Product Harmonization			\$25,000			
Total all funds	(\$309,762)	\$0	\$25,000	\$0	\$0	(\$30,072)
Less estimated income	<u>(309,762)</u>	<u>(400,000)</u>	<u>25,000</u>		<u>(50,000)</u>	
General fund	\$0	\$400,000	\$0	\$0	\$50,000	(\$30,072)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>7</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$4,567)	\$9,157
Operating expenses		(30,072)
Capital assets		
Grants		
Board of Animal Health	(518)	(7,053)
State meat inspection	(722)	(7,093)
Pride of Dakota		
Wildlife services		
Safe Send	(77)	(310,655)
Noxious weeds		
Crop Protection Product Harmonization		25,000
Total all funds	(\$5,862)	(\$320,716)
Less estimated income	<u>(2,911)</u>	<u>(737,673)</u>
General fund	(\$2,971)	\$416,957
FTE	0.00	0.00

<sup>1</sup> This amendment reduces funding for Project Safe Send by \$309,762, from \$619,525 to \$309,763. This amendment also provides for the project to be conducted only in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006, and for the project to be effective through July 31, 2007.

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**REPORT OF STANDING COMMITTEE (410)**  
**April 3, 2003 1:30 p.m.**

**Module No: HR-60-6645**  
**Carrier: Carlson**  
**Insert LC: 38032.0209 Title: .0300**

- <sup>2</sup> This amendment changes \$400,000 of funding for wildlife services from the game and fish fund to the general fund. The total funding for wildlife services is \$400,000 from the general fund and \$400,000 from the game and fish fund.
- <sup>3</sup> This amendment provides \$25,000 from the environment and rangeland protection fund for expenses of the Crop Protection Product Harmonization and Registration Board.
- <sup>4</sup> This amendment adjusts the removal of the executive recommendation for salary increases to reflect the salaries within the Board of Animal Health, state meat inspection, and Safe Send line items. The Senate amendment removed all of the funding from the salaries and wages line item.
- <sup>5</sup> This amendment changes \$50,000 of funding for the Board of Animal Health from the game and fish fund to the general fund. The total funding for the Board of Animal Health from the game and fish fund is \$100,000, which is to be reimbursed to the Department of Agriculture on a fee-for-service basis.
- <sup>6</sup> This amendment reduces funding for information technology by \$30,072 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 20 percent.
- <sup>7</sup> Funding for state employee health insurance premiums is reduced from \$493 per month to \$488.70 per month.

The House amendment incorporates the provisions of Senate Bill No. 2398, which transfers \$200,000 from the environment and rangeland protection fund to the minor use pesticide fund, available to the Crop Protection Product Harmonization and Registration Board as a continuing appropriation pursuant to North Dakota Century Code Section 4-35-06.3.



2003 SENATE APPROPRIATIONS

CONFERENCE COMMITTEE

SB 2009

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

Senate Appropriations Committee

☒ Conference Committee XX

Hearing Date April 10, 2003

Tape Number	Side A	Side B	Meter #
#1	A		0 - 1025
Committee Clerk Signature <i>Jan Henderson</i>			

Minutes:

Conference committee was called to order at 2:05 pm in the Roosevelt room by **Senator**

**Bowman**, chairman. A roll call was not taken, although the clerk noted that all members were present. (Roll call vote not taken, mainly because the meeting was delayed in getting started and there was only 10 minutes before another meeting was scheduled for the room).

Members present: **Senator Bowman, chairman, Senator Thane, Senator Krauter,**

**Representative Carlson, chairman, Representative Skarphol, Representative Warner .**

**Senator Bowman** (#71) stated that this committee would need to express their differences, make some decisions and move forward.

**Representative Carlson** stated that their committee reviewed the budget and made the following changes to the bill:

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*10-14-03*  
Date

Page 2  
Senate Appropriations Committee  
Bill/Resolution Number SB 2003  
Hearing Date April 10, 2003

---Reduced funding for the Project Safe Send by \$309,762, from \$619,525 to \$309,763. Also to only fund the project every other year -- odd numbered years--with project to end July 31, 2007. Project would only be funded for the years - 03,05,07.

--There was an additional \$400,000 of funding for wildlife services from the game & fish fund to the general fund. The total funding for wildlife services is \$400,000 from the general fund and \$400,000 from the game and fish fund.

---This amendment provides \$25,000 from the environment and range land protection fund for expenses of the Crop Production Harmonization and Registration Board.

---This amendment adjusts the removal of the executive recommendation for salary increases to reflect the salaries within the Board of Animal Health, state meat inspection, and Safe Send line items. The Senate amendment removed all of the funding from the salaries and wages line item.

-- This amendment changes \$50,000 of funding for the Board of Animal Health from the game and fish fund to the general fund. The total funding for the Board of Animal Health from the game and fish fund is \$100,000, which is to be reimbursed to the Department of Agriculture on a fee-for-service basis.

--This amendment reduces funding for information technology, by \$30,072 from the general fund, which represents a reduction in formation technology funding from the general fund of approximately 20%.

---Fund for state employee health insurance premiums is reduced from \$493 per month to \$488 per month.

**Senator Krauter** (#375) asked if they had any information on the poundage of the Safe Send, if it had increased or decreased. **Representative Carlson** stated that it had increased , mostly the

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10-14-03  
Date

RinseAid. **Senator Krauter** continued and wanted to know what was done with the RinseAid in the even numbered years? **Senator Carlson** stated that in the even numbered years, there are commercial facilities that will dispose of this, for a fee, the biggest one in Grand Forks. **Senator Warner** (#450) stated the Safe Send should be a annual program, it can't cover the entire state in one year. He stated there had been legislation that required that the program be paid by the person and it wasn't subsidized in any way. He was afraid that if this wasn't done, then water would be stored in the container that would break. He stated that his understanding of the RinseAid issue was from aerial applicators. Ground applicators can carry a supplement tank on the sprayer and flush the tank out and then go over the field again with the diluted pesticide, which is perfectly acceptable way of handling this. When you are dealing with aerosprayers it doesn't work this way. It is not cost effective to carry extra water on the airplanes, so they have to land, rise the tank, flush it, etc. You could fly again and spray but it would not be cost effective to do that.

**Senator Krauter** (#571) Did you have any testimony from air applicators or land applicators who have problem with this? Or any farmers with concerns with these programs? **Rep. Warner** didn't recall any testimony. **Rep. Carlson** (#605) There was testimony from several farmers on both sides of the issue. It was not a unanimous vote for it, but it was a strong vote for it. When the poundage was looked at, it has gone from 80,000 lbs to 338,000 lbs. The original year was 80,910 lbs and last year 338,616 lbs., and they did charge a \$1.00 fee but it cost a \$1.77 to dispose of it. Supposedly language is being worked on to help that.

Cheresea J. Bee  
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10-14-03  
Date

Page 4

Senate Appropriations Committee

Bill/Resolution Number SB 2003

Hearing Date April 10, 2003

**Rep. Skarphol (#675)** Those dollars could be used in other areas. Another problem is noxious weed. Maybe a little more effort should be on the noxious weed programs. The Federal government should be more in control of these weeds.

**Senator Bowman (#757)** Stated that this had not been fair to anyone for this meeting to be such a short one (Senate came in late because of floor session) and another meeting would be scheduled. He wanted to see what they could agree on first. If we can agree on the health care, then that is off the table. The IT budgets -- 4% from the Senate side and 20% from the House side which will have to be talked about. Some agreement on the Safe Send programs but if the service is wanted and maybe if the noxious weed program is wanted, maybe some dollars can be shifted around. The senators will look at the figures now that they have them, so when the next meeting is called, maybe Monday, we will have a handle.

**Senator Krauter (#882)** Any funding for the noxious weed program?

Rep. Sharphol stated that no changes were made. He would like to know what the status of the EARP fund is for the next meeting.

**Senator Thane (#949)** Isn't Operation Safe Send also for urban residents also? They need to dispose of different chemicals also, and they don't know that you can't store this stuff, or throw it down the drain or in the landfill, etc.

**With no other discussion the meeting was adjourned (#1025)**

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 14, 2003

Tape Number	Side A	Side B	Meter #
1	X		2909-end
1		X	1-1111
Committee Clerk Signature <i>Jan Henderson</i>			

Minutes:

Senator Bowman opened the conference committee on SB2009. Committee members are;

Senator Bowman, Senator Thane, Senator Krauter, Representative Carlson, Representative Skarphol, Representative Warner, all are present.

Senator Bowman (mtr #2928) - Discussed the differences between the bills of the House and the Senate. Crop Harmonization Board is an agreeable issue for the House and the Senate. Need to talk about the reduction to Game and Fish. Talked about the wildlife services affected by the reduction. Wants to know why it would come out of general funds if it deals with wildlife.

Representative Warner (mtr #3410) - Stated why he feels the funds should come from general funds. Feels the House's position is the sound one over the long term, that Game and Fish should contribute some. Looking at dangerously low ending fund balance in the general fund, maybe we can make a compromise. Would need to revisit the issue each session.

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*10-14-03*  
Date

Page 2

Senate Appropriations Committee

Bill/Resolution Number SB2009

Hearing Date April 14, 2003

Senator Bowman (mtr #3492) - Agree with part of that, but needs to understand what you consider, what that fund is used for if it is not used for wild animals.

Representative Skarphol (mtr #3525) - Understands that the dollars the come our of Game and Fish are limited to the \$400,000 that was initially talked about, because going beyond that goes beyond what Game and Fish is comfortable they can do based on their federal sharing. They don't think these are game animals. Felt they were jeopardizing federal dollars by using Game and Fish funds for non-wildlife.

Representative Carlson (mtr #3650) - Addressing the fee increases that Senator Bowman was concerned about, the fee increases were 2.2 million and the money that we required them to spend on of the fund for habitat was 3.3 million. So fees were 1.1 million dollars short of what they were required by legislation to put forward.

General discussion by all Senators regarding this budget and the relationship with the Game and Fish budget. When settling one budget, we settle them both.

Senator Bowman (mtr #3940) - What are the feelings of the other Senators?

Representative Carlson (mtr #4053) - Found information he was looking for, is comfortable raising it from 63,000 to 100,000. Instead of the 150,000 that they had. Will know more at the end of the next biennium when it is a contract service basis. Will be a fee for services basis.

Senator Krauter (mtr #4635) - Question regarding the 63,000.00 what type of activity have we seen and why the increase up to 150,000.00

Jeff Weisfenning (mtr #4765) - Had conversations early in the session with Game and Fish, because of concerns with the budget. We can document costs incurred relative to elk and those type of operations.

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Page 3

Senate Appropriations Committee

Bill/Resolution Number SB2009

Hearing Date April 14, 2003

Representative Skarphol (mtr #5190) - Does not see a 63,000 appropriation last time or a \$150,000 appropriation for this time. That is a significant increase. Asked for explanation of why an increase of 2.5% times over last time.

Jeff Weisfenning (mtr #5229) - Explained how the appropriation would work.

Representative Carlson (mtr #5383) - Suggests, doing just the uses of the money, could solve this issue, just looking at how money was spent last time.

Senator Krauter (mtr #5433) - Looking at the detail of the Board of Animal Health, talked about dollar amounts listed in this biennium and the next biennium. Lists a \$60,000.00 deduction primary coming out of general fund.

Representative Carlson (mtr #5553) - Reviewed the dollar amount on the predator damage list, beaver dam management, protection of human health, waterfowl damage management, urban wildlife damage management, blackbird management, and airport protection.

Senator Bowman (mtr #5998) - Problems will continue to get greater and the funds needed will increase. Point is, these are wild animals, should be a responsibility back for the damage they do. Is a problem in the cities, but is a problem related to wildlife.

Representative Carlson (mtr #6175) - The appropriation is small, 15,000.00 per year. Feels the contribution is sufficient.

Tape 1, Side B

Senator Thane (mtr #1) - Wildlife is an increasing problem, are carriers of rabies.

Senator Krauter (mtr #59) - Agree, have predator control, as wildlife increases predators increase, my main concern is that we fund it because it is utilized.

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Page 4

Senate Appropriations Committee

Bill/Resolution Number SB2009

Hearing Date April 14, 2003

Senator Bowman (mtr #225) - Talks about the problem with predators and the funding of control.

Feels Game and Fish has a bigger responsibility in this. Seems most logical place to find the funding is with those that sell the hunting licenses.

Representative Skarphol (mtr #395) - Does not disagree with Senator Bowman, but goes back to the testimony given in hearings and would like to talk to Game and Fish. They did talk about the jeopardization of federal dollars. Do not think it is appropriate to risk federal dollars.

Representative Carlson (mtr #526) - This should not be a sportsman/agriculture issue. It should be the best use of the funds.

Senator Bowman (mtr #635) - Question, if we took beaver out? Can reach a compromise.

Representative Carlson (mtr #909) - If they can justify the \$150,000 we will agree. Will want to see that documentation.

Senator Bowman (mtr #1050) - Will have correct documents prepared. Adjourned meeting.

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# 2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

Senate Appropriations Committee

☒ XXXX Conference Committee

Hearing Date April 16, 2003

Tape Number	Side A	Side B	Meter #
#1	X		0- 3563
Committee Clerk Signature <i>Jan Lundricken</i>			

Minutes:

**Senator Bowman** opened the conference committee on SB 2009 with all member present.

**Senator Bowman** stated that there was some information that have come from the Ag dept.

(Exhibit #1 which is attached.) that was requested, which deals with the Health Department and

Game & Fish department and it was requested by Rep. Carlson.

Rep. Carlson (#164) He would like a list of what a non-traditional livestock that the vet deals with from the Ag. Dept. What kind of animals.

**Wayne Carlson** (#230) Livestock coordinator for the Dept. of Ag., responded that it does not include the exotics, which there is some concern that Game and Fish had in terms of Bison, Ostrich and Emu, it does not include those non traditional. Non -traditional includes Bears, tigers, pheasants, all game birds, wild boars, certain other birds like the parrot, parakeets, anything that is basically in a pet store that has been imported. Elk is farmed, there is still requirements under the non traditional license even though they are farmed, that was changed last

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Page 2  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 16, 2003

session, but there are some responsibilities with that also. As far as the inspections that is included also in the non traditional.

----**Senator Bowman** (#368) \$50,000 in the budget and the House proposed an additional \$50,000 on a reimbursement for services bases....which is \$100,000 for a biennium which means that they are \$85,000 short of reaching their actual costs. Is that true?

----**Rep. Carlson** replied that was true, according to what the numbers look.

----**Senator Bowman** asked if they shorted them, saying they could find it within their budget or didn't they know what the costs were

----**Rep. Carlson** (#438) By the look at the animals that are considered non traditional, in defense of the sportsman in the Game & Fish Fund he would say that if they did testing on Pheasants farms that needed testing and even on Deer farms that were doing it on a controlled hunting bases or elk the Game & Fish or the sportsmen would be happy to pay that, but when they are into parrots, parakeets, boars, game birds, tigers and bears, of which I am quite sure there is no season on those, I think that it belongs to somebody else's responsibility. They are pet store animals or zoo animals. I find it hard to believe that the game and fish inherited that as a responsibility and it has just grown.

--**Sandy Paulson**, from OMB (#501) has a memo from Game & Fish that they can justify the work with elk, white tail deer, mule deer and pheasant.

---**Senator Bowman** wanted to know what percentage of all the animals we work on are elk, white tale, deer and pheasants?

---**Wayne** responded that it was the vast majority of those species.

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Operator's Signature

10-14-03  
Date

Page 3

Senate Appropriations Committee

Bill/Resolution Number SB 2009

Hearing Date April 16, 2003

---**Senator Carlson** then wanted to know if someone had an elk farm and was raising it for meat, and doing it as exotic meat to sell and they are not being hunting in any shape or form, is the responsibility of the sportsmen to make sure that this guy's herd is tested who is selling his meat for profit? I think the \$100,000 is a good contribution for that and there must be some exotic animals that get attention and he didn't know if they bill the pet shops or the zoos for services they render but if a monkey gets something, do you send in the state vet and then charge somebody for that or what do you do? Or the Bengal tiger, doesn't feel well, he is non traditional right?

---**Jeff Weisfenning** from Dept of Ag (#628) stated that they would be exotic and the non traditional are kinds of animals that the Game & Fish have acknowledged that they have a responsibility.

---**Rep. Carlson** (#700) If a pheasant farm is for profit, who gets billed if there are concerns about disease? The Pheasant Farm or the Game & Fish?

---**Roger Johnson** (#728) replied that they license the pheasant farm and we make sure they are doing things properly and a pheasant operation would be those kinds of responsibilities that are consistent with funding we get from Game & Fish, we don't directly bill Game & Fish for each one of these inspections, we have an operating agreement, we agree to do A,B,C and D and in return they agree to fund a certain level of funding for our operation and so it agreed upon process where we agree to do certain things, and Game & Fish agrees to the plan of work we setup in that agreement.

---**Rep. Carlson** explained further that he wanted to know who would pay if this was a business (for profit), who pays for the testing? The Ag department or Game & Fish? What level of

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10-14-03  
Date

Page 4

Senate Appropriations Committee

Bill/Resolution Number SB 2009

Hearing Date April 16, 2003

participation? Question raised about the contribution from Game & Fish, from \$63,000 to \$100,000.

---**Roger Johnson** (#894) replied that these are the expenses they incur when they fulfill the regulatory responsibilities, the larger issue that Rep. Carlson raises is a policy issue for the legislature should address. On what degree should private enterprise intertwine with these kinds of things that are being talked about. The legislature has passed laws that we are required to enforce, and we spend dollars to are necessary to enforce them, if the money doesn't come from Game & Fish Dept., we are just telling you what amount of dollars are needed to fulfill those regulatory responsibilities. These issues about where the money should come from, Game & Fish or somewhere else, I think should be for the legislature to address.

---**Senator Bowman** (#978) Where does the money go that is collected from licenses?

---**Roger** replied that it goes back to general fund.

--**Senator Bowman**: So you just have a line item for that cost and that is what this line item is to cover that cost?

--**Roger**: Yes

--**Rep. Skarphol** (#1019): Just a follow up on Rep. Carlson question, If it is a private sector pheasant farm for profit, if you have a reason to go in and do work for whatever reason, is there currently in law a mechanism for you to charge them a fee for that to be reimbursed?

---**Roger**, no we don't charge them for doing that work, anymore that we would charge fee to a cattle producer, if they have some disease in their herd, and we are required to come in by law and do whatever we do. We are required by law, we aren't going to charge the owner of those animals for the work we do. These are things that a veterinary wouldn't be called to do.

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10-14-03  
Date

Page 5  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 16, 2003

---**Rep. Skarphol** continued that he viewed traditional and non traditional animals in a different way.

--- **Senator Bowman**: It is the job of the state vet to go out and do regulatory work, to go wherever that may be a problem, he is paid through the state to do this work, not paid by the owner. If there is a working relationship with the Game & Fish, on how much of that it is non traditional livestock, then that's the way it should be. That is the agreement they make between those two and they are protecting all of the animals in the state of ND and whatever that figure is. What was the cost last year.....Roger replied \$63,000... Rep. Carlson asked where the rest of the money came from and Roger said from General Fund dollars.

---**Roger Johnson** (#1290) stated he had trouble following the debate because the issue to him is the total funding for our programs (Board of animal health), \$876,517, and what they are talking about is the sources of money to fund those programs. **Senator Carlson** stated they are talking about the sources, not the services, he wants to find out what is fair for the services rendered, he isn't talking about the services they do or the licensing fee, etc. He wanted to know how much of the \$183,000 of his (State Vet) \$876,000 budget has something to do with non traditional livestock, the question is how much of that is Game & Fish related and how much is not. Mr. **Johnson** didn't know if it was broken down like that, but he would say the vast majority is for non traditional livestock that would have something to do with Game & Fish. It is deer and elk farms, those are the ones that we spend the most of our time, diseases, etc. **Rep. Carlson** stated that maybe a fee schedule should be taken to the farmers that have the non traditional livestock that have these farms that are for profit, they pay some of these charges. But there license fees

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10-14-03  
Date

Page 6

Senate Appropriations Committee

Bill/Resolution Number SB 2009

Hearing Date April 16, 2003

would not begin to cover the charges on this sheet. **Roger Johnson** stated that this is a policy question that the legislature would have to deal with.

--**Senator Bowman** (#1537) stated that there are 8 items that need agreement on.

---**Rep. Skarphol** (#1560) would like to ask Wayne about the 280 facilities they inspect, what is the percentage that is game related versus others? Wayne said that between the bird, deer, elk, about 220 facilities out of 280, the other 50 a combination of animals, bears, tigers, so about 2/3.

--**Senator Thane** (#1648). He still thought that the Game & Fish had some responsibility for the diseases in the herds, they should pick up some of the costs.

--**Rep. Sharpol** asked for the balance in the EARP fund

---**Dan Wolf** from Legislative Council stated that there was \$422,945 as of now.

--**Rep. Sharpol** stated that maybe some of that money should be used for this.

--**Senator Bowman** stated that was the last thing they were going to discuss today and that was a possibility. He also stated that on the first issue the percentage was 78% of the budget, and 78% of what they had last time was \$150,000 and the 78% comes to \$117,000 from Game & Fish. The House is at \$100,000. Something to think about.

**Senator Bowman** continued (#1918) Fur bearers and what they collect and the licensing, he has the figures in what they sell in a year. Last year they sold 16,000 fur bearers license @ \$7.00 each for a total of \$112,000. They sold 33,000 sportsman license and the impact for fur bearers was \$99,000 and they sold 2,000 out of state fur bearers license of an impact of \$55,000. So every year they sell \$261,000 per year of fur bears license. **Rep. Carlson** stated that was \$522,000 per biennium. **Senator Thane** some of that comes from general game license which includes cotton tails etc.

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Date

Page 7  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 16, 2003

**Senator Bowman** (#2020) The last issue is the EARP fund. The House wants the pesticide collection every other year, and wanted to free up some money to add to the noxious weeds.

**Senator Skarphol** (#2162) stated that was a more appropriate use of the money, rather than do the same thing the same old way and expect to get different results. The issue of the RinseAid doesn't seem to go away, there has been significant changes in the way that chemicals are shipped, etc, and it isn't a bad idea to have some money left over for next time, whether we are going to use it for noxious weeds, that is just a potential alternative to using it on Safe Send..

**Senator Warner** (#2234) stated that the RinseAid issue, has pretty much gone away, fewer than 5,000 lbs a year, the growing acceptance of the urban populations of Safesend is a way of controlling their chemicals, and it is a growing concern and it should be continued yearly.

**Senator Bowman** (#2380) Stated that some kind of decision is going to have to made on the EARP fund, so that some amendments can be drafted. There are only 4 items that we don't agree on . The first item that was: How far would we be off with the House if we took 78% of what was used last year out of the Game & Fish budget which would be \$117,000 rather than \$185,000? Is that unrealistic to work with? **Rep. Carlson** what percentage is logical when you are regulating and your vet services are sent out to a farm that is not animals that you can hunt? He didn't want chronic wasting to get into the deer herd, the sportsman don't and other diseases, so we are willing to pay for that. The level from \$63,000 to \$100,000 probably can get to an agreement. Senator Bowman wanted to go into the wildlife services. He ask to know what the figure of taking the beaver out. **Rep. Carlson** stated it was \$152,000 per year. **Rep. Carlson** stated that if he was at \$500,000 on wildlife services and \$100,000 on non traditional game , He thought he could life with that. **Rep. Carlson** stated he was comfortable with those two numbers.



**Mr. Johnson** wanted to correct the license numbers: (#2683) 280 permits, 133 bird license and 127 deer and elk which totals 260 for bird and deer.

**Senator Krauter** (#2845) When you look at the permits, \$500,000 is reasonable, when you look at the percentage and that is over 90% then \$140,000 out of game and fish for state vet is reasonable.

**Rep. Carlson** stated that this is not going to be resolved today and he had a struggle even finding a tie to game and fish, these are for profit, game and fish doesn't buy any pheasants, the sportsman has to pay \$17.00 to go and hunt one of these birds, so where is there any benefit? Why do we feel that have to pay because it is there responsibility? They don't own the farm, they don't make the money, their concern is they don't want disease to spread and I understand that and there is a value to that to put some money in the pot, but to say that they owe it, there is not benefit for them other than to protect the rest of deer and elk, these are for profit business out there and they bought a permit and they need to be watched over because of regulations we have created so they don't spread disease. So all of a sudden it becomes our responsibility because someone else is doing it for profit. **Senator Bowman** stated that the wildlife has increased. All goes through cycles and all of these cycles cause problems, and all are directly related to wildlife.

**Rep. Carlson** (#3233) Protection to human health, raccoons and skunks is \$38,000; Urban wildlife damage --raccoons, rabbits, and skunks, \$15,000; Coyotes and foxes --\$159,000. His concerns are for the for profit, and that another entity should be responsible for keeping this business clean and healthy and go and get some money when there is not a benefit to that person involved, that is where he has the problem. He is willing to put a \$100,000 sportsman money in it and say that that a good deal, because we don't want those things to spread. **Senator Krauter:**

Page 9  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 16, 2003

(#3385) When those so called private business and get a license , don't those license go to game and fish? And don't they have some regulatory fees? That goes to the game & fish. **Rep.**

**Carlson** wanted to see those figures, if they are receiving fees. Senator Bowman stated that there are a couple of things off the table, basically it is game & fish and the EARP fund that we disagree on, so let's come up with some solutions on the numbers.

Meeting was adjourned. #3550 by the chairman, **Senator Bowman**

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

Senate Appropriations Committee

☐ XXXXXConference Committee

Hearing Date April 21, 3003

Tape Number	Side A	Side B	Meter #
#2	X		0 - 2184
Committee Clerk Signature <i>Jan Hendricks</i>			

Minutes:

Meeting was called to order by **Senator Bowman**, chairman on SB 2009 Conference Committee.

Roll call was called, all members present: **Senators: Bowman, Thane, and Krauter,**

**Representatives Carlson, Skarphol and Kroeber.**

**Senator Bowman** stated there was 3 issues that needed to be resolved. The issue of the wildlife funding the difference between the House and the Senate version; Ag in the classroom was an issue and project SafeSend and more money for noxious weeds but we have put in \$250,000 over the budget for saltseeder (?) (#117). The first proposal is to put in \$200,000 from the Game & Fish into Wildlife services. If we could agree then we could move forward. Discussion: (#220)

**Senator Bowman** It is meeting 1/2 way on this issue. **Rep. Kroeber** stated that his major problem with that is the way it has risen over the last 3 or 4 biennium, it has gone from \$40,000 to \$80,000, to \$100,000 to \$400,000 and then this proposal is for the full \$800,000. It just seems like there isn't enough stats on the use of wildlife services to take and back up that amount of that

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Date

Page 2  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 21, 2003

money. According to a printout they received, a large portion of this predator damage management, beaver damage management, protection of human health, urban wildlife blackbird and airport protection, waterfowl damage is a total of \$50,000 of the \$800,000. His major concern on moving it to \$600,000, certainly not looking to reducing this, but in the Governor's budget it was \$400,000 and \$400,000 of general funds, he understood they were at \$500,000 and \$300,000 and he thought that would be adequate but he wasn't involved in the previous discussions. **Senator Bowman** (#417) One of the concerns whenever the numbers of game go up, the problems go up with it, coyotes, foxes, etc., the more they need aero hunting, etc and this all costs a lot of money, and it is all directly related to the increased numbers of wildlife. The question is who is responsible for the domestic problems that we have because of that, when a skunk gets in your garage, or beaver damage, there is a substantial amount of money that is brought in for fur bearers license. **Rep. Kraebor** stated he was on the Game & fish conference committee, so he was familiar with it, and **Senator Bowman** stated that the amount of the fur bearers license was around \$261,000 per year. Money is made off the animals that cause the problems.

*Motion by Senator Thane moved to take \$600,000 from game & fish and \$200,000 from general fund, seconded by Senator Krauter. Roll call vote: 3 y 3 no Motion fails.*

*Motion by Rep. Carlson moved to take \$500,000 from Game and Fish and \$300,000 from general fund, seconded by Rep. Skarphol. Roll call vote: 3 no 3 y Motion fails.*

Discussion followed on how they could agree on this part of the bill.

**Senator Bowman** moved that for the Wildlife services - take \$550,000 from the Game & Fish and that goes to the Wildlife Services line item and for the Board of Animal Health \$150,000

Page 3  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 21, 2003

*from the Game & Fish budget. Seconded by Thane. Roll call vote taken. 6 y 0 n Motion passes.*

**Senator Bowman** continued (#1559) with the next issue in this budget is \$50,000 from Project Safe Send to go into the line item for Ag in the Classroom.

**Rep. Carlson** (#1622) He was having a little trouble following the money in the budget. He wondered about the carryover. Don Wolf (#1664) explained the carryover, which was from the last biennium and money from fund raising. **Rep. Carlson** wanted to know if they did not raise any money then the Ag in the Classroom has very little or not program and Don agreed that was correct.

**Senator Krauter** presented the Exhibit #1 regarding the Agriculture in the classroom funding. He also explained the carryover. He felt it was appropriate to add \$50,000 from the EARP fund for Ag in the Classroom. They only have about \$5,000 in actual dollars from last year, so they would have about \$55,000 with the added \$50,000. **Senator Carlson** wanted clarification on the \$75,000 in the line item now. Senator Krauter stated that they will only have about \$5,000 left from that amount, as the rest is spent or almost spent.

**Senator Carlson** would like to work on some amendments for this subject, to make sure the funding is there, etc.

Discussion continued on the Ag in the classroom program with all agreeing it is a much needed program. They also talked about using the money from the EARP fund.

The other two issues are the Safe Send and Ag in the classroom.

Another meeting will be scheduled. Don will draft the amendments that were passed today and the rest of the amendments will be done separately.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

Senate Appropriations Committee

☒ Conference Committee

☐

Hearing Date April 22, 2003

Tape Number	Side A	Side B	Meter #
Tape #2	X		0- 2345
Committee Clerk Signature <i>Sandra Dawson</i>			

Minutes:

**SENATOR BOWMAN** opened the Conference Committee on SB 2009.

**Roll call was held. Members present: Senators: Bowman, Thane and Krauter.**

**Representatives: Carlson, Skarphol and Kroeber.**

**SENATOR BOWMAN:** Two items left to discuss - Safe Send Program and Ag in the Classroom. Amendments were to be drafted to address those issues.

**REPRESENTATIVE CARLSON:** Asked Don Wolf to explain what was done on .0211.

**DON WOLF:** Page 4 - Footnote No. 7: Transfer \$10,000 from salaries and wages to the operating line item for Ag in the Classroom. .... Total funding \$50,000 ..... \$5,000 carry over from Attorney General refund fund ..... \$116,000 from fund raising activities. The Department of Agriculture is to provide a minimum of \$100,000 in contracts for the Agriculture in the Classroom Program ..... Sections 8 and 9 relate to Century Code references to Ag in the Classroom and Section 8 provides that Ag in the Classroom council shall provides grants .....

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Date

Page 2  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 22, 2003

develop agriculture curriculum ..... Section 9 amendment provides fund should be used to  
contract to carry out purposes .....

**REPRESENTATIVE CARLSON:** .... Fully funds Ag in the Classroom ..... in past raised only  
\$45,000 on donations .... gives authority to raise money ..... language added on page 2 ....  
matter of clarification what is funded ..... (Meter # 320 - 435)

**SENATOR KRAUTER:** Does not think proper way to do ..... underfunding the department by  
requiring them to make up \$45,000 in their operating ..... where? ..... (Meter # 438 - 496)

**REPRESENTATIVE CARLSON:** Hate to be accused of micro-management ..... within 3.3  
million dollars operating expenses to find \$45,000 to fully fund the Ag in the Classroom Program  
..... where, just find it ..... Last Time not fully funded.

**SENATOR BOWMAN:** They could apply for grants .....

**REPRESENTATIVE CARLSON:** ..... Feels worthwhile thing to do ..... feels good  
amendment .....

**SENATOR THANE:** Creates an incentive .....

**SENATOR KRAUTER:** Then need to contract ..... required to raise the money and then  
contract out ..... if that's the situation, we should have the contract go out and raise the money  
.....

**REPRESENTATIVE KROEBER:** Assuming Ag in the Classroom is run through the  
department, put in new language - it will have to be contracted out. Is that correct?

**DON WOLF:** We contract all of it out. .... Three staff people that do some of it .....  
Majority of it during last current biennium was contracted out .....

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10-14-03  
Date

Page 3  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 22, 2003

**REPRESENTATIVE CARLSON:** Referred to E-mail from Roger Johnson .... need to raise whatever dollars necessary .... (Meter # 877 - 929)

**SENATOR KRAUTER:** Feels this mandates to sign contract for \$100,000 - that's the big difference .....

**DON WOLF:** His understanding is to contract for \$100,000.

**SENATOR BOWMAN:** ..... Doesn't feel the legislature has to find the money for this program ..... If it's important, it should be done before we legislate appropriations towards it ..... haven't been told that it's that important .... willing to address and try .....

**SANDY PAULSON:** Questioned clarification of bidding out curriculum .....

**REPRESENTATIVE CARLSON:** Language says \$100,000. Assuming bid for \$90,000 - only have to pay \$90,000 ..... don't know what language .....

**SENATOR BOWMAN:** ..... Could water the program down significantly ..... if good, let's fund it .....

**REPRESENTATIVE CARLSON:** Not totally against - could use money for other programs .... try for next biennium .... if not successful- readjust in 2 years ..... Entertain motion on this amendment. (Meter # 1184 - 1262)

**SENATOR BOWMAN:** Makes a motion but adds wording to amendment (Meter # 1261 - 1307)

**REPRESENTATIVE SKARPHOL:** Seconded motion.

**DON WOLF:** Addressed language in Footnote #1 .....

Continued discussion on amendments language.

**SENATOR BOWMAN:** Do amendments in one motion .....

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Date



Page 4  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 22, 2003

**REPRESENTATIVE CARLSON:** Withdrew motion.

**REPRESENTATIVE SKARPHOL:** Withdrew second.

**SENATOR BOWMAN:** 'Talk about Safe Send Project ..... reduce funding in half - we're not doing it to have half the sites ..... doing it so that we have sites every year .... lot of chemicals, you can take them someplace ....

**DON WOLF:** Read Footnote #1 ..... language ..... in Section 6 .....

**SENATOR BOWMAN:** Want full sites available every year ..... have half the funding .....

**SENATOR KRAUTER:** Why do we have to word it that way? ..... does language have to be in there?

**DON WOLF:** Because reduction in there - explains what conference committee change was to the bill .....

**SENATOR KRAUTER:** ..... Why reduce the number of sites? .....

**REPRESENTATIVE CARLSON:** ..... Selected sites ..... other uses for money in future ..... let them pick the areas .....

**SENATOR BOWMAN:** .... New language added to .0211 ..... two year test plot ..... flexibility of rotation ..... chemical can still be collected and destroyed properly ....

**SENATOR THANE:** Another point - so they don't get rid of their obsolete chemicals this year .... so they probably wait 'til the next year - site closer by .....

**REPRESENTATIVE CARLSON:** Moved to add amendment .0211 with changes.

**REPRESENTATIVE SKARPHOL:** Seconded motion.

**SENATOR KRAUTER:** Doesn't feel like a compromise is here - a step forward. ....

Page 5

Senate Appropriations Committee

Bill/Resolution Number SB 2009

Hearing Date April 22, 2003

**SENATOR BOWMAN:** ..... We told them that they don't have to take a dime out of their  
operating ..... in the next 2 years, we make decision as to how important this program is .....

**Roll call was held. 4 yeas 2 nays. Motion carried.**

**Conference Committee hearing ended. (Meter # 2345)**

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Date

Date 4/21/03  
Roll Call Vote #: 2  
(one)

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2009

Senate APPROPRIATIONS Committee

☒ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken 600,000 from game & fest - 200,000 from

Motion Made By Thane Seconded By Krauter general fund

Senators	Yes	No	Representatives	Yes	No
Senator Bowman	✓		Representative Carlson		✓
Senator Thane	✓		Representative Skarphol		✓
Senator Krauter	✓		Representative Warner		✓
			<u>Krauter</u>		

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_ Motion fail

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

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Date: 4-21-03  
Roll call vote # (2)

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2009

Senate APPROPRIATIONS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken 500,000 - 300,000 from general fund

Motion Made By Carlson Seconded By Skarpol

Senators	Yes	No	Representatives	Yes	No
Bourman			Carlson		
Thane			Skarpol		
Kraut			<del>Kraut</del> Kraut		

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*motion fail*

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Cherese A. Lee  
Operator's Signature

10-14-03  
Date

38032.0210  
Title.  
Fiscal No. 2

Prepared by the Legislative Council staff for  
Conference Committee  
April 21, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

That the House recede from its amendments as printed on pages 1119-1122 of the Senate Journal and pages 1240-1242 of the House Journal and that Engrossed Senate Bill No. 2009 be amended as follows:

Page 1, line 2, replace the first "and" with "to provide for the continuation of an agricultural pesticide and pesticide container disposal program."

Page 1, line 4, after "fees" insert "; to provide for a transfer of funds; and to provide an expiration date"

Page 1, line 12, replace "4,495,813" with "4,504,970"

Page 1, line 13, replace "3,358,672" with "3,349,825"

Page 1, line 16, replace "876,517" with "869,464"

Page 1, line 17, replace "770,554" with "763,461"

Page 1, line 20, replace "619,525" with "308,870"

Page 1, line 21, replace "1,346,836" with "1,346,836"

Page 1, after line 21, insert:

"Crop protection product  
harmonization and registration board

25,000"

Page 1, line 22, replace "12,556,865" with "12,257,374"

Page 1, line 23, replace "8,607,851" with "8,068,849"

Page 1, line 24, replace "3,949,014" with "4,188,525"

Page 2, line 3, replace "\$2,499,215" with "\$2,264,453"

Page 2, line 12, replace "\$950,000" with "\$700,000"

Page 2, line 15, after "commissioner" insert ", including the board of animal health,"

Page 2, after line 17, insert:

**"SECTION 5. PESTICIDE AND PESTICIDE CONTAINER DISPOSAL  
PROGRAM - PESTICIDE CONTAINER MANAGEMENT - COMPENSATION.**

1. The definitions contained in section 4-35-05 apply to this section.
2. In consultation with an advisory board consisting of the state health officer, director of the North Dakota state university extension service, two individuals representing agribusiness organizations, and two individuals representing farm organizations, all of whom must be selected by the

Page No. 1

38032.0210

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Yherosa A. Lee  
Operator's Signature

10-14-03  
Date

agriculture commissioner, the commissioner shall continue to implement the project authorized by section 1 of chapter 77 of the 2001 Session Laws, which is known as project safe send. The purpose of the project is to:

- a. Collect and either recycle or dispose of unusable pesticides and unusable pesticide containers. The commissioner shall provide for the establishment and operation of temporary collection sites for the pesticides and pesticide containers. The commissioner may limit the type and quantity of pesticides and pesticide containers acceptable for collection.
  - b. Promote proper pesticide container management. In consultation with the director of the North Dakota state university extension service, the commissioner shall evaluate and promote proper methods of pesticide container management, including information on the variety of pesticide containers available.
3. Any entity collecting pesticide containers or unusable pesticides shall manage and dispose of the containers and pesticides in compliance with applicable federal and state requirements. When called upon, any state agency shall assist the commissioner in implementing the project.
  4. For services rendered in connection with the design and implementation of this project, the members selected by the commissioner are entitled to reimbursement for mileage and travel expenses in the same manner and for the same amounts provided for state employees and officials. Compensation and expense reimbursement must be paid from the environment and rangeland protection fund.

**SECTION 6. PROJECT SCOPE AND EVALUATION.** The project described in section 5 of this Act must occur in areas to be determined by the agriculture commissioner in consultation with the advisory board under subsection 2 of section 5 of this Act and may only be conducted in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006.

**SECTION 7. PROJECT SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - USER FEES.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund."

Page 3, after line 5, insert:

**"SECTION 10. TRANSFER.** The state treasurer shall transfer \$200,000, or so much of the sum as may be necessary, from the environment and rangeland protection fund to the minor use pesticide fund, during the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 11. EXPIRATION DATE.** Sections 5, 6, and 7 of this Act are effective through July 31, 2007, and after that date are ineffective."

Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

## Senate Bill No. 2009 - Department of Agriculture - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$4,555,365	\$4,495,813	\$9,157	\$4,504,970	\$4,504,970	
Operating expenses	3,358,672	3,358,672	(8,847)	3,349,825	3,328,600	\$21,225
Capital assets	8,000	8,000		8,000	8,000	
Grants	100,000	100,000		100,000	100,000	
Board of Animal Health	876,517	876,517	(7,053)	869,464	869,464	
State meat inspection	770,554	770,554	(7,093)	763,461	763,461	
Pride of Dakota	180,948	180,948		180,948	180,948	
Wildlife services	788,209	800,000		800,000	800,000	
Safe Send	619,525	619,525	(310,655)	308,870	308,870	
Noxious weeds	1,346,836	1,346,836		1,346,836	1,346,836	
Crop Protection Product Harmonization			25,000	25,000	25,000	
Total all funds	\$12,604,626	\$12,556,865	(\$299,491)	\$12,257,374	\$12,236,149	\$21,225
Less estimated income	<u>8,336,778</u>	<u>8,607,851</u>	<u>(539,002)</u>	<u>8,068,849</u>	<u>7,870,178</u>	<u>198,671</u>
General fund	\$4,267,848	\$3,949,014	\$239,511	\$4,188,525	\$4,365,971	(\$177,446)
FTE	57.00	57.00	0.00	57.00	57.00	0.00

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

	REDUCES FUNDING FOR PROJECT SAFE SEND <sup>1</sup>	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES <sup>2</sup>	ADDS FUNDING FOR CROP PROTECTION PRODUCT HARMONIZATION AND REGISTRATION BOARD <sup>3</sup>	ADJUSTS SPECIAL LINE ITEM SALARY REDUCTION <sup>4</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>5</sup>	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>6</sup>
Salaries and wages				\$13,724		(\$4,567)
Operating expenses					(\$8,847)	
Capital assets						
Grants						
Board of Animal Health				(6,537)		(516)
State meat inspection				(6,371)		(722)
Pride of Dakota						
Wildlife services						
Safe Send	(\$309,762)			(816)		(77)
Noxious weeds						
Crop Protection Product Harmonization			\$25,000			
Total all funds	(\$309,762)	\$0	\$25,000	\$0	(\$8,847)	(\$5,882)
Less estimated income	<u>(309,762)</u>	<u>(250,000)</u>	<u>25,000</u>		<u>(1,329)</u>	<u>(2,911)</u>
General fund	\$0	\$250,000	\$0	\$0	(\$7,518)	(\$2,971)
FTE	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL CONFERENCE COMMITTEE CHANGES						
Salaries and wages	\$9,157					
Operating expenses	(8,847)					
Capital assets						
Grants						
Board of Animal Health	(7,053)					
State meat inspection	(7,093)					
Pride of Dakota						
Wildlife services						
Safe Send	(310,655)					
Noxious weeds						
Crop Protection Product Harmonization			25,000			
Total all funds	(\$299,491)					
Less estimated income	<u>(539,002)</u>					
General fund	\$239,511					
FTE	0.00					

<sup>1</sup> This amendment reduces funding for Project Safe Send by \$309,762, from \$619,525 to \$309,763. This amendment also provides for the project to be conducted only in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006, and for the project to be effective through July 31, 2007.

- 2 The Conference Committee provided funding for wildlife services totaling \$800,000, \$550,000 from the game and fish fund and \$250,000 from the general fund. The House amendment reduced the funding for wildlife services from the game and fish fund by \$400,000 from the Senate version and provided funding of \$400,000 from the general fund.
- 3 This amendment provides \$25,000 from the environment and rangeland protection fund for expenses of the Crop Protection Product Harmonization and Registration Board.
- 4 This amendment adjusts the removal of the executive recommendation for salary increases to reflect the salaries within the Board of Animal Health, state meat inspection, and Safe Seed line items. The Senate amendment removed all of the funding from the salaries and wages line item.
- 5 This amendment reduces funding for information technology by \$7,518 from the general fund and \$1,329 from special funds, which represents a reduction in information technology funding from the general fund and special funds of approximately 5 percent.
- 6 Funding for state employee health insurance premiums is reduced from \$493 to \$488.70 per month.

The House amendment incorporates the provisions of Senate Bill No. 2398, which transfers \$200,000 from the environment and rangeland protection fund to the minor use pesticide fund, available to the Crop Protection Product Harmonization and Registration Board as a continuing appropriation pursuant to North Dakota Century Code Section 4-35-06.3. The Conference Committee did not change this amendment.

The Conference Committee provided \$150,000 for the Board of Animal Health from the game and fish fund, the same as the Senate version. The House amendment provided funding of \$100,000 from the game and fish fund and \$50,000 from the general fund for the Board of Animal Health.

The Conference Committee provided \$50,000 from the environment and rangeland protection fund for the agriculture in the classroom program, replacing \$50,000 of special funds appropriation from fundraising.

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Operator's Signature

*Yvonne A. Lee*

Date

10-14-03



Date: 4-21  
Roll Call Vote #: 3

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2009

Senate Appropriations Committee

☒ Check here for Conference Committee

Legislative Council Amendment Number .0210

Action Taken \$550,000 for Wildlife Services & 150,000 for Board of Animal Health -  
to be taken from Game & Fish

Motion Made By Bowman Seconded By Thane

Senators	Yes	No	Representatives	Yes	No
Bowman	✓		Carlson		
Thane	✓		Skarphol		
Krauth	✓		Krauth Kraebou		

Total (Yes) 6 No 0

Absent Motion Passes

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

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Operator's Signature Theresa A. Lee

Date 10-14-03

Date:

Roll call vote #

## 2003 SENATE STANDING COMMITTEE ROLL CALL VOTES

## Senate APPROPRIATIONS

☐

Legislative Council Amendment Number

### Action Taken

**Motion Made By**

Seconded By Skarphol

[illegible]

Total (Yes)

**Absent**

### Floor Assignment

**If the vote is on an amendment, briefly indicate intent:**

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**Operator's Signature**

Date \_\_\_\_\_

38032.0214  
Title.0400  
Fiscal No. 4

Prepared by the Legislative Council staff for  
Representative Carlson  
April 22, 2003

*4-23-03*  
*1 of 5*

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

That the House recede from its amendments as printed on pages 1119-1122 of the Senate Journal and pages 1240-1242 of the House Journal and that Engrossed Senate Bill No. 2009 be amended as follows:

Page 1, line 2, replace the first "and" with "to provide for the continuation of an agricultural pesticide and pesticide container disposal program;"; after "reenact" insert "sections 4-37-03 and 4-37-04," and after "19-13.1-03" insert a comma

Page 1, line 3, after "to" insert "powers, duties, and funding for the agriculture in the classroom program and"

Page 1, line 4, after "fees" insert "; to provide for a transfer of funds; and to provide an expiration date"

Page 1, line 12, replace "4,495,813" with "4,494,970"

Page 1, line 13, replace "3,358,672" with "3,359,825"

Page 1, line 16, replace "876,517" with "869,464"

Page 1, line 17, replace "770,554" with "763,461"

Page 1, line 20, replace "619,525" with "308,870"

Page 1, line 21, replace "1,346,836" with "1,346,836"

Page 1, after line 21, insert:

"Crop protection product  
harmonization and registration board

25,000"

Page 1, line 22, replace "12,556,865" with "12,257,374"

Page 1, line 23, replace "8,607,851" with "8,068,849"

Page 1, line 24, replace "3,949,014" with "4,188,525"

Page 2, line 3, replace "\$2,499,215" with "\$2,264,453,"

Page 2, line 12, replace "\$950,000" with "\$700,000"

Page 2, line 15, after "commissioner" insert ", including the board of animal health,"

Page 2, after line 17, insert:

**"SECTION 5. PESTICIDE AND PESTICIDE CONTAINER DISPOSAL  
PROGRAM - PESTICIDE CONTAINER MANAGEMENT - COMPENSATION.**

1. The definitions contained in section 4-35-05 apply to this section.

- 20FS
2. In consultation with an advisory board consisting of the state health officer, director of the North Dakota state university extension service, two individuals representing agribusiness organizations, and two individuals representing farm organizations, all of whom must be selected by the agriculture commissioner, the commissioner shall continue to implement the project authorized by section 1 of chapter 77 of the 2001 Session Laws, which is known as project safe send. The purpose of the project is to:
    - a. Collect and either recycle or dispose of unusable pesticides and unusable pesticide containers. The commissioner shall provide for the establishment and operation of temporary collection sites for the pesticides and pesticide containers. The commissioner may limit the type and quantity of pesticides and pesticide containers acceptable for collection.
    - b. Promote proper pesticide container management. In consultation with the director of the North Dakota state university extension service, the commissioner shall evaluate and promote proper methods of pesticide container management, including information on the variety of pesticide containers available.
  3. Any entity collecting pesticide containers or unusable pesticides shall manage and dispose of the containers and pesticides in compliance with applicable federal and state requirements. When called upon, any state agency shall assist the commissioner in implementing the project.
  4. For services rendered in connection with the design and implementation of this project, the members selected by the commissioner are entitled to reimbursement for mileage and travel expenses in the same manner and for the same amounts provided for state employees and officials. Compensation and expense reimbursement must be paid from the environment and rangeland protection fund.

**SECTION 6. PROJECT SCOPE AND EVALUATION.** The project described in section 5 of this Act must occur in areas to be determined by the agriculture commissioner in consultation with the advisory board under subsection 2 of section 5 of this Act.

**SECTION 7. PROJECT SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - USER FEES.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund.

**SECTION 8. AMENDMENT.** Section 4-37-03 of the North Dakota Century Code is amended and reenacted as follows:

**4-37-03. Purpose - Powers and duties.** The agriculture in the classroom council shall provide grants and contracts to individuals and organizations that conduct an agriculture in the classroom program to develop agricultural curriculum activities and train teachers in these agricultural curriculum activities for grades kindergarten through twelve in this state's public school system. The council shall work with all educators, including the superintendent of public instruction, the state board for vocational and technical education, the United States department of agriculture, and the state agriculture commissioner in accomplishing its purpose. The council shall render services consistent with this purpose which include:

- 3045
1. Consultations with the state superintendent of public instruction, the state board for vocational and technical education, the state agriculture commissioner, and the United States department of agriculture.
  2. Preparation of instructional, informational, and reference publications on the North Dakota agricultural economy and rural lifestyles.
  3. Provide training programs for public school teachers in developed agricultural curriculum activities.
  4. Encourage research on and identification of new instructional, informational, and reference publications relating to this state's agricultural economy and rural lifestyles.
  5. Monitor the quality and condition of the agriculture in the classroom program.

**SECTION 9. AMENDMENT.** Section 4-37-04 of the North Dakota Century Code is amended and reenacted as follows:

**4-37-04. Gifts and grants.** In order to carry out its duties under this chapter, the agriculture in the classroom council may contract for and accept private contributions, gifts, and grants-in-aid from the federal government, private industry, and other sources. Additional income must be spent for the purpose designated, if any, in the gift, grant, or donation. The funds must be used to contract with individuals or organizations that conduct an agriculture in the classroom program to carry out the purposes of this chapter.

Page 3, after line 5, insert:

**"SECTION 12. AGRICULTURE IN THE CLASSROOM - 2003-05 BIENNIUM CONTRACTS.** The department of agriculture shall contract for a minimum of \$100,000 of services with individuals or organizations for the agriculture in the classroom program during the 2003-05 biennium.

**SECTION 13. TRANSFER.** The state treasurer shall transfer \$200,000, or so much of the sum as may be necessary, from the environment and rangeland protection fund to the minor use pesticide fund, during the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 14. EXPIRATION DATE.** Sections 5, 6, and 7 of this Act are effective through July 31, 2007, and after that date are ineffective."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2009 - Department of Agriculture - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$4,555,385	\$4,495,813	(\$843)	\$4,494,970	\$4,504,970	(\$10,000)
Operating expenses	3,358,672	3,358,672	1,153	3,359,825	3,328,600	31,225
Capital assets	8,000	8,000		8,000	8,000	
Grants	100,000	100,000		100,000	100,000	
Board of Animal Health	878,517	878,517	(7,053)	869,464	869,464	
State meat inspection	770,554	770,554	(7,093)	763,461	763,461	
Pride of Dakota	180,948	180,948		180,948	180,948	
Wildlife services	788,209	800,000		800,000	800,000	
Safe Send	619,525	619,525	(310,655)	308,870	308,870	
Noxious weeds	1,346,836	1,346,836		1,346,836	1,346,836	

Page No. 3

38032.0214

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Operator's Signature

Date

4 of 5

Crop Protection Product Harmonization			25,000	25,000	25,000	
Total all funds	\$12,604,626	\$12,556,865	(\$299,491)	\$12,257,374	\$12,236,149	\$21,225
Less estimated income	<u>8,336,778</u>	<u>8,607,851</u>	<u>(539,002)</u>	<u>8,068,849</u>	<u>7,870,178</u>	<u>198,671</u>
General fund	\$4,267,848	\$3,949,014	\$239,511	\$4,188,525	\$4,365,971	(\$177,446)
FTE	57.00	57.00	0.00	57.00	57.00	0.00

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

	REDUCES FUNDING FOR PROJECT SAFE SEND <sup>1</sup>	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES <sup>2</sup>	ADDS FUNDING FOR CROP PROTECTION PRODUCT HARMONIZATION AND REGISTRATION BOARD <sup>3</sup>	ADJUSTS SPECIAL LINE ITEM SALARY REDUCTION <sup>4</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>5</sup>	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>6</sup>
Salaries and wages				\$13,724		(\$4,667)
Operating expenses					(\$8,847)	
Capital assets						
Grants						
Board of Animal Health				(8,637)		(516)
State meat inspection				(6,371)		(722)
Pride of Dakota						
Wildlife services						
Safe Send	(\$309,762)			(818)		(77)
Noxious weeds						
Crop Protection Product Harmonization			\$25,000			
Total all funds	(\$309,762)	\$0	\$25,000	\$0	(\$8,847)	(\$5,882)
Less estimated income	<u>(309,762)</u>	<u>(250,000)</u>	<u>25,000</u>	<u>0</u>	<u>(1,329)</u>	<u>(2,911)</u>
General fund	\$0	\$250,000	\$0	\$0	(\$7,518)	(\$2,971)
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	CHANGES FUNDING FOR AGRICULTURE IN THE CLASSROOM <sup>7</sup>	TOTAL CONFERENCE COMMITTEE CHANGES				
Salaries and wages	(\$10,000)	(\$843)				
Operating expenses	10,000	1,153				
Capital assets						
Grants						
Board of Animal Health		(7,053)				
State meat inspection		(7,093)				
Pride of Dakota						
Wildlife services						
Safe Send		(310,855)				
Noxious weeds						
Crop Protection Product Harmonization		25,000				
Total all funds	\$0	(\$299,491)				
Less estimated income	<u>0</u>	<u>(539,002)</u>				
General fund	\$0	\$239,511				
FTE	0.00	0.00				

<sup>1</sup> The House amendment reduces funding for Project Safe Send by \$309,762, from \$819,525 to \$309,763 and provides for the project to be conducted only in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006, and for the project to be effective through July 31, 2007. The Conference Committee provided that Project Safe Send can be conducted annually, however the funding for the project did not change from the House version.

<sup>2</sup> The Conference Committee provided funding for wildlife services totaling \$826,000, \$550,000 from the game and fish fund and \$250,000 from the general fund. The House amendment reduced the funding for wildlife services from the game and fish fund by \$400,000 from the Senate version and provided funding of \$400,000 from the general fund.

<sup>3</sup> This amendment provides \$25,000 from the environment and rangeland protection fund for expenses of the Crop Protection Product Harmonization and Registration Board.

<sup>4</sup> This amendment adjusts the removal of the executive recommendation for salary increases to reflect the salaries within the Board of Animal Health, state meat inspection, and Safe Send line items. The Senate amendment removed all of the funding from the salaries and wages line item.

<sup>5</sup> This amendment reduces funding for information technology by \$7,518 from the general fund and \$1,329 from special funds, which represents a reduction in information technology funding from the general fund and special funds of approximately 5 percent.

<sup>6</sup> Funding for state employee health insurance premiums is reduced from \$493 to \$488.70 per month.

5 of 5

<sup>7</sup> The Conference Committee provided that the agriculture in the classroom program should be contracted with outside organizations or individuals. This amendment moves existing authority of \$10,000 for the program from the salaries and wages line item to the operating line item. The total funding for the program is \$50,000 from the environment and rangeland protection fund, \$5,000 of carryover authority from the Attorney General refund fund, and \$18,000 of special funds spending authority from fundraising activities. The Department of Agriculture is to provide a minimum of \$100,000 in contracts for the agriculture in the classroom program, and shall use existing operating appropriation authority if unable to generate the needed funds from grants, contracts, or other fundraising activities.

The House amendment incorporates the provisions of Senate Bill No. 2398, which transfers \$200,000 from the environment and rangeland protection fund to the minor use pesticide fund, available to the Crop Protection Product Harmonization and Registration Board as a continuing appropriation pursuant to North Dakota Century Code Section 4-35-06.3. The Conference Committee did not change this amendment.

The Conference Committee provided \$150,000 for the Board of Animal Health from the game and fish fund, the same as the Senate version. The House amendment provided funding of \$100,000 from the game and fish fund and \$50,000 from the general fund for the Board of Animal Health.

The Conference Committee provided \$50,000 from the environment and rangeland protection fund for the agriculture in the classroom program, replacing \$50,000 of special funds appropriation from fundraising.

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Cheresea A. Lee  
Operator's Signature

10-14-03  
Date

**REPORT OF CONFERENCE COMMITTEE**

**SB 2009, as engrossed:** Your conference committee (Sens. Bowman, Thane, Krauter and Reps. Carlson, Skarphol, Kroeber) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1119-1122, adopt amendments as follows, and place SB 2009 on the Seventh order:

That the House recede from its amendments as printed on pages 1119-1122 of the Senate Journal and pages 1240-1242 of the House Journal and that Engrossed Senate Bill No. 2009 be amended as follows:

Page 1, line 2, replace the first "and" with "to provide for the continuation of an agricultural pesticide and pesticide container disposal program;" after "reenact" insert "sections 4-37-03 and 4-37-04," and after "19-13.1-03" insert a comma

Page 1, line 3, after "to" insert "powers, duties, and funding for the agriculture in the classroom program and"

Page 1, line 4, after "fees" insert "; to provide for a transfer of funds; and to provide an expiration date"

Page 1, line 12, replace "4,495,813" with "4,494,970"

Page 1, line 13, replace "3,358,672" with "3,359,825"

Page 1, line 16, replace "876,517" with "869,464"

Page 1, line 17, replace "770,554" with "763,461"

Page 1, line 20, replace "619,525" with "308,870"

Page 1, line 21, replace "1,346,836" with "1,346,836"

Page 1, after line 21, insert:

"Crop protection product  
harmonization and registration board

25,000"

Page 1, line 22, replace "12,556,865" with "12,257,374"

Page 1, line 23, replace "8,607,851" with "8,068,849"

Page 1, line 24, replace "3,949,014" with "4,188,525"

Page 2, line 3, replace "\$2,499,215" with "\$2,264,453,"

Page 2, line 12, replace "\$950,000" with "\$700,000"

Page 2, line 15, after "commissioner" insert ", including the board of animal health,"

Page 2, after line 17, insert:

**"SECTION 5. PESTICIDE AND PESTICIDE CONTAINER DISPOSAL  
PROGRAM - PESTICIDE CONTAINER MANAGEMENT - COMPENSATION.**

1. The definitions contained in section 4-35-05 apply to this section.
2. In consultation with an advisory board consisting of the state health officer, director of the North Dakota state university extension service, two



individuals representing agribusiness organizations, and two individuals representing farm organizations, all of whom must be selected by the agriculture commissioner, the commissioner shall continue to implement the project authorized by section 1 of chapter 77 of the 2001 Session Laws, which is known as project safe send. The purpose of the project is to:

- a. Collect and either recycle or dispose of unusable pesticides and unusable pesticide containers. The commissioner shall provide for the establishment and operation of temporary collection sites for the pesticides and pesticide containers. The commissioner may limit the type and quantity of pesticides and pesticide containers acceptable for collection.
  - b. Promote proper pesticide container management. In consultation with the director of the North Dakota state university extension service, the commissioner shall evaluate and promote proper methods of pesticide container management, including information on the variety of pesticide containers available.
3. Any entity collecting pesticide containers or unusable pesticides shall manage and dispose of the containers and pesticides in compliance with applicable federal and state requirements. When called upon, any state agency shall assist the commissioner in implementing the project.
  4. For services rendered in connection with the design and implementation of this project, the members selected by the commissioner are entitled to reimbursement for mileage and travel expenses in the same manner and for the same amounts provided for state employees and officials. Compensation and expense reimbursement must be paid from the environment and rangeland protection fund.

**SECTION 6. PROJECT SCOPE AND EVALUATION.** The project described in section 5 of this Act must occur in areas to be determined by the agriculture commissioner in consultation with the advisory board under subsection 2 of section 5 of this Act.

**SECTION 7. PROJECT SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - USER FEES.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund.

**SECTION 8. AMENDMENT.** Section 4-37-03 of the North Dakota Century Code is amended and reenacted as follows:

**4-37-03. Purpose - Powers and duties.** The agriculture In the classroom council shall provide grants and contracts to individuals and organizations that conduct an agriculture in the classroom program to develop agricultural curriculum activities and train teachers in these agricultural curriculum activities for grades kindergarten through twelve in this state's public school system. The council shall work with all educators, including the superintendent of public instruction, the state board for vocational and technical education, the United States department of agriculture, and the state agriculture commissioner in accomplishing its purpose. The council shall render services consistent with this purpose which include:

1. Consultations with the state superintendent of public instruction, the state board for vocational and technical education, the state agriculture commissioner, and the United States department of agriculture.
2. Preparation of instructional, informational, and reference publications on the North Dakota agricultural economy and rural lifestyles.
3. Provide training programs for public school teachers in developed agricultural curriculum activities.
4. Encourage research on and identification of new instructional, informational, and reference publications relating to this state's agricultural economy and rural lifestyles.
5. Monitor the quality and condition of the agriculture in the classroom program.

**SECTION 9. AMENDMENT.** Section 4-37-04 of the North Dakota Century Code is amended and reenacted as follows:

**4-37-04. Gifts and grants.** In order to carry out its duties under this chapter, the agriculture in the classroom council may contract for and accept private contributions, gifts, and grants-in-aid from the federal government, private industry, and other sources. Additional income must be spent for the purpose designated, if any, in the gift, grant, or donation. The funds must be used to contract with individuals or organizations that conduct an agriculture in the classroom program to carry out the purposes of this chapter.

Page 3, after line 5, insert:

**"SECTION 12. AGRICULTURE IN THE CLASSROOM - 2003-05 BIENNIAL CONTRACTS.** The department of agriculture shall contract for a minimum of \$100,000 of services with individuals or organizations for the agriculture in the classroom program during the 2003-05 biennium.

**SECTION 13. TRANSFER.** The state treasurer shall transfer \$200,000, or so much of the sum as may be necessary, from the environment and rangeland protection fund to the minor use pesticide fund, during the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 14. EXPIRATION DATE.** Sections 5, 6, and 7 of this Act are effective through July 31, 2007, and after that date are ineffective."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2009 - Department of Agriculture - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$4,655,365	\$4,495,813	(\$843)	\$4,494,970	\$4,504,970	(\$10,000)
Operating expenses	3,358,672	3,358,672	1,153	3,359,825	3,328,600	31,225
Capital assets	8,000	8,000		8,000	8,000	
Grants	100,000	100,000		100,000	100,000	
Board of Animal Health	876,517	876,517	(7,053)	869,464	869,464	

(2) DESK, (2) COMM

Page No. 3

SR-74-8226

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**REPORT OF CONFERENCE COMMITTEE (420)**  
**April 23, 2003 4:04 p.m.**

**Module No: SR-74-8226**

**Insert LC: 38032.0214**

State meat inspection	770,554	770,554	(7,093)	763,461	763,461	
Pride of Dakota	180,948	180,948		180,948	180,948	
Wildlife services	788,209	800,000		800,000	800,000	
Safe Send	619,525	619,525	(310,855)	308,670	308,670	
Noxious weeds	1,346,836	1,346,836		1,346,836	1,346,836	
Crop Protection Product Harmonization			25,000	25,000	25,000	
Total all funds	\$12,604,626	\$12,556,865	(\$299,491)	\$12,257,374	\$12,236,149	\$21,225
Less estimated income	<u>8,336,778</u>	<u>8,607,851</u>	<u>(639,002)</u>	<u>8,068,849</u>	<u>7,870,178</u>	<u>198,671</u>
General fund	\$4,267,848	\$3,949,014	\$239,511	\$4,188,525	\$4,365,971	(\$177,446)
FTE	57.00	57.00	0.00	57.00	57.00	0.00

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

	REDUCES FUNDING FOR PROJECT SAFE SEND <sup>1</sup>	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES <sup>2</sup>	ADDS FUNDING FOR CROP PROTECTION PRODUCT HARMONIZATION AND REGISTRATION BOARD <sup>3</sup>	ADJUSTS SPECIAL LINE ITEM SALARY REDUCTION <sup>4</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>5</sup>	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>6</sup>
Salaries and wages				\$13,724		(\$4,567)
Operating expenses					(\$8,847)	
Capital assets						
Grants						
Board of Animal Health				(6,537)		(516)
State meat inspection				(6,371)		(722)
Pride of Dakota						
Wildlife services						
Safe Send	(\$309,762)			(816)		(77)
Noxious weeds						
Crop Protection Product Harmonization			\$25,000			
Total all funds	(\$309,762)	\$0	\$25,000	\$0	(\$8,847)	(\$5,882)
Less estimated income	<u>(309,762)</u>	<u>(250,000)</u>	<u>25,000</u>	<u>0</u>	<u>(1,329)</u>	<u>(2,911)</u>
General fund	\$0	\$250,000	\$0	\$0	(\$7,518)	(\$2,971)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	CHANGES FUNDING FOR AGRICULTURE IN THE CLASSROOM <sup>7</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$10,000)	(\$543)
Operating expenses	10,000	1,153
Capital assets		
Grants		
Board of Animal Health		(7,053)
State meat inspection		(7,093)
Pride of Dakota		
Wildlife services		
Safe Send		(310,655)
Noxious weeds		
Crop Protection Product Harmonization		25,000
Total all funds	\$0	(\$299,491)
Less estimated income	<u>0</u>	<u>(539,002)</u>
General fund	\$0	\$239,511
FTE	0.00	0.00

<sup>1</sup> The House amendment reduces funding for Project Safe Send by \$309,762, from \$619,525 to \$309,763 and provides for the project to be conducted only in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006, and for the project to be effective through July 31, 2007. The Conference Committee provided that Project Safe Send can be conducted annually, however the funding for the project did not change from the House version.

<sup>2</sup> The Conference Committee provided funding for wildlife services totaling \$800,000, \$650,000 from the game and fish fund and \$250,000 from the general fund. The House amendment reduced the funding for wildlife services from the game and fish fund by \$400,000 from the Senate version and provided funding of \$400,000 from the general fund.

(2) DESK, (2) COMM

Page No. 4

SR-74-8226

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**REPORT OF CONFERENCE COMMITTEE (420)**  
**April 23, 2003 4:04 p.m.**

**Module No: SR-74-8226**

**Insert LC: 38032.0214**

- 3 This amendment provides \$25,000 from the environment and rangeland protection fund for expenses of the Crop Protection Product Harmonization and Registration Board.
- 4 This amendment adjusts the removal of the executive recommendation for salary increases to reflect the salaries within the Board of Animal Health, state meat inspection, and Safe Send line items. The Senate amendment removed all of the funding from the salaries and wages line item.
- 5 This amendment reduces funding for information technology by \$7,516 from the general fund and \$1,329 from special funds, which represents a reduction in information technology funding from the general fund and special funds of approximately 5 percent.
- 6 Funding for state employee health insurance premiums is reduced from \$493 to \$480.70 per month.
- 7 The Conference Committee provided that the agriculture in the classroom program should be contracted with outside organizations or individuals. This amendment moves existing authority of \$10,000 for the program from the salaries and wages line item to the operating line item. The total funding for the program is \$50,000 from the environment and rangeland protection fund, \$5,000 of carryover authority from the Attorney General refund fund, and \$16,000 of special funds spending authority from fundraising activities. The Department of Agriculture is to provide a minimum of \$100,000 in contracts for the agriculture in the classroom program, and shall use existing operating appropriation authority if unable to generate the needed funds from grants, contracts, or other fundraising activities.

The House amendment incorporates the provisions of Senate Bill No. 2398, which transfers \$200,000 from the environment and rangeland protection fund to the minor use pesticide fund, available to the Crop Protection Product Harmonization and Registration Board as a continuing appropriation pursuant to North Dakota Century Code Section 4-35-06.3. The Conference Committee did not change this amendment.

The Conference Committee provided \$150,000 for the Board of Animal Health from the game and fish fund, the same as the Senate version. The House amendment provided funding of \$100,000 from the game and fish fund and \$50,000 from the general fund for the Board of Animal Health.

The Conference Committee provided \$50,000 from the environment and rangeland protection fund for the agriculture in the classroom program, replacing \$50,000 of special funds appropriation from fundraising.

Engrossed SB 2009 was placed on the Seventh order of business on the calendar.

2003 TESTIMONY

SB 2009

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10-14-03  
Date

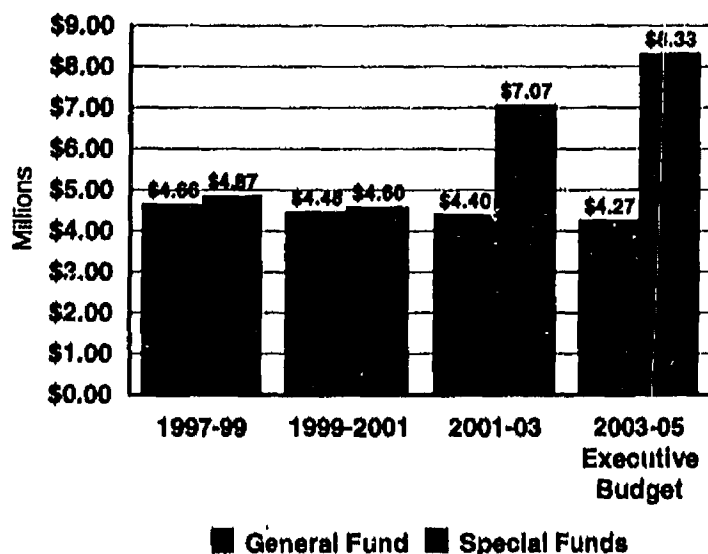
Department 602 - Agriculture Commissioner  
Senate Bill No. 2009

	FTE Positions	General Fund	Other Funds	Total
2003-05 Executive Budget	57.00	\$4,267,848	\$8,336,778	\$12,604,626
2001-03 Legislative Appropriations	55.50	4,396,735 <sup>1</sup>	7,068,293	11,465,028 <sup>2</sup>
Increase (Decrease)	1.50	(\$128,887)	\$1,268,485	\$1,139,598

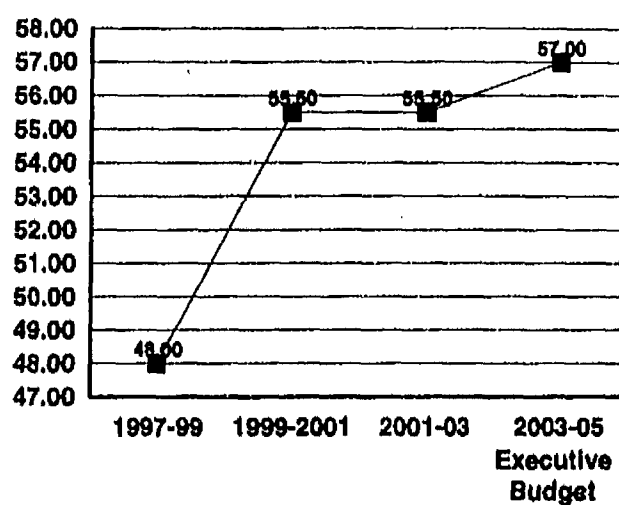
<sup>1</sup> The 2001-03 general fund appropriation is the amount appropriated by the 2001 Legislative Assembly and does not include a reduction of \$46,166 relating to the 1.05 percent budget allotment ordered by Governor Hoeven in July 2002.

<sup>2</sup> The 2001-03 appropriation amounts include \$42,948, \$25,339 of which is from the general fund, for the agency's share of the \$5 million funding pool appropriated to the Office of Management and Budget for special market equity adjustments for classified employees. The 2001-03 appropriation amounts do not include \$887,622 of additional other funds authority resulting from Emergency Commission action during the 2001-03 biennium.

Agency Funding



FTE Positions



First House Action

Attached is a summary of the first house changes.

Executive Budget Highlights  
(With First House Changes Noted)

	General Fund	Other Funds	Total
<b>Executive Services</b>			
1. Removes the special line item for "ag in the classroom"	(\$12,500)	(\$168,500)	(\$171,000)
2. Provides funding for "ag in the classroom" within the salary and wages and operating line items. Includes a \$71,000 special funds carryover from the 2001-03 biennium.		\$171,000	\$171,000
3. Changes funding for the Pride of Dakota program to more accurately reflect spending. Includes an increase in grants of \$61,700 which was transferred from marketing. The total 2003-05 biennium funding for the Pride of Dakota program is \$180,948, \$119,248 of which is from the general fund.	(\$38,461)	\$61,700	\$23,239

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- |                                                                                                                                                             |          |             |             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------|-------------|
| 4. Changes funding for marketing to more accurately reflect spending. Includes a transfer from the grants line item of \$61,700 to Pride of Dakota program. | \$66,024 | (\$182,200) | (\$116,176) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------|-------------|

#### Ag Mediation Service

- |                                                                                                                      |             |             |               |
|----------------------------------------------------------------------------------------------------------------------|-------------|-------------|---------------|
| 5. Removes the special line item for ag mediation service                                                            | (\$170,117) | (\$899,989) | (\$1,070,106) |
| 6. Provides funding for ag mediation service within the salaries and wages, operating, and capital assets line items | \$170,117   | \$899,989   | \$1,070,106   |

#### Plant Services

- |                                                                                                                                                                                                                                                                                                                                             |            |             |             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------|-------------|
| 7. Removes the special line item for the waterbank program                                                                                                                                                                                                                                                                                  |            | (\$900,000) | (\$900,000) |
| 8. Provides funding for the waterbank program within the salaries and wages and operating line items                                                                                                                                                                                                                                        |            | \$900,000   | \$900,000   |
| 9. Increases funding for Project Safe Send to reflect anticipated needs and the salary and health insurance adjustment. The total 2003-05 funding for Project Safe Send is \$619,525, including \$2,327 for the executive recommendation for salaries and health insurance, from special funds (environment and rangeland protection fund). |            | \$19,750    | \$19,750    |
| 10. Changes funding for noxious weed control. The total 2003-05 funding for noxious weed control is \$1,346,836, \$97,215 of which is from the general fund and \$1,249,621 from special funds (environment and rangeland protection fund).                                                                                                 | (\$86,926) | \$86,926    |             |

#### Livestock Services

- |                                                                                                                                                                                                                                                                                                                                                            |            |             |             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------|-------------|
| 11. Replaces general fund money for the Board of Animal Health with game and fish funds. The total 2003-05 biennium funding from game and fish fees is \$150,000 for assistance with contagious and infectious diseases of nontraditional wildlife.                                                                                                        | (\$82,000) | \$82,000    |             |
| 12. Increases funding for 1 FTE veterinarian within the Board of Animal Health (federal bioterrorism funds)                                                                                                                                                                                                                                                |            | \$133,399   | \$133,399   |
| 13. Changes funding for operating and salaries within the Board of Animal Health to reflect a decrease in federal funds and the 95 percent budget. The total 2003-05 biennium funding for the Board of Animal Health is \$876,517, \$407,151 of which is from the general fund.                                                                            | \$15,956   | (\$203,765) | (\$187,809) |
| 14. Increases funding from the general fund for wildlife services for a total general fund appropriation of \$388,209. Maintains special funds for wildlife services at \$400,000 from the game and fish fund. The Senate removed the general fund appropriation for wildlife services and increased the funding from the game and fish fund to \$800,000. | \$8,515    |             | \$8,515     |
| 15. Adds funding for a .5 FTE program specialist (inspector) for the state meat inspection program                                                                                                                                                                                                                                                         | \$12,950   | \$18,635    | \$31,585    |
| 16. Increases funding for salaries and operations of the state meat inspection program. The total 2003-05 biennium funding for the state meat inspection program is \$770,554, \$319,415 of which is from the general fund.                                                                                                                                | \$6,490    | \$99,552    | \$106,042   |
| 17. Decreases funding for dairy to more accurately reflect actual costs                                                                                                                                                                                                                                                                                    | (\$84,155) |             | (\$84,155)  |

#### Major Related Legislation

Section 2 of Senate Bill No. 2009 increases the statutory changes as necessary to increase the Agriculture Commissioner's salary as follows:

Annual salary authorized by the 2001 Legislative Assembly:

July 1, 2001	\$68,509
January 1, 2002	\$68,504
July 1, 2002	\$69,874

Proposed annual salary recommendation in the 2003-05 executive budget:

July 1, 2003	\$69,874
January 1, 2004	\$70,573
January 1, 2005	\$71,984

The Senate removed the 2003-05 biennium salary increase for the Agriculture Commissioner.

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*Cherese A. Lee*

Date

10-14-03

Section 2 of Engrossed Senate Bill No. 2009 authorizes \$2,499,215 from the environment and rangeland protection fund for noxious weed control (\$1,494,285), Project Safe Send (\$617,198), and pesticide regulation (\$387,732). The 2001-03 biennium pesticide registration biennial fee is \$350 per pesticide product registered. Of this amount, \$300 is deposited in the environment and rangeland protection fund and \$50 in the general fund. Beginning July 1, 2003, the fee reverts to \$300, of which \$250 is deposited in the environment and rangeland protection fund and \$50 in the general fund. Senate Bill No. 2319 extends the sunset clause for the \$350 pesticide registration fee until June 30, 2005.

Section 3 of Engrossed Senate Bill No. 2009 authorizes \$156,359 from the anhydrous ammonia storage inspection fund for anhydrous regulation. The Senate decreased this amount to \$54,496.

Section 4 of Engrossed Senate Bill No. 2009 authorizes \$550,000 from the game and fish fund for wildlife services (\$400,000) and Board of Animal Health services (\$150,000). The Senate increased the amount from the game and fish fund for wildlife services to \$800,000.

Section 5 of Engrossed Senate Bill No. 2009 increases the pet food registration fee from \$50 to \$100 for a two-year period. This increase is estimated to generate an additional \$152,500 in general fund revenues.

Section 6 of Engrossed Senate Bill No. 2009 increases the livestock medicine registration fee from \$20 to \$40 for a two-year period. This increase is estimated to generate an additional \$28,000 in general fund revenues.

**House Bill No. 1066** - This bill continues the agriculture pesticide and pesticide container disposal program (Project Safe Send) through July 31, 2005.

**Senate Bill No. 2081** - This bill authorizes the Agriculture Commissioner to establish conditions for and issue experimental use permits for pesticides.

**Senate Bill No. 2319** - This bill delays the sunset clause on the \$350 pesticide product registration fee until June 30, 2005. The additional amount collected, estimated to be \$450,000 for the 2003-05 biennium, will be deposited in the environment and rangeland protection fund. The pesticide product registration fee will revert to \$300 on July 1, 2005. In addition, \$250,000 is appropriated from the environment and rangeland protection fund to the Agriculture Commissioner for controlling and eradicating saltcedar.

**Senate Bill No. 2398** - This bill provides for a \$200,000 transfer from the environment and rangeland protection fund to the minor use pesticide fund during the 2003-05 biennium.

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Operator's Signature

10-14-03  
Date



02/21/03

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2009 - Funding Summary**

	Executive Budget	Senate Changes	Senate Version
Department of Agriculture			
Salaries and wages	\$4,555,365	(\$59,552)	\$4,495,813
Operating expenses	3,358,672		3,358,672
Capital assets	8,000		8,000
Grants	100,000		100,000
Board of animal health	876,517		876,517
State meat inspection	770,554		770,554
Pride of Dakota	180,948		180,948
Wildlife services	788,209	11,791	800,000
Safe send	619,525		619,525
Noxious weeds	1,346,836		1,346,836
Total all funds	\$12,604,626	(\$47,761)	\$12,556,865
Less estimated income	8,336,778	271,073	8,607,851
General fund	\$4,267,848	(\$318,834)	\$3,949,014
FTE	57.00	0.00	57.00
Bill Total			
Total all funds	\$12,604,626	(\$47,761)	\$12,556,865
Less estimated income	8,336,778	271,073	8,607,851
General fund	\$4,267,848	(\$318,834)	\$3,949,014
FTE	57.00	0.00	57.00

**Senate Bill No. 2009 - Department of Agriculture - Senate Action**

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$4,555,365	(\$59,552)	\$4,495,813
Operating expenses	3,358,672		3,358,672
Capital assets	8,000		8,000
Grants	100,000		100,000
Board of animal health	876,517		876,517
State meat inspection	770,554		770,554
Pride of Dakota	180,948		180,948
Wildlife services	788,209	11,791	800,000
Safe send	619,525		619,525
Noxious weeds	1,346,836		1,346,836
Total all funds	\$12,604,626	(\$47,761)	\$12,556,865
Less estimated income	8,336,778	271,073	8,607,851
General fund	\$4,267,848	(\$318,834)	\$3,949,014
FTE	57.00	0.00	57.00

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*Cheresea W. Bee*

Date

10-14-03

02/21/03

## Department No. 602 - Department of Agriculture - Detail of Senate Changes

	Removes Recommended Salary Increase <sup>1</sup>	Changes Funding Source for Wildlife Services <sup>2</sup>	Increases Funding for Wildlife Services <sup>3</sup>	Funding Source Change <sup>4</sup>	Total Senate Changes
Salaries and wages	(\$59,552)				(\$59,552)
Operating expenses					
Capital assets					
Grants					
Board of animal health					
State meat inspection					
Pride of Dakota					
Wildlife services			11,791		11,791
Safe send					
Noxious weeds					
Total all funds	(\$59,552)	\$0	\$11,791	\$0	(\$47,761)
Less estimated income	(27,064)	388,209	11,791	(101,863)	271,073
General fund	(\$32,488)	(\$388,209)	\$0	\$101,863	(\$318,834)
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

<sup>2</sup> This amendment changes the funding source for wildlife services from the general fund to the game and fish fund.

<sup>3</sup> This amendment increases funding for wildlife services from the game and fish fund to a total of \$800,000.

<sup>4</sup> This amendment changes the funding source from the anhydrous ammonia storage inspection fund to the general fund. The increase in the general fund appropriation of \$101,863 is offset by an increase in pet food and livestock medicine registration fees which are anticipated to increase general fund revenues by \$180,500. The total funding to the Agriculture Commissioner from the anhydrous ammonia storage inspection fund is \$54,496.

A section is added that increases the pet food registration fee from \$50 to \$100 for a two-year period. This increase is estimated to generate an additional \$152,500 in general fund revenues.

A section is added that increases the livestock medicine registration fee from \$20 to \$40 for a two-year period. This increase is estimated to generate an additional \$28,000 in general fund revenues.

The section providing for the Agriculture Commissioner's salary increase is removed.

The amendment provides that the Agriculture Commissioner is to be reimbursed from the game and fish fund only after costs have been incurred. The Department of Agriculture may receive up to \$800,000 from the game and fish fund for wildlife services. In addition, the Board of Animal Health may receive up to \$150,000 from the game and fish fund.

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Operator's Signature

Date

Roger Johnson  
Agriculture Commissioner  
www.agdepartment.com



Phone (701) 328-2231  
Toll Free (800) 242-7535  
Fax (701) 328-4567

600 E Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

January 20, 2003

Senator Bob Stenehjem  
Senate Majority Leader  
State Capitol  
Bismarck, ND 58505

Representative Rick Berg  
House Majority Leader  
State Capitol  
Bismarck, ND 58505

Dear Senator Stenehjem and Representative Berg:

Enclosed you will find my answers to the four questions that you asked regarding our agency budget.

We all understand the importance of the work that you are doing in this legislative session. The challenges facing our state are enormous. I appreciate your commitment to making North Dakota government more effective, and I sincerely hope that this will be useful to you in your efforts toward that goal.

Again, I hope that this will be helpful to you as you do your work. If I can be of further assistance, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Johnson".

Roger Johnson  
Agriculture Commissioner

LJR:jkw

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A handwritten signature in black ink, appearing to read "Theresa A. Bee".  
Operator's Signature

10-14-03  
Date

1) What is the main purpose of your agency?

The North Dakota Department of Agriculture fosters the long-term well-being of North Dakota by promoting a healthy economic, environmental and social climate for agriculture and the rural community through leadership, advocacy, education, marketing, regulation and other services.

2) How do you measure the achievement of your purpose?

Measuring achievement of purpose is accomplished in each of the four program areas as follows:

**LIVESTOCK SERVICES**

Wildlife Services. Performance measures for Wildlife Services include reduction in the amount of economic damage caused by wildlife, reduction of wildlife hazards at airports, removal of beaver dams responsible for flooding of roads and cropland, number of informational leaflets provided to the public, the amount of wildlife damage abatement equipment loaned to landowners and homeowners, and the removal of specific wildlife responsible for property damage, economic loss, and threats to human health.

Dairy Division: Federal surveys taken at plants and farms and the high quality and high demand of products produced in North Dakota.

Livestock Division: Timely licensing and bonding and the resulting lack of major fiscal losses to state livestock producers in the last five years.

Meat Inspection Program: Development and maintenance of state-inspected official establishments and the continual improvement of custom exempt establishments.

State Board of Animal Health: Preservation of North Dakota's disease free status with regards to tuberculosis, brucellosis, and pseudorabies and prevention of emerging and foreign animal diseases in the state.

**PLANTS INDUSTRIES**

Noxious Weeds: The number of cooperative weed management programs with state, federal, and local entities; the number of landowners participating in the cost share programs; and the control/prevention of noxious weeds in the state.

Safe Send: Pounds of old, unused pesticides collected and the number of farmers and homeowners participating in the program.

Pesticide Registration: The number of pesticides registered and the number of emergency exemption (section 18) pesticide uses for unregistered crops and the number of Special Local Needs registered pesticides for the growers of North Dakota.

Pesticide Enforcement: The number of agricultural pesticide use, non-agricultural use, pesticide producer establishments, market place, pesticide applicator and restricted use pesticide dealer inspections conducted. Success is also measured by the number of formal complaints responded to and compliance with state laws.

Feeds/Fertilizers/Livestock Medicine Registration: The number of pet foods, commercial feeds, fertilizers and livestock medicines registered and number of feed manufacturers, feed dealers, and anhydrous ammonia dealers licensed.

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Cherene A. Bee  
Operator's Signature

10-14-03  
Date

Apiary: The number of bee colonies registered and the number of Varroa mites inspections conducted at the request of the beekeepers.

Plant Protection: The number of phytosanitary (export) certificates, in-transit (transit through Canada to U.S. destinations) certificates, cereal leaf beetle (supports wheat and barley shipments to California) certificates, and corn borer (supports corn shipments to west coast) agreements issued. Success is also measured by the number of nursery growers licenses and dealers licenses issued and the number of pest surveys conducted.

#### **AG MEDIATION**

The tangible achievement measure of confidential mediation is the rate of agreements which avoid formal administrative appeals, foreclosures and bankruptcies and assistance to successfully secure financing for beginning farmers.

#### **EXECUTIVES SERVICES**

Marketing: The number of participating companies in events such as Pride of Dakota school lunch day, international trade directory, feeder calf meetings, marketing seminars, North Dakota State Fair, and Pride of Dakota Directory. Success is also measured by sales resulting from projects such as [www.shopnd.com](http://www.shopnd.com), holiday showcases, and other domestic and international trade shows.

Policy and Communications: Conducting research and keeping the public adequately informed.

#### **What can the legislature do, financially and otherwise, to help achieve your purpose?**

The legislature should provide adequate funds to maintain necessary programs and to provide adequate employee compensation in order to retain experienced employees and to compete for qualified new employees. The legislature needs to focus on the larger policy and priority areas and avoid tendencies to micro-manage state agencies. In response to the current tight budget situation, agency administrators should be provided flexibility and the ability to carry funds from one biennium to another.

#### **How can you report (measure) your results so the public can easily understand your purpose and evaluate your effectiveness?**

The North Dakota Department of Agriculture works to maintain an open dialogue with the public, not only by distributing a variety of public information releases but also by inviting feedback and commentary from the public. We distribute news releases which are largely distributed to the public through the *Advocate*, a bi-weekly publication of news releases and listings of upcoming meetings and events. We also publish a number of newsletters and brochures aimed at educating the public about agriculture in general and department services.

Beyond published materials, our staff also responds daily to requests for public information which are received through the mail, by phone and by e-mail.

Our website – [www.agdepartment.com](http://www.agdepartment.com) – is also a comprehensive source of department information including a listing of our staff, description of the services we offer, public information – including news releases and brochures, and much more.

Roger Johnson  
Agriculture Commissioner  
www.agdepartment.com



SB 2009  
Phone (701) 328-2231  
Toll Free (800) 242-7535  
Fax (701) 328-4567

600 E Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

March 10, 2003

Rep. Ron Carlisle  
Chairman  
Government Operations Division  
House Appropriations Committee  
State Capitol  
Bismarck, ND 58505

Dear Rep. Carlisle:

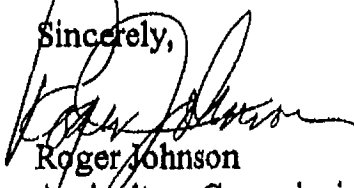
Thank you for the opportunity to discuss our budget at the hearing held on SB 2009 on March 5, 2003. We appreciate the time you made available for our presentation.

There were a number of questions raised by committee members, and I will provide the answers as requested. I have attached documents to respond to each of the following issues.

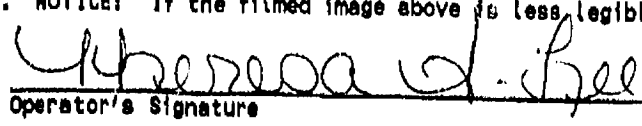
1. History of Project Safe Send funding.
2. History of Department of Agriculture and Game and Fish budget for Wildlife Services.
3. Rationale for Pride of Dakota in Department of Agriculture and job responsibilities of the three marketing staff and the public information officer.
4. Budget for noxious weed fund distribution to the counties.
5. Computer inventory with funding sources.
6. Data processing and telephone expenditures.
7. Special fund statement for EARP fund.

Again, we were pleased for the opportunity to meet with your committee and look forward to working with the subcommittee in the coming weeks.

Sincerely,

  
Roger Johnson  
Agriculture Commissioner

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10-14-03  
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# PROJECT SAFE SEND FUNDING HISTORY

Biennium	Appropriation	Pounds Collected	Total Cost per Pound	4
1991-1993	\$ 600,000	80,910	\$ 5.47	
1993-1995	\$ 883,958	180,060	\$ 3.77	
1995-1997	\$ 665,000	113,791	\$ 3.77	
1997-1999	\$ 734,428	286,193	\$ 2.18	
1999-2001	\$ 573,907	325,887	\$ 1.76	
2001-2003	\$ 599,775	338,616	\$ 1.77	
<b>TOTAL</b>	<b>\$ 4,057,068</b>	<b>1,325,457</b>		

1 Includes \$150,000 EPA grant

2 Includes \$15,000 EPA grant

3 Includes \$182,295 EPA grant

4 Includes all costs including staff, incineration, etc.

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Operator's Signature

Date

*Cheresea W. Bee*

10-14-03

# WILDLIFE SERVICES FUNDING HISTORY

Biennium	Department of Agriculture Budget			Department of Game & Fish Budget	Total State Funds for Wildlife Serv
	General Fund	Game & Fish Funds	Total Dept. of Agric		
1991-1993	\$ 649,377	\$0	\$ 649,377	\$0	\$ 649,377
1993-1995	\$ 715,687	\$0	\$ 715,687	\$ 40,000	\$ 755,687
1995-1997	\$ 667,903	\$0	\$ 667,903	\$ 80,000	\$ 747,903
1997-1999	\$ 779,694	\$0	\$ 779,694	\$ 80,000	\$ 859,694
1999-2001	\$ 779,694	\$0	\$ 779,694	\$ 100,000	\$ 879,694
2001-2003	\$ 379,694	\$ 400,000	\$ 779,694	-	\$ 779,694
2003-2005 <sup>1</sup>	\$ -	\$ 800,000	\$ 800,000	-	\$ 800,000

<sup>1</sup>As proposed by Senate

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*Cheresea J. Lee*

Date

10-14-03



## **Pride of Dakota (POD)**

### **North Dakota Department of Agriculture**

#### **POD Background**

The Pride of Dakota Program was created in 1985 under then Agriculture Commissioner Kent Jones. Pride of Dakota began with 19 member companies and has now grown to over 350 member companies, of which 78 percent are agriculture based or based in small rural communities. Under the leadership of the North Dakota Department of Agriculture (NDDA), Pride of Dakota has transformed from essentially a logo promotion program to a service-provider, assisting companies in improving and expanding domestic and international markets for North Dakota products.

#### **POD Focuses on Agricultural Producers and Small Businesses**

NDDA Marketing Services oversees and administers the programs of Pride of Dakota, providing the ability to give agricultural producers and small businesses in rural communities visibility in the domestic and international markets that they may not otherwise be able to capture without assistance through marketing and educational programs.

The NDDA Marketing Services staff has strived to educate consumers about the many products produced or processed in this state, especially those derived from agricultural commodities. The main tool in raising consumer awareness has been the development and implementation of the Pride of Dakota program and label.

#### **POD Companies Create Markets Beyond Our Borders**

In the beginning years of the program, companies simply joined Pride of Dakota to become eligible to use the logo. Today, companies are joining to participate in North NDDA sponsored trade shows, promotions, and educational seminars. In addition, Pride of Dakota members can apply for monetary aid to attend domestic and international trade shows through vital NDDA linkages with agencies like the United States Department of Agriculture (USDA) Foreign Agriculture Service and close working relationships with cooperator agri-trade groups such as MIATCO (Mid-America Agri-Trade Council). NDDA is also able to apply for federal dollars to help POD companies and other groups through access to special USDA programs such as FSMIP (Federal-State Marketing Improvement Program) which is available only to state departments of agriculture.

#### **We Work to Extend Markets**

The North Dakota Department of Agriculture focuses on the marketing aspects after businesses are up and running. Programs of the North Dakota Department of Agriculture and Pride of Dakota focus on extending markets in domestic and international markets.

**NDDA Marketing Services Provides Direct, Tailored, One-on-One Service**

With valuable input from the Pride of Dakota Advisory Council, the North Dakota Department of Agriculture tailors service for Pride of Dakota members. Company input drives development of marketing and educational components of the program.

Marketing Services remains focused on small businesses and dedicated to providing "one-on-one" service if needed for our members. Marketing Services has developed trust with our companies and receives consistent positive feedback from Pride of Dakota member companies.

The North Dakota Department of Agriculture has established direct access to the agriculture industry. In NDDA, we have access to regulatory and policy contacts in the agriculture sector.

**We Specialize in Agriculture**

Marketing Services and Pride of Dakota are part of a setting that specializes in agriculture and works on a daily basis to promote and strengthen the industry.



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*Cherese A. Bee*

10-14-03

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## North Dakota Department of Agriculture Marketing Budget

There are two elements in the Marketing Budget for NDDA

- 1) Marketing Services
- 2) Pride of Dakota (a separate line item)

2003-2005

### Marketing Services Budget - proposed

Salaries - general fund	\$274,025	3 staff
Operating - general fund	132,629	
Capital assets - general fund	750	

**Total General Fund for Marketing Services** **\$407,404**

Federal Funds - carry over from Specialty  
Crop grant (Must be spent by 8-31-2003) **\$40,000**

**Total Marketing Budget** ----- **\$447,404**

### POD Budget

General Fund		\$119,248
Federal funds	(Ability to obtain grants from USDA to pass them on to companies)	\$61,700

**Total POD Budget** ----- **\$180,948**

## Summary

**Only \$132,629 in general fund operating funds in  
the Marketing Services Budget**

**Only \$119,248 in general fund operating funds  
for Pride of Dakota programs**

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Operator's Signature

10-14-03  
Date

## Marketing Services Projects

The Pride of Dakota Program is an integral part of the Marketing Services Area within Executive Services Division of the North Dakota Department of Agriculture. Listed are some programs specifically designed for Pride of Dakota members.

### Weekly e-mails

Each week Marketing Services prepares and e-mails marketing tips to Pride of Dakota members. Also included in the e-mails are up-coming events that they may be interested in.

### Mentoring Services

This program is designed to help new companies learn quickly as they develop their business. Forty Pride of Dakota members have volunteered to serve as mentors. New companies can select their own mentor based on the type of product they produce, geographic location, or whatever criteria they wish. Marketing Services staff will assist them in finding appropriate partners if requested.

### Pride of Dakota Message Board

This exciting new feature allows Pride of Dakota members to communicate with each other through the worldwide web. The Message Board is located on the North Dakota Department of Agriculture web site. Each member is assigned a password and then is able to go onto the site and make comments or ask questions. For example, if a company is having difficulty finding someone to carry their liability insurance, they can access the message board and ask other members if they have any suggested companies.

### Marketing Services Newsletter

Communication with members is important. One way Marketing Services communicates with the members is by producing a marketing newsletter three times per year for distribution to members and others interested in the Pride of Dakota Program.

### Marketing Seminars

This service gives members the opportunity to get in-depth training on subjects important to them. Included are topics such as "Marketing your Product on a Shoestring Budget", "Trade Shows and Trade Show Displays", "Patents/ Licenses", "Preparing a Marketing Plan" and "Finding Sales Representatives and Distributors".

### www.shopnd.com

Marketing Services operates an internet mall for Pride of Dakota members. Currently 38 members participate with over 800 products offered.

### POD Holiday Showcases

One of the most popular Pride of Dakota programs, these events are held in Fargo, Grand Forks, Minot, and Bismarck each year during the Christmas season. Approximately 140

companies participated. Over 22,000 people attended the Holiday Showcases to buy North Dakota products.

#### **Wholesale Gift Show**

This show is designed to give Pride of Dakota members an opportunity to sell in the North Dakota market. Retailers, including gift shops, tourist centers, etc. attend this show to buy products from POD members. Over 50 companies participated in this years show that was held the last week in February in Bismarck.

#### **UMAGA**

The Minneapolis Gift Mart is a vital venue for wholesale gift buyers in the upper Midwest region. The Mart holds two "temporary" shows each year in March and August. Marketing Services contracts for a Pride of Dakota showroom during these temporary shows. Ten Pride of Dakota companies participate in these showrooms.

#### **National Restaurant Show**

Marketing Services encourages and provides assistance for companies to attend this national foodservice show in Chicago, which is one of the largest of its kind in the world. Buyers from restaurants, hotels and cafeterias attend this show.

#### **Taste of Dakota**

Marketing Services coordinates with grocery stores managers to feature these promotions in grocery stores. Companies sample their products in the grocery stores during these Taste of Dakota events. This is a good way for companies to get their product carried in the store.

#### **Pride of Dakota Advisory Council**

The Commissioner of Agriculture appoints a 7 member board from amongst the membership to advise him on program activities. Current members of the board are:

Kari Warburg - Earth Kind Products

Mary Schmidt - Thunderbird Ranch Enterprise

Karen Brandt - Countryside Signs and Designs

Sue Willson - Original Creations

Joanna Starkweather - Morning Star Ranch

Dan Hofland - Red River Commodities

Bonnie Selvig - Bonnie's Country Classics

#### **Marketplace of Ideas**

This annual event is an opportunity to expose North Dakotans to new ideas and for companies to showcase their products. Marketing Services encourages Pride of Dakota members to have booths at the event. Marketing Services also has a booth and participates in class presentations.

**Pride of Dakota membership directory**

Each year a Pride of Dakota membership directory is printed and distributed. It is the most popular publication at the Department of Agriculture. Over 5,000 directories are printed and distributed each year. Currently there are over 350 Pride of Dakota members.

**Point of Purchase Materials**

Marketing Service offers Pride of Dakota labels and shelf talkers at cost to Pride of Dakota members. Members order these products and Marketing Services fulfills those orders.

**Pride of Dakota Month**

The Governor proclaims March as Pride of Dakota month. Special efforts are made during that time to promote the Pride of Dakota label and Pride of Dakota companies. Pride of Dakota posters and shelf talkers are distributed to grocery stores throughout the state for them to display in their stores. Special media efforts are made to have feature stories run on Pride of Dakota members.

**Student Project**

During Pride of Dakota month, an essay contest is held for eighth grade students throughout the state. The topic of the contest focuses on why agriculture is important in their lives. Over 200 essays are received in the office. The winner of the contest gets to be "Agriculture Commissioner" for a day.

**Publications and Communication**

This is a special project designed to make North Dakotans more aware of specific Pride of Dakota companies. They have been asked to provide a description of their company and their products and the Marketing Services staff will assist them in writing press releases and feature stories to help make the public aware of their business.

**School Lunch Program**

School Administrators are asked to prepare a menu for the school lunch program on a particular day that contains North Dakota produced or processed products. The date this year is March 25<sup>th</sup>. Schools representing over 77,000 kids have signed up for the program. Marketing Services works with the School Lunch Administrators Annual Trade Show to promote ND products.

**ND State Fair**

A Pride of Dakota Day takes place each year at the North Dakota State Fair. Pride of Dakota members display and sell their products under a big tent. Over 30 companies participated last year. A lunch for \$1 is served utilizing food products donated by North Dakota companies. Proceeds of the lunch go to local charities. Over 1,000 were served in 2002. In the afternoon games and contests focusing on agriculture are held for children.

**Advertising**

Marketing Services has a modest advertising budget where it can advertise and promote the Pride of Dakota label. Often times it is done with special tabloids that newspapers produce promoting North Dakota.

**MAP (Market Assistance Program)**

This is a funding source for Pride of Dakota companies to access to promote market development. It is used to provide funding to North Dakota companies who are looking to expand their markets. It provides matching funds for travel and lodging expenses to Pride of Dakota companies who qualify.

**Twin Cities Food & Wine Experience**

The Twin Cities Food & Wine Experience is a good show for companies looking to expand their market. This show was suggested by the Minnesota Trade Office as a good venue for North Dakota companies to gain representation in the Minneapolis area. Three Pride of Dakota companies attended this show this year.

**Hostfest**

The Norsk Hostfest is a great opportunity for Pride of Dakota companies to sell their products to tourists from all over the world. A "Pride of Dakota Store" is set up at the Hostfest where 30 Pride of Dakota companies have their products for sale.

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Cheresea J. Lee  
Operator's Signature

10-14-03  
Date

## Description of Duties

### Marketing Staff and Public Information Officer

**Chuck Fleming**  
**Marketing Staff**  
**Marketing Services**  
**North Dakota Department of Agriculture**

The Marketing Coordinator is assigned the responsibility to carry out the mission of the North Dakota Department of Agriculture Marketing Services, which is to create new wealth by providing leadership, coordination, and service for local, domestic, and international agricultural activities. Marketing Services is also responsible for administering the Pride of Dakota program and the e-commerce shopnd.com web site.

#### **Duties include:**

- Develop a biennial plan of work for Marketing Services
- Assist the program manager develop and manage the Marketing Services budget
- Oversee the Pride of Dakota program
- Oversee shopnd.com program
- Oversee the activities of two marketing specialists
  - Assist the program manager in developing standards for performance by the marketing specialists, interns, and/or temporary employees
  - Ensure the marketing specialists are cross-trained and kept informed of program activities and a team approach for all marketing programs is followed
- Develop a program of international trade activities
  - Serve as a liaison between the Department and the United States Department of Agriculture Foreign Agricultural Service (FAS) and with (Mid-America International Agri-Trade Council (MIATCO)
  - Maintain a data base of companies interested in international trade
  - Coordinate visits by international trade teams/individuals
  - Maintain a clearinghouse for incoming trade leads and disseminate them to appropriate producers or companies
  - Organize or assist others in international trade missions
  - Cooperate and participate with ND District Export Council activities
- Represent the North Dakota Department of Agriculture on boards, commissions, and organizations as assigned (The Marketing Coordinator is currently assigned these organizations: ND Soybean Council, ND Barley Council, ND Potato Council, ND Pea and Lentil Council, ND Dry Bean Council, and the Upper Great Plains Transportation Institute - Marketing Specialists are also assigned other councils and organizations)



- Develop and maintain liaison relationships with local, domestic, and international buyers/sellers
- Work with all program areas within the North Dakota Department of Agriculture to assist with marketing activities of programs throughout the department
- Serve as a marketing resource for state agriculture producers and processors
- Make recommendations to the Agriculture Commissioner and/or the program manager regarding marketing/promotional activities

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Cheresea A. Lee  
Operator's Signature

10-14-03  
Date

**Sara Wagner**  
**Marketing Staff**  
**Marketing Services**  
**North Dakota Department of Agriculture**

**Duties include:**

**Pride of Dakota**

Coordination of marketing activities to enhance sales of North Dakota products

- Holiday Showcases - responsible for planning the four Holiday Showcases which are retail sales events that occur every November/December
- Wholesale Gift Show - recruit buyers to attend this show to purchase Pride of Dakota products to sell in their stores
- Weekly marketing tip - send weekly e-mail marketing tips to the Pride of Dakota members
- Marketing seminars - plan educational seminars for the membership on various marketing topics
- Event planning - plan Pride of Dakota events for grocery stores, state fair, Norsk Hostfest and Pride of Dakota rooms at other trade shows
- Attend national food trade shows with companies
- Work with [www.shopnd.com](http://www.shopnd.com) - helping companies get on the site and the promotion of the site
- Develop advertisements and advertisement cooperative opportunities for Pride of Dakota companies
- General promotion and assistance of North Dakota companies and products

**Grant writing**

- APUC (Ag Products Utilization Commission)
- FSMIP (Federal State Marketing Improvement Program)
- SFMNP (Senior Farmers Market Nutrition Program)

**Farmers Market**

- Publish a farmers market directory which lists farmers markets and fruit and vegetable growers in North Dakota
- Plan special farmers market events
- Currently in the process of compiling an educational brochure on how to start your own farmers market
- Develop a poster for farmers markets to advertise their local market or home-grown stand
- Work with farmers markets throughout the state to help promote their market

**Organic**

- Trade shows -- Natural Products Expo
- Participated as a sponsor in the Sustainable Ag Conference

**International Trade**

- Work with MIATCO
- Assist companies in finding shows and contacts in overseas markets

**Promotional creation, layout and composition**

- Write and design various publications in the office.
- Marketing Newsletters, Meat Newsletter
- Department booth display
- Pride of Dakota membership directory
- Renewable Energy Brochure
- Agriculture Information brochure

**North Dakota Turkey Federation**

- Serve as the marketing arm for the North Dakota Turkey Federation
- Develop promotional activities -- recipe contests, turkey fryer give-away,
- Develop brochures and promotional material to distribute
- Advertising
- Represent the Federation at trade shows
- Attend all meetings
- Administer billings

**North Dakota Honey Promotion**

- Develop brochures
- Administer billings

Cheresea A. Bee  
Operator's Signature

10-14-03  
Date

**Bobbi Fortier Talmadge**  
**Marketing Staff**  
**Marketing Services**  
**North Dakota Department of Agriculture**

**Duties include:**

**Livestock Industry**

- North Dakota Stockmen's Association (NDSA)
  - Attend the NDSA quarterly meetings to stay abreast of the livestock issues in the state
  - Assisted with the department booth at the state convention
  - Attend the All-Breeds Tour to show support and meet more producers in the state
- Feeder Calf Council-a branch of the NDSA
  - Compiled and maintain the most comprehensive list in the state of over 100 North Dakota Feedlots
- Coordinated 6/02 Southwest North Dakota Feedlot Tour with over 45 participants in the Bowman/Hettinger area
- Assist producers find feed in drought situations
- Work with NDSU extension to promote feed list located at <http://www.ag.ndsu.nodak.edu/feedlist/>
- VIP or Vaccination Information Program
  - Working with the NDSA staff, a brochure and marketing plan were developed to promote this information-sharing program between cow/calf producers and feedlots receiving those cattle
- Compiled a PowerPoint presentation of the group's activities for the general assembly at the state NDSA convention

**Dairy Heifer Development**

- Applied for a USDA Federal-State Marketing Improvement Program in 2/02 for dairy heifer development
- Provide support for seven ND participants who attended the North Central Dairy Heifer Growers workshop in Milbank, SD on 6/02
- Provide support for 16 representatives at the Professional Dairy Heifer Growers Assn. National Conf. in Green Bay in 3/03
- Assist producers to help them find any state, or federal funding programs
- Supply producers with contacts in the industry to help them develop business opportunities
- Assisted Dakota Valley Heifer Growers in their recent effort to obtain an APUC grant for a new dairy heifer operation in Eastern ND

#### **North Dakota Cattle Backgrounding Seminars**

- Coordinated six producer/lender meetings throughout the state in cooperation with NDSA, NDSU extension, NDDA Mediation and Bank of ND

#### **Fall Feeder Calf Sales**

- Worked with producers from the North Dakota Angus Association to coordinate their fall Angus-sired feeder calf sales
  - Produced a brochure and poster to promote nine sales throughout the state
- Assisted the group in their APUC application and presentation

#### **Dakota Beef Cooperative**

- Assisted in the effort to create a producer-owned beef processing operation

#### **Value-Added Animal Agriculture Summit**

- Assisted in developing summit highlighting animal agriculture projects throughout the state

#### **North Dakota Private Grazing Lands Coalition**

- Assist livestock producer group with their efforts to promote the health and sustainability of ND's private grazing lands
- Assisted with yearly tour by producing and distributing a tour brochure

#### **ND State Meat Inspection Plants**

- Work with the smaller ND meat plants in their efforts to become state inspected plants.
- Assist plants in efforts to gain marketplace

#### **Pride of Dakota**

- Assist with event management
- Present Pride of Dakota classes at MarketPlace of Ideas
- Administer the Market Assistance Program, a small grant (\$10,000) to help companies with the cost of larger domestic and foreign shows
- Marketplace for Kids
  - Present to kids the importance of farmers and POD companies that are bringing those products to the marketplace

#### **Domestic and Foreign Trade Opportunities**

- National Restaurant Association
  - Assist companies attending the Chicago food show
  - Serve as an MIATCO assistant project manager
- Pacific Rim Trade Mission
  - Lead six ND food companies attending two of the largest food shows in Asia

- Prepared and presented a funding request to APUC for this mission
  - Recruited companies and served as a liaison for MIATCO, show officials and companies
  - Serve as the MIATCO assist project manager for the Food and Hotel Korea show
- American Feed Institute Association
  - Assist three ND companies in attending the largest livestock feed show in the United States
- Export ND
  - Assist this ND group with their efforts to increase foreign trade from companies in ND

Cheresea W. Bee

Operator's Signature

10-14-03

Date

**Ted Quanrud  
Public Information  
Policy and Communications  
North Dakota Department of Agriculture**

**Duties include:**

- **Public Information**
  - Writes press releases and news advisories primarily "translating" technical information into non-technical language, more easily understood by the general public
- **Noxious Weeds**
  - Prepared, edited and published the booklet, "North Dakota's Noxious Weed Laws and Regulations," for distribution to weed control board and weed control officers
  - Prepared and published a six-panel brochure, "North Dakota Certified Weed Free Forage & Grain Program"
- **North Dakota State Board of Animal Health**
  - Edit and publish the quarterly "North Dakota Animal Health Update," an 8- to 12-page magazine for distribution to North Dakota veterinarians and livestock groups
  - Prepared a three-panel pamphlet, "Foot and Mouth Disease: What You Can Do."
  - 2002 West Nile Virus outbreak, worked with the Board and with the State Health Department in providing the media and public with quick, accurate and pertinent information about this new disease
  - Currently work with the Board and the Department of Emergency Management in developing a plan for a response to a major foreign animal disease outbreak
- **Dairy**
  - Prepared annual maps, showing location of the state's dairy farms and processors; prepared bond forms for dairy and poultry dealers
  - Prepared a pamphlet, "North Dakota Dairy Pollution Prevention Program"
  - Prepared a 30-page document for recruiting new dairy farmers
- **Meat Inspection**
  - Designed certificates designating participants who completed training programs
- **Feed and Fertilizer Registration**
  - Prepared and published a six-panel pamphlet on anhydrous ammonia

- Designed certificates to be given to people who complete anhydrous ammonia safety training
- **Wildlife Services**
  - Designed a document advertising the blackbird eradication program
- **Pesticide Programs**
  - Prepared, edited and published the booklet "North Dakota Pesticide Laws and Regulations," distributed as a reference for producers, applicators, county agents and others
  - Prepared posters, brochures and annual reports for Project Safe Send
- **North Dakota Agriculture in the Classroom**
  - Prepared the annual reports for the North Dakota Agriculture in the Classroom Council
- **Drought Programs**
  - Photographed scenes of the 2002 drought in southern North Dakota for use by the commissioner and the state's congressional delegation in seeking disaster relief for producers
- Responded to numerous requests for information about North Dakota agriculture from the news media and the general public
- Daily review state and national news publications for stories and editorials related to North Dakota agriculture
- Edit and publish the department's biennial report
- Prepare talking points for the agriculture commissioner's public speaking appearances
- Administer the Centennial Farm Program
- Assist in research for testimony and position statements by the commissioner
- Provide technical services, such as photography and computer scanning of documents, to other department employees
- **Communication Officers of State Departments of Agriculture**
  - Served as president of the Communication Officers of State Departments of Agriculture
  - Planned and hosted COSDA's national convention in September 2002

Yvonne A. Bee  
Operator's Signature

10-14-03  
Date



# 2001-2003--Noxious Weed Budget Funds to Counties, Revised

GPS units, educational materials	40,000	\$
Bio-control Cost-Share	16,000	\$
New Invasive Weeds Cost-Share	106,000	\$
Canada Thistle Cost-Share	222,628	\$
Landowner Cost-Share	879,618	\$
Cooperative Weed Mgmt. Grants	47,372	\$
TOTAL	1,311,618	\$

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10-14-03  
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**North Dakota Department of Agriculture Distribution  
Workstations/Notebook Distribution**

	<u>Number</u>	<u>General Fund</u>	<u>Federal Funds</u>	<u>Special Funds</u>
<b>Workstations</b>				
Main Department Server	1			\$ 7,490
Workstations - FTEs	40	\$ 27,402	\$ 3,801	\$ 33,519
Workstations - Temps	2	\$ 3,634		
Workstations - Surplus	5	\$ 9,031		
Workstations - NDGeologic Survey	4		\$ 16,199	\$ 1,687
<b>Total Workstations</b>	<b>52</b>	<b>\$ 40,066</b>	<b>\$ 20,000</b>	<b>\$ 42,696</b>
<b>Notebooks</b>				
Homeland Security	25	\$ 615	\$ 35,308	
Ag Mediation Field Staff - FTEs	3	\$ 7,248		
Ag Mediation Field Staff - Temps	7	\$ 16,912		
Dairy Field Staff - FTEs	4		\$ 9,664	
Plant Industries Field Staff - FTEs	6		\$ 7,603	\$ 3,380
GPS training - County Weed Boards	1			\$ 2,416
Pool - checkout floaters	3		\$ 5,059	\$ 4,832
LCD/Projectors	2		\$ 2,416	\$ 3,290
<b>Total Notebooks</b>	<b>51</b>	<b>\$ 24,775</b>	<b>\$ 60,051</b>	<b>\$ 13,918</b>
<b>Total Workstations</b>	<b>52</b>	<b>\$ 40,066</b>	<b>\$ 20,000</b>	<b>\$ 42,696</b>
<b>Total Notebooks</b>	<b>51</b>	<b>\$ 24,775</b>	<b>\$ 60,051</b>	<b>\$ 13,918</b>
<b>Grand Totals</b>	<b>103</b>	<b>\$ 64,842</b>	<b>\$ 80,051</b>	<b>\$ 56,614</b>

**Software Notes:** 49 computers with Windows 98  
 53 computers with Windows 2000  
 5 computers with Arc View GIS software  
 3 computers with Adobe Pagemaker  
 2 computers with Macromedia Dreamweaver  
 All computers with MS Office XP

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**DEPARTMENT OF AGRICULTURE  
IT PLAN COSTS**

**Data Processing:**

The following reasons account for the department's increase in IT-Data Processing for the 2003-05 biennium. They are as follows:

- 1) ITD conducted an internal audit and corrected an ITD error in jack charges. ITD was not correctly billing the department for the proper number of jacks. The number of jack charges increased from 35 to 51 (increase of 16 jacks).
- 2) ITD increased jack charges from \$19.50 to \$28.25 per unit per month between May 2000 and the current billing time frame (45% increase).

The above two items account for an \$18,198 increase to our budget from the previous biennium as follows:

May 2000 – 35 jacks/\$19.50/month/24 months = \$16,380 a biennium  
Current billing – 51 jacks/\$28.25/month/24 months = \$34,578 a biennium

The department has also entered into an agreement to use an ITD Norton Enterprise Antivirus Program adding \$960 per biennium (\$40/mo).

The following are additional ITD rate increases that are included in our budget for data processing:

- In May 2000, ITD desktop support charge was \$45.00 per hour. The current charge is \$51.40 per hour (14% increase). This cost is dependent on needs, our average use is about 1hr/month.
- ITD charges the department for records management services (whether we use the service or not) resulting in \$2,016 per biennium. ITD increased these charges from \$80 to \$84 per month.

In summary, the above explanation accounts for amounts in excess of our \$17,085 increase for data processing. However, along with this there have been other efficiencies used to offset some of the increases in costs we've incurred.

**Telephone:**

There was also a question regarding an increase in our IT-Telephone costs. However, our IT plan shows a \$25,205 decrease for the 2003-05 biennium.

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10-14-03  
Date

**Mr. Johnson** wanted to correct the license numbers: (#2683) 280 permits, 133 bird license and 127 deer and elk which totals 260 for bird and deer.

**Senator Krauter** (#2845) When you look at the permits, \$500,000 is reasonable, when you look at the percentage and that is over 90% then \$140,000 out of game and fish for state vet is reasonable.

**Rep. Carlson** stated that this is not going to be resolved today and he had a struggle even finding a tie to game and fish, these are for profit, game and fish doesn't buy any pheasants, the sportsman has to pay \$17.00 to go and hunt one of these birds, so where is there any benefit? Why do we feel that have to pay because it is there responsibility? They don't own the farm, they don't make the money, their concern is they don't want disease to spread and I understand that and there is a value to that to put some money in the pot, but to say that they owe it, there is not benefit for them other than to protect the rest of deer and elk, these are for profit business out there and they bought a permit and they need to be watched over because of regulations we have created so they don't spread disease. So all of a sudden it becomes our responsibility because someone else is doing it for profit. **Senator Bowman** stated that the wildlife has increased. All goes through cycles and all of these cycles cause problems, and all are directly related to wildlife.

**Rep. Carlson** (#3233) Protection to human health, raccoons and skunks is \$38,000; Urban wildlife damage --raccoons, rabbits, and skunks, \$15,000; Coyotes and foxes --\$159,000. His concerns are for the for profit, and that another entity should be responsible for keeping this business clean and healthy and go and get some money when there is not a benefit to that person involved, that is where he has the problem. He is willing to put a \$100,000 sportsman money in it and say that that a good deal, because we don't want those things to spread. **Senator Krauter:**

Page 9  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 16, 2003

(#3385) When those so called private business and get a license , don't those license go to game and fish? And don't they have some regulatory fees? That goes to the game & fish. **Rep.**

**Carlson** wanted to see those figures, if they are receiving fees. Senator Bowman stated that there are a couple of things off the table, basically it is game & fish and the EARP fund that we disagree on, so let's come up with some solutions on the numbers.

Meeting was adjourned. #3550 by the chairman, **Senator Bowman**

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10-14-03  
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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

Senate Appropriations Committee

☐ XXXXXConference Committee

Hearing Date April 21, 3003

Tape Number	Side A	Side B	Meter #
#2	X		0 - 2184
Committee Clerk Signature <i>Jan Hendricks</i>			

Minutes:

Meeting was called to order by **Senator Bowman**, chairman on SB 2009 Conference Committee.

Roll call was called, all members present: **Senators: Bowman, Thane, and Krauter,**

**Representatives Carlson, Skarphol and Kroeber.**

**Senator Bowman** stated there was 3 issues that needed to be resolved. The issue of the wildlife funding the difference between the House and the Senate version; Ag in the classroom was an issue and project SafeSend and more money for noxious weeds but we have put in \$250,000 over the budget for saltseeder (?) (#117). The first proposal is to put in \$200,000 from the Game & Fish into Wildlife services. If we could agree then we could move forward. Discussion: (#220)

**Senator Bowman** It is meeting 1/2 way on this issue. **Rep. Kroeber** stated that his major problem with that is the way it has risen over the last 3 or 4 biennium, it has gone from \$40,000 to \$80,000, to \$100,000 to \$400,000 and then this proposal is for the full \$800,000. It just seems like there isn't enough stats on the use of wildlife services to take and back up that amount of that

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*10-14-03*  
Date

Page 2  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 21, 2003

money. According to a printout they received, a large portion of this predator damage management, beaver damage management, protection of human health, urban wildlife blackbird and airport protection, waterfowl damage is a total of \$50,000 of the \$800,000. His major concern on moving it to \$600,000, certainly not looking to reducing this, but in the Governor's budget it was \$400,000 and \$400,000 of general funds, he understood they were at \$500,000 and \$300,000 and he thought that would be adequate but he wasn't involved in the previous discussions. **Senator Bowman** (#417) One of the concerns whenever the numbers of game go up, the problems go up with it, coyotes, foxes, etc., the more they need aero hunting, etc and this all costs a lot of money, and it is all directly related to the increased numbers of wildlife. The question is who is responsible for the domestic problems that we have because of that, when a skunk gets in your garage, or beaver damage, there is a substantial amount of money that is brought in for fur bearers license. **Rep. Kraebor** stated he was on the Game & fish conference committee, so he was familiar with it, and **Senator Bowman** stated that the amount of the fur bearers license was around \$261,000 per year. Money is made off the animals that cause the problems.

*Motion by Senator Thane moved to take \$600,000 from game & fish and \$200,000 from general fund, seconded by Senator Krauter. Roll call vote: 3 y 3 no Motion fails.*

*Motion by Rep. Carlson moved to take \$500,000 from Game and Fish and \$300,000 from general fund, seconded by Rep. Skarphol. Roll call vote: 3 no 3 y Motion fails.*

Discussion followed on how they could agree on this part of the bill.

**Senator Bowman** moved that for the Wildlife services - take \$550,000 from the Game & Fish and that goes to the Wildlife Services line item and for the Board of Animal Health \$150,000

Page 3  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 21, 2003

*from the Game & Fish budget. Seconded by Thane. Roll call vote taken. 6 y 0 n Motion passes.*

**Senator Bowman** continued (#1559) with the next issue in this budget is \$50,000 from Project Safe Send to go into the line item for Ag in the Classroom.

**Rep. Carlson** (#1622) He was having a little trouble following the money in the budget. He wondered about the carryover. Don Wolf (#1664) explained the carryover, which was from the last biennium and money from fund raising. **Rep. Carlson** wanted to know if they did not raise any money then the Ag in the Classroom has very little or not program and Don agreed that was correct.

**Senator Krauter** presented the Exhibit #1 regarding the Agriculture in the classroom funding. He also explained the carryover. He felt it was appropriate to add \$50,000 from the EARP fund for Ag in the Classroom. They only have about \$5,000 in actual dollars from last year, so they would have about \$55,000 with the added \$50,000. **Senator Carlson** wanted clarification on the \$75,000 in the line item now. Senator Krauter stated that they will only have about \$5,000 left from that amount, as the rest is spent or almost spent.

**Senator Carlson** would like to work on some amendments for this subject, to make sure the funding is there, etc.

Discussion continued on the Ag in the classroom program with all agreeing it is a much needed program. They also talked about using the money from the EARP fund.

The other two issues are the Safe Send and Ag in the classroom.

Another meeting will be scheduled. Don will draft the amendments that were passed today and the rest of the amendments will be done separately.

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*10-14-03*  
Date



2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2009

Senate Appropriations Committee

☒ Conference Committee

☐

Hearing Date April 22, 2003

Tape Number	Side A	Side B	Meter #
Tape #2	X		0- 2345
Committee Clerk Signature <i>Sandra Dawson</i>			

Minutes:

**SENATOR BOWMAN** opened the Conference Committee on SB 2009.

**Roll call was held. Members present: Senators: Bowman, Thane and Krauter.**

**Representatives: Carlson, Skarphol and Kroeber.**

**SENATOR BOWMAN:** Two items left to discuss - Safe Send Program and Ag in the Classroom. Amendments were to be drafted to address those issues.

**REPRESENTATIVE CARLSON:** Asked Don Wolf to explain what was done on .0211.

**DON WOLF:** Page 4 - Footnote No. 7: Transfer \$10,000 from salaries and wages to the operating line item for Ag in the Classroom. .... Total funding \$50,000 ..... \$5,000 carry over from Attorney General refund fund ..... \$116,000 from fund raising activities. The Department of Agriculture is to provide a minimum of \$100,000 in contracts for the Agriculture in the Classroom Program ..... Sections 8 and 9 relate to Century Code references to Ag in the Classroom and Section 8 provides that Ag in the Classroom council shall provides grants .....

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Date

Page 2  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 22, 2003

develop agriculture curriculum ..... Section 9 amendment provides fund should be used to  
contract to carry out purposes .....

**REPRESENTATIVE CARLSON:** .... Fully funds Ag in the Classroom ..... in past raised only  
\$45,000 on donations .... gives authority to raise money ..... language added on page 2 ....  
matter of clarification what is funded ..... (Meter # 320 - 435)

**SENATOR KRAUTER:** Does not think proper way to do ..... underfunding the department by  
requiring them to make up \$45,000 in their operating ..... where? ..... (Meter # 438 - 496)

**REPRESENTATIVE CARLSON:** Hate to be accused of micro-management ..... within 3.3  
million dollars operating expenses to find \$45,000 to fully fund the Ag in the Classroom Program  
..... where, just find it ..... Last Time not fully funded.

**SENATOR BOWMAN:** They could apply for grants .....

**REPRESENTATIVE CARLSON:** ..... Feels worthwhile thing to do ..... feels good  
amendment .....

**SENATOR THANE:** Creates an incentive .....

**SENATOR KRAUTER:** Then need to contract ..... required to raise the money and then  
contract out ..... if that's the situation, we should have the contract go out and raise the money  
.....

**REPRESENTATIVE KROEBER:** Assuming Ag in the Classroom is run through the  
department, put in new language - it will have to be contracted out. Is that correct?

**DON WOLF:** We contract all of it out. .... Three staff people that do some of it .....  
Majority of it during last current biennium was contracted out .....

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Page 3  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 22, 2003

**REPRESENTATIVE CARLSON:** Referred to E-mail from Roger Johnson .... need to raise whatever dollars necessary .... (Meter # 877 - 929)

**SENATOR KRAUTER:** Feels this mandates to sign contract for \$100,000 - that's the big difference .....

**DON WOLF:** His understanding is to contract for \$100,000.

**SENATOR BOWMAN:** ..... Doesn't feel the legislature has to find the money for this program ..... If it's important, it should be done before we legislate appropriations towards it ..... haven't been told that it's that important .... willing to address and try .....

**SANDY PAULSON:** Questioned clarification of bidding out curriculum .....

**REPRESENTATIVE CARLSON:** Language says \$100,000. Assuming bid for \$90,000 - only have to pay \$90,000 ..... don't know what language .....

**SENATOR BOWMAN:** ..... Could water the program down significantly ..... if good, let's fund it .....

**REPRESENTATIVE CARLSON:** Not totally against - could use money for other programs .... try for next biennium .... if not successful- readjust in 2 years ..... Entertain motion on this amendment. (Meter # 1184 - 1262)

**SENATOR BOWMAN:** Makes a motion but adds wording to amendment (Meter # 1261 - 1307)

**REPRESENTATIVE SKARPIOL:** Seconded motion.

**DON WOLF:** Addressed language in Footnote #1 .....

Continued discussion on amendments language.

**SENATOR BOWMAN:** Do amendments in one motion .....

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Page 4  
Senate Appropriations Committee  
Bill/Resolution Number SB 2009  
Hearing Date April 22, 2003

**REPRESENTATIVE CARLSON:** Withdrew motion.

**REPRESENTATIVE SKARPHOL:** Withdrew second.

**SENATOR BOWMAN:** 'Talk about Safe Send Project ..... reduce funding in half - we're not doing it to have half the sites ..... doing it so that we have sites every year .... lot of chemicals, you can take them someplace ....

**DON WOLF:** Read Footnote #1 ..... language ..... in Section 6 .....

**SENATOR BOWMAN:** Want full sites available every year ..... have half the funding .....

**SENATOR KRAUTER:** Why do we have to word it that way? ..... does language have to be in there?

**DON WOLF:** Because reduction in there - explains what conference committee change was to the bill .....

**SENATOR KRAUTER:** ..... Why reduce the number of sites? .....

**REPRESENTATIVE CARLSON:** ..... Selected sites ..... other uses for money in future ..... let them pick the areas .....

**SENATOR BOWMAN:** .... New language added to .0211 ..... two year test plot ..... flexibility of rotation ..... chemical can still be collected and destroyed properly ....

**SENATOR THANE:** Another point - so they don't get rid of their obsolete chemicals this year .... so they probably wait 'til the next year - site closer by .....

**REPRESENTATIVE CARLSON:** Moved to add amendment .0211 with changes.

**REPRESENTATIVE SKARPHOL:** Seconded motion.

**SENATOR KRAUTER:** Doesn't feel like a compromise is here - a step forward. ....

Page 5

Senate Appropriations Committee

Bill/Resolution Number SB 2009

Hearing Date April 22, 2003

**SENATOR BOWMAN:** ..... We told them that they don't have to take a dime out of their operating ..... in the next 2 years, we make decision as to how important this program is .....

**Roll call was held. 4 yeas 2 nays. Motion carried.**

**Conference Committee hearing ended. (Meter # 2345)**

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Operator's Signature

10-14-03  
Date

Date 4/21/03  
Roll Call Vote #: 2  
(one)

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2009

Senate APPROPRIATIONS Committee

☒ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken 600,000 from game & fest - 200,000 from

Motion Made By Thane Seconded By Krauter general fund

Senators	Yes	No	Representatives	Yes	No
Senator Bowman	✓		Representative Carlson		✓
Senator Thane	✓		Representative Skarphol		✓
Senator Krauter	✓		Representative Warner		✓
			<u>Krauter</u>		

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_ Motion fail

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

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Date

Date: 4-21-03  
Roll call vote # (2)

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2009

Senate APPROPRIATIONS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken 500,000 - 300,000 from general fund

Motion Made By Carlson Seconded By Skarpol

Senators	Yes	No	Representatives	Yes	No
Bourman			Carlson		
Thane			Skarpol		
Kraut			<del>Kraut</del> Kraut		

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*motion fail*

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10-14-03  
Date

38032.0210  
Title.  
Fiscal No. 2

Prepared by the Legislative Council staff for  
Conference Committee  
April 21, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

That the House recede from its amendments as printed on pages 1119-1122 of the Senate Journal and pages 1240-1242 of the House Journal and that Engrossed Senate Bill No. 2009 be amended as follows:

Page 1, line 2, replace the first "and" with "to provide for the continuation of an agricultural pesticide and pesticide container disposal program."

Page 1, line 4, after "fees" insert "; to provide for a transfer of funds; and to provide an expiration date"

Page 1, line 12, replace "4,495,813" with "4,504,970"

Page 1, line 13, replace "3,358,672" with "3,349,825"

Page 1, line 16, replace "876,517" with "869,464"

Page 1, line 17, replace "770,554" with "763,461"

Page 1, line 20, replace "619,525" with "308,870"

Page 1, line 21, replace "1,346,836" with "1,346,836"

Page 1, after line 21, insert:

"Crop protection product  
harmonization and registration board

25,000"

Page 1, line 22, replace "12,556,865" with "12,257,374"

Page 1, line 23, replace "8,607,851" with "8,068,849"

Page 1, line 24, replace "3,949,014" with "4,188,525"

Page 2, line 3, replace "\$2,499,215" with "\$2,264,453"

Page 2, line 12, replace "\$950,000" with "\$700,000"

Page 2, line 15, after "commissioner" insert ", including the board of animal health,"

Page 2, after line 17, insert:

**"SECTION 5. PESTICIDE AND PESTICIDE CONTAINER DISPOSAL  
PROGRAM - PESTICIDE CONTAINER MANAGEMENT - COMPENSATION.**

1. The definitions contained in section 4-35-05 apply to this section.
2. In consultation with an advisory board consisting of the state health officer, director of the North Dakota state university extension service, two individuals representing agribusiness organizations, and two individuals representing farm organizations, all of whom must be selected by the

Page No. 1

38032.0210

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Yherosa A. Lee  
Operator's Signature

10-14-03  
Date



agriculture commissioner, the commissioner shall continue to implement the project authorized by section 1 of chapter 77 of the 2001 Session Laws, which is known as project safe send. The purpose of the project is to:

- a. Collect and either recycle or dispose of unusable pesticides and unusable pesticide containers. The commissioner shall provide for the establishment and operation of temporary collection sites for the pesticides and pesticide containers. The commissioner may limit the type and quantity of pesticides and pesticide containers acceptable for collection.
  - b. Promote proper pesticide container management. In consultation with the director of the North Dakota state university extension service, the commissioner shall evaluate and promote proper methods of pesticide container management, including information on the variety of pesticide containers available.
3. Any entity collecting pesticide containers or unusable pesticides shall manage and dispose of the containers and pesticides in compliance with applicable federal and state requirements. When called upon, any state agency shall assist the commissioner in implementing the project.
  4. For services rendered in connection with the design and implementation of this project, the members selected by the commissioner are entitled to reimbursement for mileage and travel expenses in the same manner and for the same amounts provided for state employees and officials. Compensation and expense reimbursement must be paid from the environment and rangeland protection fund.

**SECTION 6. PROJECT SCOPE AND EVALUATION.** The project described in section 5 of this Act must occur in areas to be determined by the agriculture commissioner in consultation with the advisory board under subsection 2 of section 5 of this Act and may only be conducted in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006.

**SECTION 7. PROJECT SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - USER FEES.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund."

Page 3, after line 5, insert:

**"SECTION 10. TRANSFER.** The state treasurer shall transfer \$200,000, or so much of the sum as may be necessary, from the environment and rangeland protection fund to the minor use pesticide fund, during the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 11. EXPIRATION DATE.** Sections 5, 6, and 7 of this Act are effective through July 31, 2007, and after that date are ineffective."

Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

## Senate Bill No. 2009 - Department of Agriculture - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$4,555,365	\$4,495,813	\$9,157	\$4,504,970	\$4,504,970	
Operating expenses	3,358,672	3,358,672	(8,847)	3,349,825	3,328,600	\$21,225
Capital assets	8,000	8,000		8,000	8,000	
Grants	100,000	100,000		100,000	100,000	
Board of Animal Health	876,517	876,517	(7,053)	869,464	869,464	
State meat inspection	770,554	770,554	(7,093)	763,461	763,461	
Pride of Dakota	180,948	180,948		180,948	180,948	
Wildlife services	788,209	800,000		800,000	800,000	
Safe Send	619,525	619,525	(310,655)	308,870	308,870	
Noxious weeds	1,346,836	1,346,836		1,346,836	1,346,836	
Crop Protection Product Harmonization			25,000	25,000	25,000	
Total all funds	\$12,604,626	\$12,556,865	(\$299,491)	\$12,257,374	\$12,236,149	\$21,225
Less estimated income	<u>8,336,778</u>	<u>8,607,851</u>	<u>(539,002)</u>	<u>8,068,849</u>	<u>7,870,178</u>	<u>198,671</u>
General fund	\$4,267,848	\$3,949,014	\$239,511	\$4,188,525	\$4,365,971	(\$177,446)
FTE	57.00	57.00	0.00	57.00	57.00	0.00

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

	REDUCES FUNDING FOR PROJECT SAFE SEND <sup>1</sup>	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES <sup>2</sup>	ADDS FUNDING FOR CROP PROTECTION PRODUCT HARMONIZATION AND REGISTRATION BOARD <sup>3</sup>	ADJUSTS SPECIAL LINE ITEM SALARY REDUCTION <sup>4</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>5</sup>	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>6</sup>
Salaries and wages				\$13,724		(\$4,567)
Operating expenses					(\$8,847)	
Capital assets						
Grants						
Board of Animal Health				(8,537)		(518)
State meat inspection				(6,371)		(722)
Pride of Dakota						
Wildlife services						
Safe Send	(\$309,762)			(816)		(77)
Noxious weeds						
Crop Protection Product Harmonization			\$25,000			
Total all funds	(\$309,762)	\$0	\$25,000	\$0	(\$8,847)	(\$5,882)
Less estimated income	<u>(309,762)</u>	<u>(250,000)</u>	<u>25,000</u>		<u>(1,329)</u>	<u>(2,911)</u>
General fund	\$0	\$250,000	\$0	\$0	(\$7,518)	(\$2,971)
FTE	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL CONFERENCE COMMITTEE CHANGES						
Salaries and wages	\$9,157					
Operating expenses	(8,847)					
Capital assets						
Grants						
Board of Animal Health	(7,053)					
State meat inspection	(7,093)					
Pride of Dakota						
Wildlife services						
Safe Send	(310,655)					
Noxious weeds						
Crop Protection Product Harmonization			25,000			
Total all funds	(\$299,491)					
Less estimated income	<u>(539,002)</u>					
General fund	\$239,511					
FTE	0.00					

<sup>1</sup> This amendment reduces funding for Project Safe Send by \$309,762, from \$619,525 to \$309,763. This amendment also provides for the project to be conducted only in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006, and for the project to be effective through July 31, 2007.

- 2 The Conference Committee provided funding for wildlife services totaling \$800,000, \$550,000 from the game and fish fund and \$250,000 from the general fund. The House amendment reduced the funding for wildlife services from the game and fish fund by \$400,000 from the Senate version and provided funding of \$400,000 from the general fund.
- 3 This amendment provides \$25,000 from the environment and rangeland protection fund for expenses of the Crop Protection Product Harmonization and Registration Board.
- 4 This amendment adjusts the removal of the executive recommendation for salary increases to reflect the salaries within the Board of Animal Health, state meat inspection, and Safe Seed line items. The Senate amendment removed all of the funding from the salaries and wages line item.
- 5 This amendment reduces funding for information technology by \$7,518 from the general fund and \$1,329 from special funds, which represents a reduction in information technology funding from the general fund and special funds of approximately 5 percent.
- 6 Funding for state employee health insurance premiums is reduced from \$493 to \$488.70 per month.

The House amendment incorporates the provisions of Senate Bill No. 2398, which transfers \$200,000 from the environment and rangeland protection fund to the minor use pesticide fund, available to the Crop Protection Product Harmonization and Registration Board as a continuing appropriation pursuant to North Dakota Century Code Section 4-35-06.3. The Conference Committee did not change this amendment.

The Conference Committee provided \$150,000 for the Board of Animal Health from the game and fish fund, the same as the Senate version. The House amendment provided funding of \$100,000 from the game and fish fund and \$50,000 from the general fund for the Board of Animal Health.

The Conference Committee provided \$50,000 from the environment and rangeland protection fund for the agriculture in the classroom program, replacing \$50,000 of special funds appropriation from fundraising.

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Operator's Signature

*Yvonne A. Lee*

Date

10-14-03

Date: 4-21  
Roll Call Vote #: 3

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2009

Senate Appropriations Committee

☒ Check here for Conference Committee

Legislative Council Amendment Number 0210

Action Taken \$550,000 for Wildlife Services & 150,000 for Board of Animal Health -  
to be taken from Game & Fish

Motion Made By Bowman Seconded By Thane

Senators	Yes	No	Representatives	Yes	No
Bowman	✓		Carlson		
Thane	✓		Skarphol		
Krauth	✓		Krauth Kraebou		

Total (Yes) 6 No 0

Absent Motion Passes

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

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Operator's Signature Theresa A. Lee Date 10-14-03

Date: 4-22-03  
Roll call vote # 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2009

Senate APPROPRIATIONS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number ~~2009~~ • .0211 + added language

Action Taken \_\_\_\_\_

Motion Made By Carlson Seconded By Skarphol

Senators	Yes	No	Representatives	Yes	No
Bowman	✓		Carlson	✓	
Thane	✓		Skarphol	✓	
Kreider		✓	Kreider		✓

Total (Yes) 4 No 2

Absent \_\_\_\_\_

Floor Assignment Bowman / Carlson

If the vote is on an amendment, briefly indicate intent:

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Whorena A. Fee  
Operator's Signature

10-14-03  
Date

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Fiscal No. 4

Prepared by the Legislative Council staff for  
Representative Carlson  
April 22, 2003

*4-23-03*  
*1 of 5*

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

That the House recede from its amendments as printed on pages 1119-1122 of the Senate Journal and pages 1240-1242 of the House Journal and that Engrossed Senate Bill No. 2009 be amended as follows:

Page 1, line 2, replace the first "and" with "to provide for the continuation of an agricultural pesticide and pesticide container disposal program;"; after "reenact" insert "sections 4-37-03 and 4-37-04," and after "19-13.1-03" insert a comma

Page 1, line 3, after "to" insert "powers, duties, and funding for the agriculture in the classroom program and"

Page 1, line 4, after "fees" insert "; to provide for a transfer of funds; and to provide an expiration date"

Page 1, line 12, replace "4,495,813" with "4,494,970"

Page 1, line 13, replace "3,358,672" with "3,359,825"

Page 1, line 16, replace "876,517" with "869,464"

Page 1, line 17, replace "770,554" with "763,461"

Page 1, line 20, replace "619,525" with "308,870"

Page 1, line 21, replace "1,346,836" with "1,346,836"

Page 1, after line 21, insert:

"Crop protection product  
harmonization and registration board

25,000"

Page 1, line 22, replace "12,556,865" with "12,257,374"

Page 1, line 23, replace "8,607,851" with "8,068,849"

Page 1, line 24, replace "3,949,014" with "4,188,525"

Page 2, line 3, replace "\$2,499,215" with "\$2,264,453,"

Page 2, line 12, replace "\$950,000" with "\$700,000"

Page 2, line 15, after "commissioner" insert ", including the board of animal health,"

Page 2, after line 17, insert:

**"SECTION 5. PESTICIDE AND PESTICIDE CONTAINER DISPOSAL  
PROGRAM - PESTICIDE CONTAINER MANAGEMENT - COMPENSATION.**

1. The definitions contained in section 4-35-05 apply to this section.

- 20FS
2. In consultation with an advisory board consisting of the state health officer, director of the North Dakota state university extension service, two individuals representing agribusiness organizations, and two individuals representing farm organizations, all of whom must be selected by the agriculture commissioner, the commissioner shall continue to implement the project authorized by section 1 of chapter 77 of the 2001 Session Laws, which is known as project safe send. The purpose of the project is to:
    - a. Collect and either recycle or dispose of unusable pesticides and unusable pesticide containers. The commissioner shall provide for the establishment and operation of temporary collection sites for the pesticides and pesticide containers. The commissioner may limit the type and quantity of pesticides and pesticide containers acceptable for collection.
    - b. Promote proper pesticide container management. In consultation with the director of the North Dakota state university extension service, the commissioner shall evaluate and promote proper methods of pesticide container management, including information on the variety of pesticide containers available.
  3. Any entity collecting pesticide containers or unusable pesticides shall manage and dispose of the containers and pesticides in compliance with applicable federal and state requirements. When called upon, any state agency shall assist the commissioner in implementing the project.
  4. For services rendered in connection with the design and implementation of this project, the members selected by the commissioner are entitled to reimbursement for mileage and travel expenses in the same manner and for the same amounts provided for state employees and officials. Compensation and expense reimbursement must be paid from the environment and rangeland protection fund.

**SECTION 6. PROJECT SCOPE AND EVALUATION.** The project described in section 5 of this Act must occur in areas to be determined by the agriculture commissioner in consultation with the advisory board under subsection 2 of section 5 of this Act.

**SECTION 7. PROJECT SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - USER FEES.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund.

**SECTION 8. AMENDMENT.** Section 4-37-03 of the North Dakota Century Code is amended and reenacted as follows:

**4-37-03. Purpose - Powers and duties.** The agriculture in the classroom council shall provide grants and contracts to individuals and organizations that conduct an agriculture in the classroom program to develop agricultural curriculum activities and train teachers in these agricultural curriculum activities for grades kindergarten through twelve in this state's public school system. The council shall work with all educators, including the superintendent of public instruction, the state board for vocational and technical education, the United States department of agriculture, and the state agriculture commissioner in accomplishing its purpose. The council shall render services consistent with this purpose which include:

- 3045
1. Consultations with the state superintendent of public instruction, the state board for vocational and technical education, the state agriculture commissioner, and the United States department of agriculture.
  2. Preparation of instructional, informational, and reference publications on the North Dakota agricultural economy and rural lifestyles.
  3. Provide training programs for public school teachers in developed agricultural curriculum activities.
  4. Encourage research on and identification of new instructional, informational, and reference publications relating to this state's agricultural economy and rural lifestyles.
  5. Monitor the quality and condition of the agriculture in the classroom program.

**SECTION 9. AMENDMENT.** Section 4-37-04 of the North Dakota Century Code is amended and reenacted as follows:

**4-37-04. Gifts and grants.** In order to carry out its duties under this chapter, the agriculture in the classroom council may contract for and accept private contributions, gifts, and grants-in-aid from the federal government, private industry, and other sources. Additional income must be spent for the purpose designated, if any, in the gift, grant, or donation. The funds must be used to contract with individuals or organizations that conduct an agriculture in the classroom program to carry out the purposes of this chapter.

Page 3, after line 5, insert:

**"SECTION 12. AGRICULTURE IN THE CLASSROOM - 2003-05 BIENNium CONTRACTS.** The department of agriculture shall contract for a minimum of \$100,000 of services with individuals or organizations for the agriculture in the classroom program during the 2003-05 biennium.

**SECTION 13. TRANSFER.** The state treasurer shall transfer \$200,000, or so much of the sum as may be necessary, from the environment and rangeland protection fund to the minor use pesticide fund, during the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 14. EXPIRATION DATE.** Sections 5, 6, and 7 of this Act are effective through July 31, 2007, and after that date are ineffective."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2009 - Department of Agriculture - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$4,555,385	\$4,495,813	(\$843)	\$4,494,970	\$4,504,970	(\$10,000)
Operating expenses	3,358,672	3,358,672	1,153	3,359,825	3,328,600	31,225
Capital assets	8,000	8,000		8,000	8,000	
Grants	100,000	100,000		100,000	100,000	
Board of Animal Health	878,517	878,517	(7,053)	869,464	869,464	
State meat inspection	770,554	770,554	(7,093)	763,461	763,461	
Pride of Dakota	180,948	180,948		180,948	180,948	
Wildlife services	788,209	800,000		800,000	800,000	
Safe Send	619,525	619,525	(310,655)	308,870	308,870	
Noxious weeds	1,346,836	1,346,836		1,346,836	1,346,836	

Page No. 3

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Operator's Signature

Date



4 of 5

Crop Protection Product Harmonization			25,000	25,000	25,000	
Total all funds	\$12,604,626	\$12,556,865	(\$299,491)	\$12,257,374	\$12,236,149	\$21,225
Less estimated income	<u>8,336,778</u>	<u>8,607,851</u>	<u>(539,002)</u>	<u>8,068,849</u>	<u>7,870,178</u>	<u>198,671</u>
General fund	\$4,267,848	\$3,949,014	\$239,511	\$4,188,525	\$4,365,971	(\$177,446)
FTE	57.00	57.00	0.00	57.00	57.00	0.00

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

	REDUCES FUNDING FOR PROJECT SAFE SEND 1	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES 2	ADDS FUNDING FOR CROP PROTECTION PRODUCT HARMONIZATION AND REGISTRATION BOARD 3	ADJUSTS SPECIAL LINE ITEM SALARY REDUCTION 4	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS 5	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE 6
Salaries and wages				\$13,724		(\$4,667)
Operating expenses					(\$8,847)	
Capital assets						
Grants						
Board of Animal Health				(8,637)		(516)
State meat inspection				(6,371)		(722)
Pride of Dakota						
Wildlife services						
Safe Send	(\$309,762)			(818)		(77)
Noxious weeds						
Crop Protection Product Harmonization			\$25,000			
Total all funds	(\$309,762)	\$0	\$25,000	\$0	(\$8,847)	(\$5,882)
Less estimated income	<u>(309,762)</u>	<u>(250,000)</u>	<u>25,000</u>	<u>0</u>	<u>(1,329)</u>	<u>(2,911)</u>
General fund	\$0	\$250,000	\$0	\$0	(\$7,518)	(\$2,971)
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	CHANGES FUNDING FOR AGRICULTURE IN THE CLASSROOM 7	TOTAL CONFERENCE COMMITTEE CHANGES				
Salaries and wages	(\$10,000)	(\$843)				
Operating expenses	10,000	1,153				
Capital assets						
Grants						
Board of Animal Health		(7,053)				
State meat inspection		(7,093)				
Pride of Dakota						
Wildlife services						
Safe Send		(310,855)				
Noxious weeds						
Crop Protection Product Harmonization		25,000				
Total all funds	\$0	(\$299,491)				
Less estimated income	0	<u>(539,002)</u>				
General fund	\$0	\$239,511				
FTE	0.00	0.00				

1 The House amendment reduces funding for Project Safe Send by \$309,762, from \$819,525 to \$309,763 and provides for the project to be conducted only in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006, and for the project to be effective through July 31, 2007. The Conference Committee provided that Project Safe Send can be conducted annually, however the funding for the project did not change from the House version.

2 The Conference Committee provided funding for wildlife services totaling \$926,000, \$550,000 from the game and fish fund and \$250,000 from the general fund. The House amendment reduced the funding for wildlife services from the game and fish fund by \$400,000 from the Senate version and provided funding of \$400,000 from the general fund.

3 This amendment provides \$25,000 from the environment and rangeland protection fund for expenses of the Crop Protection Product Harmonization and Registration Board.

4 This amendment adjusts the removal of the executive recommendation for salary increases to reflect the salaries within the Board of Animal Health, state meat inspection, and Safe Send line items. The Senate amendment removed all of the funding from the salaries and wages line item.

5 This amendment reduces funding for information technology by \$7,518 from the general fund and \$1,329 from special funds, which represents a reduction in information technology funding from the general fund and special funds of approximately 5 percent.

6 Funding for state employee health insurance premiums is reduced from \$493 to \$488.70 per month.

5 of 5

<sup>7</sup> The Conference Committee provided that the agriculture in the classroom program should be contracted with outside organizations or individuals. This amendment moves existing authority of \$10,000 for the program from the salaries and wages line item to the operating line item. The total funding for the program is \$50,000 from the environment and rangeland protection fund, \$5,000 of carryover authority from the Attorney General refund fund, and \$18,000 of special funds spending authority from fundraising activities. The Department of Agriculture is to provide a minimum of \$100,000 in contracts for the agriculture in the classroom program, and shall use existing operating appropriation authority if unable to generate the needed funds from grants, contracts, or other fundraising activities.

The House amendment incorporates the provisions of Senate Bill No. 2398, which transfers \$200,000 from the environment and rangeland protection fund to the minor use pesticide fund, available to the Crop Protection Product Harmonization and Registration Board as a continuing appropriation pursuant to North Dakota Century Code Section 4-35-06.3. The Conference Committee did not change this amendment.

The Conference Committee provided \$150,000 for the Board of Animal Health from the game and fish fund, the same as the Senate version. The House amendment provided funding of \$100,000 from the game and fish fund and \$50,000 from the general fund for the Board of Animal Health.

The Conference Committee provided \$50,000 from the environment and rangeland protection fund for the agriculture in the classroom program, replacing \$50,000 of special funds appropriation from fundraising.

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Cheresea A. Lee  
Operator's Signature

10-14-03  
Date

**REPORT OF CONFERENCE COMMITTEE**

**SB 2009, as engrossed:** Your conference committee (Sens. Bowman, Thane, Krauter and Reps. Carlson, Skarphol, Kroeber) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1119-1122, adopt amendments as follows, and place SB 2009 on the Seventh order:

That the House recede from its amendments as printed on pages 1119-1122 of the Senate Journal and pages 1240-1242 of the House Journal and that Engrossed Senate Bill No. 2009 be amended as follows:

Page 1, line 2, replace the first "and" with "to provide for the continuation of an agricultural pesticide and pesticide container disposal program," after "reenact" insert "sections 4-37-03 and 4-37-04," and after "19-13.1-03" insert a comma

Page 1, line 3, after "to" insert "powers, duties, and funding for the agriculture in the classroom program and"

Page 1, line 4, after "fees" insert "; to provide for a transfer of funds; and to provide an expiration date"

Page 1, line 12, replace "4,495,813" with "4,494,970"

Page 1, line 13, replace "3,358,672" with "3,359,825"

Page 1, line 16, replace "876,517" with "869,464"

Page 1, line 17, replace "770,554" with "763,461"

Page 1, line 20, replace "619,525" with "308,870"

Page 1, line 21, replace "1,346,836" with "1,346,836"

Page 1, after line 21, insert:

"Crop protection product  
harmonization and registration board

25,000"

Page 1, line 22, replace "12,556,865" with "12,257,374"

Page 1, line 23, replace "8,607,851" with "8,068,849"

Page 1, line 24, replace "3,949,014" with "4,188,525"

Page 2, line 3, replace "\$2,499,215" with "\$2,264,453,"

Page 2, line 12, replace "\$950,000" with "\$700,000"

Page 2, line 15, after "commissioner" insert ", including the board of animal health,"

Page 2, after line 17, insert:

**"SECTION 5. PESTICIDE AND PESTICIDE CONTAINER DISPOSAL  
PROGRAM - PESTICIDE CONTAINER MANAGEMENT - COMPENSATION.**

1. The definitions contained in section 4-35-05 apply to this section.
2. In consultation with an advisory board consisting of the state health officer, director of the North Dakota state university extension service, two

individuals representing agribusiness organizations, and two individuals representing farm organizations, all of whom must be selected by the agriculture commissioner, the commissioner shall continue to implement the project authorized by section 1 of chapter 77 of the 2001 Session Laws, which is known as project safe send. The purpose of the project is to:

- a. Collect and either recycle or dispose of unusable pesticides and unusable pesticide containers. The commissioner shall provide for the establishment and operation of temporary collection sites for the pesticides and pesticide containers. The commissioner may limit the type and quantity of pesticides and pesticide containers acceptable for collection.
  - b. Promote proper pesticide container management. In consultation with the director of the North Dakota state university extension service, the commissioner shall evaluate and promote proper methods of pesticide container management, including information on the variety of pesticide containers available.
3. Any entity collecting pesticide containers or unusable pesticides shall manage and dispose of the containers and pesticides in compliance with applicable federal and state requirements. When called upon, any state agency shall assist the commissioner in implementing the project.
  4. For services rendered in connection with the design and implementation of this project, the members selected by the commissioner are entitled to reimbursement for mileage and travel expenses in the same manner and for the same amounts provided for state employees and officials. Compensation and expense reimbursement must be paid from the environment and rangeland protection fund.

**SECTION 6. PROJECT SCOPE AND EVALUATION.** The project described in section 5 of this Act must occur in areas to be determined by the agriculture commissioner in consultation with the advisory board under subsection 2 of section 5 of this Act.

**SECTION 7. PROJECT SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION - USER FEES.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund.

**SECTION 8. AMENDMENT.** Section 4-37-03 of the North Dakota Century Code is amended and reenacted as follows:

**4-37-03. Purpose - Powers and duties.** The agriculture In the classroom council shall provide grants and contracts to individuals and organizations that conduct an agriculture in the classroom program to develop agricultural curriculum activities and train teachers in these agricultural curriculum activities for grades kindergarten through twelve in this state's public school system. The council shall work with all educators, including the superintendent of public instruction, the state board for vocational and technical education, the United States department of agriculture, and the state agriculture commissioner in accomplishing its purpose. The council shall render services consistent with this purpose which include:

1. Consultations with the state superintendent of public instruction, the state board for vocational and technical education, the state agriculture commissioner, and the United States department of agriculture.
2. Preparation of instructional, informational, and reference publications on the North Dakota agricultural economy and rural lifestyles.
3. Provide training programs for public school teachers in developed agricultural curriculum activities.
4. Encourage research on and identification of new instructional, informational, and reference publications relating to this state's agricultural economy and rural lifestyles.
5. Monitor the quality and condition of the agriculture in the classroom program.

**SECTION 9. AMENDMENT.** Section 4-37-04 of the North Dakota Century Code is amended and reenacted as follows:

**4-37-04. Gifts and grants.** In order to carry out its duties under this chapter, the agriculture in the classroom council may contract for and accept private contributions, gifts, and grants-in-aid from the federal government, private industry, and other sources. Additional income must be spent for the purpose designated, if any, in the gift, grant, or donation. The funds must be used to contract with individuals or organizations that conduct an agriculture in the classroom program to carry out the purposes of this chapter.

Page 3, after line 5, insert:

**"SECTION 12. AGRICULTURE IN THE CLASSROOM - 2003-05 BIENNIAL CONTRACTS.** The department of agriculture shall contract for a minimum of \$100,000 of services with individuals or organizations for the agriculture in the classroom program during the 2003-05 biennium.

**SECTION 13. TRANSFER.** The state treasurer shall transfer \$200,000, or so much of the sum as may be necessary, from the environment and rangeland protection fund to the minor use pesticide fund, during the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 14. EXPIRATION DATE.** Sections 5, 6, and 7 of this Act are effective through July 31, 2007, and after that date are ineffective."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2009 - Department of Agriculture - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$4,655,365	\$4,495,813	(\$843)	\$4,494,970	\$4,504,970	(\$10,000)
Operating expenses	3,358,672	3,358,672	1,153	3,359,825	3,328,600	31,225
Capital assets	8,000	8,000		8,000	8,000	
Grants	100,000	100,000		100,000	100,000	
Board of Animal Health	876,517	876,517	(7,053)	869,464	869,464	
(2) DESK, (2) COMM						

Page No. 3

SR-74-8226

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Date

**REPORT OF CONFERENCE COMMITTEE (420)**  
**April 23, 2003 4:04 p.m.**

**Module No: SR-74-8226**

**Insert LC: 38032.0214**

State meat inspection	770,554	770,554	(7,093)	763,461	763,461	
Pride of Dakota	180,948	180,948		180,940	180,948	
Wildlife services	788,209	800,000		800,000	800,000	
Safe Send	619,525	619,525	(310,855)	308,670	308,870	
Noxious weeds	1,346,836	1,346,836		1,346,836	1,346,836	
Crop Protection Product Harmonization			25,000	25,000	25,000	
Total all funds	\$12,604,626	\$12,556,865	(\$299,491)	\$12,257,374	\$12,236,149	\$21,225
Less estimated income	<u>8,336,778</u>	<u>8,607,851</u>	<u>(639,002)</u>	<u>8,068,849</u>	<u>7,870,178</u>	<u>198,871</u>
General fund	\$4,267,848	\$3,949,014	\$239,511	\$4,188,525	\$4,365,971	(\$177,446)
FTE	57.00	57.00	0.00	57.00	57.00	0.00

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

	REDUCES FUNDING FOR PROJECT SAFE SEND <sup>1</sup>	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES <sup>2</sup>	ADDS FUNDING FOR CROP PROTECTION PRODUCT HARMONIZATION AND REGISTRATION BOARD <sup>3</sup>	ADJUSTS SPECIAL LINE ITEM SALARY REDUCTION <sup>4</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>5</sup>	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>6</sup>
Salaries and wages				\$13,724		(\$4,567)
Operating expenses					(\$8,847)	
Capital assets						
Grants						
Board of Animal Health				(6,537)		(516)
State meat inspection				(6,371)		(722)
Pride of Dakota						
Wildlife services						
Safe Send	(\$309,762)			(816)		(77)
Noxious weeds						
Crop Protection Product Harmonization			\$25,000			
Total all funds	(\$309,762)	\$0	\$25,000	\$0	(\$8,847)	(\$5,882)
Less estimated income	<u>(309,762)</u>	<u>(250,000)</u>	<u>25,000</u>	<u>0</u>	<u>(1,329)</u>	<u>(2,911)</u>
General fund	\$0	\$250,000	\$0	\$0	(\$7,518)	(\$2,971)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	CHANGES FUNDING FOR AGRICULTURE IN THE CLASSROOM <sup>7</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$10,000)	(\$543)
Operating expenses	10,000	1,153
Capital assets		
Grants		
Board of Animal Health		(7,053)
State meat inspection		(7,093)
Pride of Dakota		
Wildlife services		
Safe Send		(310,655)
Noxious weeds		
Crop Protection Product Harmonization		25,000
Total all funds	\$0	(\$299,491)
Less estimated income	<u>0</u>	<u>(539,002)</u>
General fund	\$0	\$239,511
FTE	0.00	0.00

<sup>1</sup> The House amendment reduces funding for Project Safe Send by \$309,762, from \$619,525 to \$309,763 and provides for the project to be conducted only in the fiscal year beginning July 1, 2003, and ending June 30, 2004, and the fiscal year beginning July 1, 2005, and ending June 30, 2006, and for the project to be effective through July 31, 2007. The Conference Committee provided that Project Safe Send can be conducted annually, however the funding for the project did not change from the House version.

<sup>2</sup> The Conference Committee provided funding for wildlife services totaling \$800,000, \$650,000 from the game and fish fund and \$250,000 from the general fund. The House amendment reduced the funding for wildlife services from the game and fish fund by \$400,000 from the Senate version and provided funding of \$400,000 from the general fund.

(2) DESK, (2) COMM

Page No. 4

SR-74-8226

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Date

**REPORT OF CONFERENCE COMMITTEE (420)**  
**April 23, 2003 4:04 p.m.**

**Module No: SR-74-8226**

**Insert LC: 38032.0214**

- 3 This amendment provides \$25,000 from the environment and rangeland protection fund for expenses of the Crop Protection Product Harmonization and Registration Board.
- 4 This amendment adjusts the removal of the executive recommendation for salary increases to reflect the salaries within the Board of Animal Health, state meat inspection, and Safe Send line items. The Senate amendment removed all of the funding from the salaries and wages line item.
- 5 This amendment reduces funding for information technology by \$7,516 from the general fund and \$1,329 from special funds, which represents a reduction in information technology funding from the general fund and special funds of approximately 5 percent.
- 6 Funding for state employee health insurance premiums is reduced from \$493 to \$480.70 per month.
- 7 The Conference Committee provided that the agriculture in the classroom program should be contracted with outside organizations or individuals. This amendment moves existing authority of \$10,000 for the program from the salaries and wages line item to the operating line item. The total funding for the program is \$50,000 from the environment and rangeland protection fund, \$5,000 of carryover authority from the Attorney General refund fund, and \$16,000 of special funds spending authority from fundraising activities. The Department of Agriculture is to provide a minimum of \$100,000 in contracts for the agriculture in the classroom program, and shall use existing operating appropriation authority if unable to generate the needed funds from grants, contracts, or other fundraising activities.

The House amendment incorporates the provisions of Senate Bill No. 2398, which transfers \$200,000 from the environment and rangeland protection fund to the minor use pesticide fund, available to the Crop Protection Product Harmonization and Registration Board as a continuing appropriation pursuant to North Dakota Century Code Section 4-35-06.3. The Conference Committee did not change this amendment.

The Conference Committee provided \$150,000 for the Board of Animal Health from the game and fish fund, the same as the Senate version. The House amendment provided funding of \$100,000 from the game and fish fund and \$50,000 from the general fund for the Board of Animal Health.

The Conference Committee provided \$50,000 from the environment and rangeland protection fund for the agriculture in the classroom program, replacing \$50,000 of special funds appropriation from fundraising.

Engrossed SB 2009 was placed on the Seventh order of business on the calendar.

2003 TESTIMONY

SB 2009

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Cherese A. Lee  
Operator's Signature

10-14-03  
Date



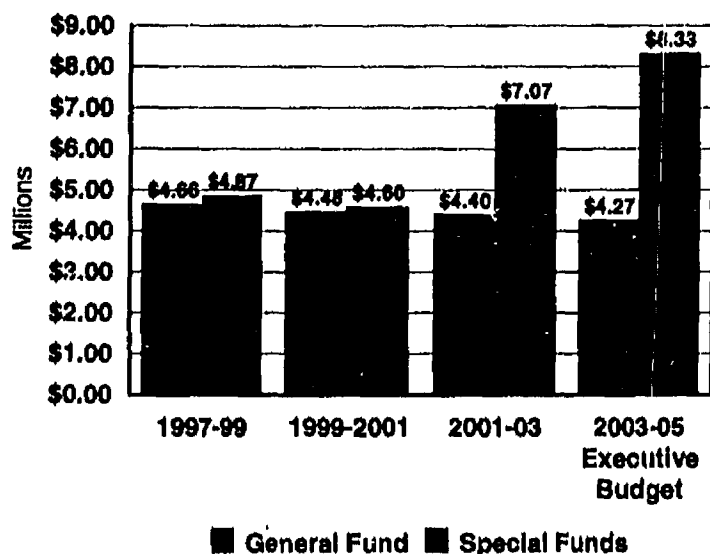
Department 602 - Agriculture Commissioner  
Senate Bill No. 2009

	FTE Positions	General Fund	Other Funds	Total
2003-05 Executive Budget	57.00	\$4,267,848	\$8,336,778	\$12,604,626
2001-03 Legislative Appropriations	55.50	4,396,735 <sup>1</sup>	7,068,293	11,465,028 <sup>2</sup>
Increase (Decrease)	1.50	(\$128,887)	\$1,268,485	\$1,139,598

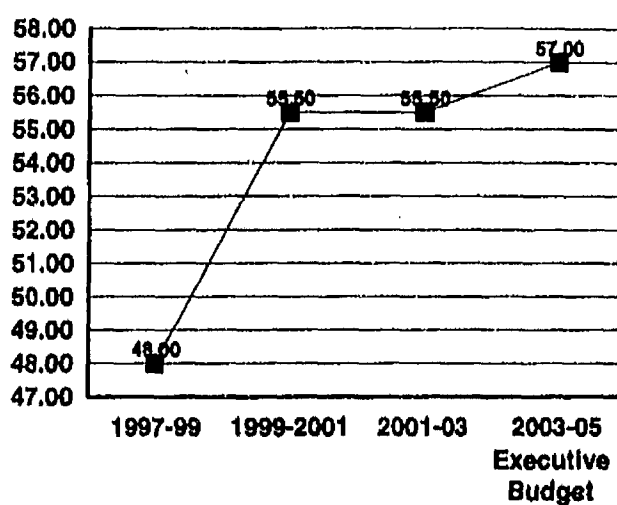
<sup>1</sup> The 2001-03 general fund appropriation is the amount appropriated by the 2001 Legislative Assembly and does not include a reduction of \$46,166 relating to the 1.05 percent budget allotment ordered by Governor Hoeven in July 2002.

<sup>2</sup> The 2001-03 appropriation amounts include \$42,948, \$25,339 of which is from the general fund, for the agency's share of the \$5 million funding pool appropriated to the Office of Management and Budget for special market equity adjustments for classified employees. The 2001-03 appropriation amounts do not include \$887,622 of additional other funds authority resulting from Emergency Commission action during the 2001-03 biennium.

Agency Funding



FTE Positions



First House Action

Attached is a summary of the first house changes.

Executive Budget Highlights  
(With First House Changes Noted)

	General Fund	Other Funds	Total
<b>Executive Services</b>			
1. Removes the special line item for "ag in the classroom"	(\$12,500)	(\$168,500)	(\$171,000)
2. Provides funding for "ag in the classroom" within the salary and wages and operating line items. Includes a \$71,000 special funds carryover from the 2001-03 biennium.		\$171,000	\$171,000
3. Changes funding for the Pride of Dakota program to more accurately reflect spending. Includes an increase in grants of \$61,700 which was transferred from marketing. The total 2003-05 biennium funding for the Pride of Dakota program is \$180,948, \$119,248 of which is from the general fund.	(\$38,461)	\$61,700	\$23,239

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- |                                                                                                                                                             |          |             |             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------|-------------|
| 4. Changes funding for marketing to more accurately reflect spending. Includes a transfer from the grants line item of \$61,700 to Pride of Dakota program. | \$66,024 | (\$182,200) | (\$116,176) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------|-------------|

#### Ag Mediation Service

- |                                                                                                                      |             |             |               |
|----------------------------------------------------------------------------------------------------------------------|-------------|-------------|---------------|
| 5. Removes the special line item for ag mediation service                                                            | (\$170,117) | (\$899,989) | (\$1,070,106) |
| 6. Provides funding for ag mediation service within the salaries and wages, operating, and capital assets line items | \$170,117   | \$899,989   | \$1,070,106   |

#### Plant Services

- |                                                                                                                                                                                                                                                                                                                                             |            |             |             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------|-------------|
| 7. Removes the special line item for the waterbank program                                                                                                                                                                                                                                                                                  |            | (\$900,000) | (\$900,000) |
| 8. Provides funding for the waterbank program within the salaries and wages and operating line items                                                                                                                                                                                                                                        |            | \$900,000   | \$900,000   |
| 9. Increases funding for Project Safe Send to reflect anticipated needs and the salary and health insurance adjustment. The total 2003-05 funding for Project Safe Send is \$619,525, including \$2,327 for the executive recommendation for salaries and health insurance, from special funds (environment and rangeland protection fund). |            | \$19,750    | \$19,750    |
| 10. Changes funding for noxious weed control. The total 2003-05 funding for noxious weed control is \$1,346,836, \$97,215 of which is from the general fund and \$1,249,621 from special funds (environment and rangeland protection fund).                                                                                                 | (\$86,926) | \$86,926    |             |

#### Livestock Services

- |                                                                                                                                                                                                                                                                                                                                                            |            |             |             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------|-------------|
| 11. Replaces general fund money for the Board of Animal Health with game and fish funds. The total 2003-05 biennium funding from game and fish fees is \$150,000 for assistance with contagious and infectious diseases of nontraditional wildlife.                                                                                                        | (\$82,000) | \$82,000    |             |
| 12. Increases funding for 1 FTE veterinarian within the Board of Animal Health (federal bioterrorism funds)                                                                                                                                                                                                                                                |            | \$133,399   | \$133,399   |
| 13. Changes funding for operating and salaries within the Board of Animal Health to reflect a decrease in federal funds and the 95 percent budget. The total 2003-05 biennium funding for the Board of Animal Health is \$876,517, \$407,151 of which is from the general fund.                                                                            | \$15,956   | (\$203,765) | (\$187,809) |
| 14. Increases funding from the general fund for wildlife services for a total general fund appropriation of \$388,209. Maintains special funds for wildlife services at \$400,000 from the game and fish fund. The Senate removed the general fund appropriation for wildlife services and increased the funding from the game and fish fund to \$800,000. | \$8,515    |             | \$8,515     |
| 15. Adds funding for a .5 FTE program specialist (inspector) for the state meat inspection program                                                                                                                                                                                                                                                         | \$12,950   | \$18,635    | \$31,585    |
| 16. Increases funding for salaries and operations of the state meat inspection program. The total 2003-05 biennium funding for the state meat inspection program is \$770,554, \$319,415 of which is from the general fund.                                                                                                                                | \$6,490    | \$99,552    | \$106,042   |
| 17. Decreases funding for dairy to more accurately reflect actual costs                                                                                                                                                                                                                                                                                    | (\$84,155) |             | (\$84,155)  |

#### Major Related Legislation

Section 2 of Senate Bill No. 2009 increases the statutory changes as necessary to increase the Agriculture Commissioner's salary as follows:

Annual salary authorized by the 2001 Legislative Assembly:

July 1, 2001	\$68,509
January 1, 2002	\$68,504
July 1, 2002	\$69,874

Proposed annual salary recommendation in the 2003-05 executive budget:

July 1, 2003	\$69,874
January 1, 2004	\$70,573
January 1, 2005	\$71,984

The Senate removed the 2003-05 biennium salary increase for the Agriculture Commissioner.

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*Cherese A. Lee*

Date

10-14-03

Section 2 of Engrossed Senate Bill No. 2009 authorizes \$2,499,215 from the environment and rangeland protection fund for noxious weed control (\$1,494,285), Project Safe Send (\$617,198), and pesticide regulation (\$387,732). The 2001-03 biennium pesticide registration biennial fee is \$350 per pesticide product registered. Of this amount, \$300 is deposited in the environment and rangeland protection fund and \$50 in the general fund. Beginning July 1, 2003, the fee reverts to \$300, of which \$250 is deposited in the environment and rangeland protection fund and \$50 in the general fund. Senate Bill No. 2319 extends the sunset clause for the \$350 pesticide registration fee until June 30, 2005.

Section 3 of Engrossed Senate Bill No. 2009 authorizes \$156,359 from the anhydrous ammonia storage inspection fund for anhydrous regulation. The Senate decreased this amount to \$54,496.

Section 4 of Engrossed Senate Bill No. 2009 authorizes \$550,000 from the game and fish fund for wildlife services (\$400,000) and Board of Animal Health services (\$150,000). The Senate increased the amount from the game and fish fund for wildlife services to \$800,000.

Section 5 of Engrossed Senate Bill No. 2009 increases the pet food registration fee from \$50 to \$100 for a two-year period. This increase is estimated to generate an additional \$152,500 in general fund revenues.

Section 6 of Engrossed Senate Bill No. 2009 increases the livestock medicine registration fee from \$20 to \$40 for a two-year period. This increase is estimated to generate an additional \$28,000 in general fund revenues.

**House Bill No. 1066** - This bill continues the agriculture pesticide and pesticide container disposal program (Project Safe Send) through July 31, 2005.

**Senate Bill No. 2081** - This bill authorizes the Agriculture Commissioner to establish conditions for and issue experimental use permits for pesticides.

**Senate Bill No. 2319** - This bill delays the sunset clause on the \$350 pesticide product registration fee until June 30, 2005. The additional amount collected, estimated to be \$450,000 for the 2003-05 biennium, will be deposited in the environment and rangeland protection fund. The pesticide product registration fee will revert to \$300 on July 1, 2005. In addition, \$250,000 is appropriated from the environment and rangeland protection fund to the Agriculture Commissioner for controlling and eradicating saltcedar.

**Senate Bill No. 2398** - This bill provides for a \$200,000 transfer from the environment and rangeland protection fund to the minor use pesticide fund during the 2003-05 biennium.

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Yherosa W. Lee  
Operator's Signature

10-14-03  
Date

02/21/03

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2009 - Funding Summary**

	Executive Budget	Senate Changes	Senate Version
Department of Agriculture			
Salaries and wages	\$4,555,365	(\$59,552)	\$4,495,813
Operating expenses	3,358,672		3,358,672
Capital assets	8,000		8,000
Grants	100,000		100,000
Board of animal health	876,517		876,517
State meat inspection	770,554		770,554
Pride of Dakota	180,948		180,948
Wildlife services	788,209	11,791	800,000
Safe send	619,525		619,525
Noxious weeds	1,346,836		1,346,836
Total all funds	\$12,604,626	(\$47,761)	\$12,556,865
Less estimated income	8,336,778	271,073	8,607,851
General fund	\$4,267,848	(\$318,834)	\$3,949,014
FTE	57.00	0.00	57.00
Bill Total			
Total all funds	\$12,604,626	(\$47,761)	\$12,556,865
Less estimated income	8,336,778	271,073	8,607,851
General fund	\$4,267,848	(\$318,834)	\$3,949,014
FTE	57.00	0.00	57.00

**Senate Bill No. 2009 - Department of Agriculture - Senate Action**

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$4,555,365	(\$59,552)	\$4,495,813
Operating expenses	3,358,672		3,358,672
Capital assets	8,000		8,000
Grants	100,000		100,000
Board of animal health	876,517		876,517
State meat inspection	770,554		770,554
Pride of Dakota	180,948		180,948
Wildlife services	788,209	11,791	800,000
Safe send	619,525		619,525
Noxious weeds	1,346,836		1,346,836
Total all funds	\$12,604,626	(\$47,761)	\$12,556,865
Less estimated income	8,336,778	271,073	8,607,851
General fund	\$4,267,848	(\$318,834)	\$3,949,014
FTE	57.00	0.00	57.00

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Operator's Signature

*Cheresea W. Bee*

Date

10-14-03

02/21/03

## Department No. 602 - Department of Agriculture - Detail of Senate Changes

	Removes Recommended Salary Increase <sup>1</sup>	Changes Funding Source for Wildlife Services <sup>2</sup>	Increases Funding for Wildlife Services <sup>3</sup>	Funding Source Change <sup>4</sup>	Total Senate Changes
Salaries and wages	(\$59,552)				(\$59,552)
Operating expenses					
Capital assets					
Grants					
Board of animal health					
State meat inspection					
Pride of Dakota					
Wildlife services			11,791		11,791
Safe send					
Noxious weeds					
Total all funds	(\$59,552)	\$0	\$11,791	\$0	(\$47,761)
Less estimated income	(27,064)	388,209	11,791	(101,863)	271,073
General fund	(\$32,488)	(\$388,209)	\$0	\$101,863	(\$318,834)
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

<sup>2</sup> This amendment changes the funding source for wildlife services from the general fund to the game and fish fund.

<sup>3</sup> This amendment increases funding for wildlife services from the game and fish fund to a total of \$800,000.

<sup>4</sup> This amendment changes the funding source from the anhydrous ammonia storage inspection fund to the general fund. The increase in the general fund appropriation of \$101,863 is offset by an increase in pet food and livestock medicine registration fees which are anticipated to increase general fund revenues by \$180,500. The total funding to the Agriculture Commissioner from the anhydrous ammonia storage inspection fund is \$54,496.

A section is added that increases the pet food registration fee from \$50 to \$100 for a two-year period. This increase is estimated to generate an additional \$152,500 in general fund revenues.

A section is added that increases the livestock medicine registration fee from \$20 to \$40 for a two-year period. This increase is estimated to generate an additional \$28,000 in general fund revenues.

The section providing for the Agriculture Commissioner's salary increase is removed.

The amendment provides that the Agriculture Commissioner is to be reimbursed from the game and fish fund only after costs have been incurred. The Department of Agriculture may receive up to \$800,000 from the game and fish fund for wildlife services. In addition, the Board of Animal Health may receive up to \$150,000 from the game and fish fund.

Roger Johnson  
Agriculture Commissioner  
www.agdepartment.com



Phone (701) 328-2231  
Toll Free (800) 242-7535  
Fax (701) 328-4567

600 E Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

January 20, 2003

Senator Bob Stenehjem  
Senate Majority Leader  
State Capitol  
Bismarck, ND 58505

Representative Rick Berg  
House Majority Leader  
State Capitol  
Bismarck, ND 58505

Dear Senator Stenehjem and Representative Berg:

Enclosed you will find my answers to the four questions that you asked regarding our agency budget.

We all understand the importance of the work that you are doing in this legislative session. The challenges facing our state are enormous. I appreciate your commitment to making North Dakota government more effective, and I sincerely hope that this will be useful to you in your efforts toward that goal.

Again, I hope that this will be helpful to you as you do your work. If I can be of further assistance, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Johnson".

Roger Johnson  
Agriculture Commissioner

LJR:jkw

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A handwritten signature in black ink, appearing to read "Theresa A. Bee".  
Operator's Signature

10-14-03  
Date

1) What is the main purpose of your agency?

The North Dakota Department of Agriculture fosters the long-term well-being of North Dakota by promoting a healthy economic, environmental and social climate for agriculture and the rural community through leadership, advocacy, education, marketing, regulation and other services.

2) How do you measure the achievement of your purpose?

Measuring achievement of purpose is accomplished in each of the four program areas as follows:

**LIVESTOCK SERVICES**

Wildlife Services. Performance measures for Wildlife Services include reduction in the amount of economic damage caused by wildlife, reduction of wildlife hazards at airports, removal of beaver dams responsible for flooding of roads and cropland, number of informational leaflets provided to the public, the amount of wildlife damage abatement equipment loaned to landowners and homeowners, and the removal of specific wildlife responsible for property damage, economic loss, and threats to human health.

Dairy Division: Federal surveys taken at plants and farms and the high quality and high demand of products produced in North Dakota.

Livestock Division: Timely licensing and bonding and the resulting lack of major fiscal losses to state livestock producers in the last five years.

Meat Inspection Program: Development and maintenance of state-inspected official establishments and the continual improvement of custom exempt establishments.

State Board of Animal Health: Preservation of North Dakota's disease free status with regards to tuberculosis, brucellosis, and pseudorabies and prevention of emerging and foreign animal diseases in the state.

**PLANTS INDUSTRIES**

Noxious Weeds: The number of cooperative weed management programs with state, federal, and local entities; the number of landowners participating in the cost share programs; and the control/prevention of noxious weeds in the state.

Safe Send: Pounds of old, unused pesticides collected and the number of farmers and homeowners participating in the program.

Pesticide Registration: The number of pesticides registered and the number of emergency exemption (section 18) pesticide uses for unregistered crops and the number of Special Local Needs registered pesticides for the growers of North Dakota.

Pesticide Enforcement: The number of agricultural pesticide use, non-agricultural use, pesticide producer establishments, market place, pesticide applicator and restricted use pesticide dealer inspections conducted. Success is also measured by the number of formal complaints responded to and compliance with state laws.

Feeds/Fertilizers/Livestock Medicine Registration: The number of pet foods, commercial feeds, fertilizers and livestock medicines registered and number of feed manufacturers, feed dealers, and anhydrous ammonia dealers licensed.

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Apiary: The number of bee colonies registered and the number of Varroa mites inspections conducted at the request of the beekeepers.

Plant Protection: The number of phytosanitary (export) certificates, in-transit (transit through Canada to U.S. destinations) certificates, cereal leaf beetle (supports wheat and barley shipments to California) certificates, and corn borer (supports corn shipments to west coast) agreements issued. Success is also measured by the number of nursery growers licenses and dealers licenses issued and the number of pest surveys conducted.

#### **AG MEDIATION**

The tangible achievement measure of confidential mediation is the rate of agreements which avoid formal administrative appeals, foreclosures and bankruptcies and assistance to successfully secure financing for beginning farmers.

#### **EXECUTIVES SERVICES**

Marketing: The number of participating companies in events such as Pride of Dakota school lunch day, international trade directory, feeder calf meetings, marketing seminars, North Dakota State Fair, and Pride of Dakota Directory. Success is also measured by sales resulting from projects such as [www.shopnd.com](http://www.shopnd.com), holiday showcases, and other domestic and international trade shows.

Policy and Communications: Conducting research and keeping the public adequately informed.

#### **What can the legislature do, financially and otherwise, to help achieve your purpose?**

The legislature should provide adequate funds to maintain necessary programs and to provide adequate employee compensation in order to retain experienced employees and to compete for qualified new employees. The legislature needs to focus on the larger policy and priority areas and avoid tendencies to micro-manage state agencies. In response to the current tight budget situation, agency administrators should be provided flexibility and the ability to carry funds from one biennium to another.

#### **How can you report (measure) your results so the public can easily understand your purpose and evaluate your effectiveness?**

The North Dakota Department of Agriculture works to maintain an open dialogue with the public, not only by distributing a variety of public information releases but also by inviting feedback and commentary from the public. We distribute news releases which are largely distributed to the public through the *Advocate*, a bi-weekly publication of news releases and listings of upcoming meetings and events. We also publish a number of newsletters and brochures aimed at educating the public about agriculture in general and department services.

Beyond published materials, our staff also responds daily to requests for public information which are received through the mail, by phone and by e-mail.

Our website – [www.agdepartment.com](http://www.agdepartment.com) – is also a comprehensive source of department information including a listing of our staff, description of the services we offer, public information – including news releases and brochures, and much more.



Roger Johnson  
Agriculture Commissioner  
www.agdepartment.com



SB 2009  
Phone (701) 328-2231  
Toll Free (800) 242-7535  
Fax (701) 328-4567

600 E Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

March 10, 2003

Rep. Ron Carlisle  
Chairman  
Government Operations Division  
House Appropriations Committee  
State Capitol  
Bismarck, ND 58505

Dear Rep. Carlisle:

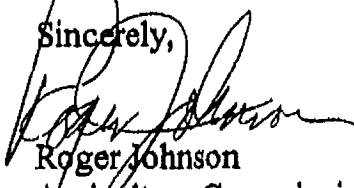
Thank you for the opportunity to discuss our budget at the hearing held on SB 2009 on March 5, 2003. We appreciate the time you made available for our presentation.

There were a number of questions raised by committee members, and I will provide the answers as requested. I have attached documents to respond to each of the following issues.

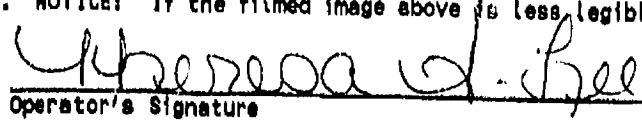
1. History of Project Safe Send funding.
2. History of Department of Agriculture and Game and Fish budget for Wildlife Services.
3. Rationale for Pride of Dakota in Department of Agriculture and job responsibilities of the three marketing staff and the public information officer.
4. Budget for noxious weed fund distribution to the counties.
5. Computer inventory with funding sources.
6. Data processing and telephone expenditures.
7. Special fund statement for EARP fund.

Again, we were pleased for the opportunity to meet with your committee and look forward to working with the subcommittee in the coming weeks.

Sincerely,

  
Roger Johnson  
Agriculture Commissioner

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# PROJECT SAFE SEND FUNDING HISTORY

Biennium	Appropriation	Pounds Collected	Total Cost per Pound	4
1991-1993	\$ 600,000	80,910	\$ 5.47	
1993-1995	\$ 883,958	180,060	\$ 3.77	
1995-1997	\$ 665,000	113,791	\$ 3.77	
1997-1999	\$ 734,428	286,193	\$ 2.18	
1999-2001	\$ 573,907	325,887	\$ 1.76	
2001-2003	\$ 599,775	338,616	\$ 1.77	
<b>TOTAL</b>	<b>\$ 4,057,068</b>	<b>1,325,457</b>		

1 Includes \$150,000 EPA grant

2 Includes \$15,000 EPA grant

3 Includes \$182,295 EPA grant

4 Includes all costs including staff, incineration, etc.

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*Cheresea W. Bee*

10-14-03

# WILDLIFE SERVICES FUNDING HISTORY

Biennium	Department of Agriculture Budget			Department of Game & Fish Budget	Total State Funds for Wildlife Serv
	General Fund	Game & Fish Funds	Total Dept. of Agric		
1991-1993	\$ 649,377	\$0	\$ 649,377	\$0	\$ 649,377
1993-1995	\$ 715,687	\$0	\$ 715,687	\$ 40,000	\$ 755,687
1995-1997	\$ 667,903	\$0	\$ 667,903	\$ 80,000	\$ 747,903
1997-1999	\$ 779,694	\$0	\$ 779,694	\$ 80,000	\$ 859,694
1999-2001	\$ 779,694	\$0	\$ 779,694	\$ 100,000	\$ 879,694
2001-2003	\$ 379,694	\$ 400,000	\$ 779,694	-	\$ 779,694
2003-2005 <sup>1</sup>	\$ -	\$ 800,000	\$ 800,000	-	\$ 800,000

<sup>1</sup>As proposed by Senate

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*Cheresea J. Lee*

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## **Pride of Dakota (POD)**

### **North Dakota Department of Agriculture**

#### **POD Background**

The Pride of Dakota Program was created in 1985 under then Agriculture Commissioner Kent Jones. Pride of Dakota began with 19 member companies and has now grown to over 350 member companies, of which 78 percent are agriculture based or based in small rural communities. Under the leadership of the North Dakota Department of Agriculture (NDDA), Pride of Dakota has transformed from essentially a logo promotion program to a service-provider, assisting companies in improving and expanding domestic and international markets for North Dakota products.

#### **POD Focuses on Agricultural Producers and Small Businesses**

NDDA Marketing Services oversees and administers the programs of Pride of Dakota, providing the ability to give agricultural producers and small businesses in rural communities visibility in the domestic and international markets that they may not otherwise be able to capture without assistance through marketing and educational programs.

The NDDA Marketing Services staff has strived to educate consumers about the many products produced or processed in this state, especially those derived from agricultural commodities. The main tool in raising consumer awareness has been the development and implementation of the Pride of Dakota program and label.

#### **POD Companies Create Markets Beyond Our Borders**

In the beginning years of the program, companies simply joined Pride of Dakota to become eligible to use the logo. Today, companies are joining to participate in North NDDA sponsored trade shows, promotions, and educational seminars. In addition, Pride of Dakota members can apply for monetary aid to attend domestic and international trade shows through vital NDDA linkages with agencies like the United States Department of Agriculture (USDA) Foreign Agriculture Service and close working relationships with cooperator agri-trade groups such as MIATCO (Mid-America Agri-Trade Council). NDDA is also able to apply for federal dollars to help POD companies and other groups through access to special USDA programs such as FSMIP (Federal-State Marketing Improvement Program) which is available only to state departments of agriculture.

#### **We Work to Extend Markets**

The North Dakota Department of Agriculture focuses on the marketing aspects after businesses are up and running. Programs of the North Dakota Department of Agriculture and Pride of Dakota focus on extending markets in domestic and international markets.

**NDDA Marketing Services Provides Direct, Tailored, One-on-One Service**

With valuable input from the Pride of Dakota Advisory Council, the North Dakota Department of Agriculture tailors service for Pride of Dakota members. Company input drives development of marketing and educational components of the program.

Marketing Services remains focused on small businesses and dedicated to providing "one-on-one" service if needed for our members. Marketing Services has developed trust with our companies and receives consistent positive feedback from Pride of Dakota member companies.

The North Dakota Department of Agriculture has established direct access to the agriculture industry. In NDDA, we have access to regulatory and policy contacts in the agriculture sector.

**We Specialize in Agriculture**

Marketing Services and Pride of Dakota are part of a setting that specializes in agriculture and works on a daily basis to promote and strengthen the industry.



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## North Dakota Department of Agriculture Marketing Budget

There are two elements in the Marketing Budget for NDDA

- 1) Marketing Services
- 2) Pride of Dakota (a separate line item)

2003-2005

### Marketing Services Budget - proposed

Salaries - general fund	\$274,025	3 staff
Operating - general fund	132,629	
Capital assets - general fund	750	

**Total General Fund for Marketing Services** **\$407,404**

Federal Funds - carry over from Specialty  
Crop grant (Must be spent by 8-31-2003) **\$40,000**

**Total Marketing Budget** ----- **\$447,404**

### POD Budget

General Fund		\$119,248
Federal funds	(Ability to obtain grants from USDA to pass them on to companies)	\$61,700

**Total POD Budget** ----- **\$180,948**

## Summary

**Only \$132,629 in general fund operating funds in  
the Marketing Services Budget**

**Only \$119,248 in general fund operating funds  
for Pride of Dakota programs**

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## Marketing Services Projects

The Pride of Dakota Program is an integral part of the Marketing Services Area within Executive Services Division of the North Dakota Department of Agriculture. Listed are some programs specifically designed for Pride of Dakota members.

### Weekly e-mails

Each week Marketing Services prepares and e-mails marketing tips to Pride of Dakota members. Also included in the e-mails are up-coming events that they may be interested in.

### Mentoring Services

This program is designed to help new companies learn quickly as they develop their business. Forty Pride of Dakota members have volunteered to serve as mentors. New companies can select their own mentor based on the type of product they produce, geographic location, or whatever criteria they wish. Marketing Services staff will assist them in finding appropriate partners if requested.

### Pride of Dakota Message Board

This exciting new feature allows Pride of Dakota members to communicate with each other through the worldwide web. The Message Board is located on the North Dakota Department of Agriculture web site. Each member is assigned a password and then is able to go onto the site and make comments or ask questions. For example, if a company is having difficulty finding someone to carry their liability insurance, they can access the message board and ask other members if they have any suggested companies.

### Marketing Services Newsletter

Communication with members is important. One way Marketing Services communicates with the members is by producing a marketing newsletter three times per year for distribution to members and others interested in the Pride of Dakota Program.

### Marketing Seminars

This service gives members the opportunity to get in-depth training on subjects important to them. Included are topics such as "Marketing your Product on a Shoestring Budget", "Trade Shows and Trade Show Displays", "Patents/ Licenses", "Preparing a Marketing Plan" and "Finding Sales Representatives and Distributors".

### www.shopnd.com

Marketing Services operates an internet mall for Pride of Dakota members. Currently 38 members participate with over 800 products offered.

### POD Holiday Showcases

One of the most popular Pride of Dakota programs, these events are held in Fargo, Grand Forks, Minot, and Bismarck each year during the Christmas season. Approximately 140

companies participated. Over 22,000 people attended the Holiday Showcases to buy North Dakota products.

#### **Wholesale Gift Show**

This show is designed to give Pride of Dakota members an opportunity to sell in the North Dakota market. Retailers, including gift shops, tourist centers, etc. attend this show to buy products from POD members. Over 50 companies participated in this years show that was held the last week in February in Bismarck.

#### **UMAGA**

The Minneapolis Gift Mart is a vital venue for wholesale gift buyers in the upper Midwest region. The Mart holds two "temporary" shows each year in March and August. Marketing Services contracts for a Pride of Dakota showroom during these temporary shows. Ten Pride of Dakota companies participate in these showrooms.

#### **National Restaurant Show**

Marketing Services encourages and provides assistance for companies to attend this national foodservice show in Chicago, which is one of the largest of its kind in the world. Buyers from restaurants, hotels and cafeterias attend this show.

#### **Taste of Dakota**

Marketing Services coordinates with grocery stores managers to feature these promotions in grocery stores. Companies sample their products in the grocery stores during these Taste of Dakota events. This is a good way for companies to get their product carried in the store.

#### **Pride of Dakota Advisory Council**

The Commissioner of Agriculture appoints a 7 member board from amongst the membership to advise him on program activities. Current members of the board are:

Kari Warburg - Earth Kind Products

Mary Schmidt - Thunderbird Ranch Enterprise

Karen Brandt - Countryside Signs and Designs

Sue Willson - Original Creations

Joanna Starkweather - Morning Star Ranch

Dan Hofland - Red River Commodities

Bonnie Selvig - Bonnie's Country Classics

#### **Marketplace of Ideas**

This annual event is an opportunity to expose North Dakotans to new ideas and for companies to showcase their products. Marketing Services encourages Pride of Dakota members to have booths at the event. Marketing Services also has a booth and participates in class presentations.



**Pride of Dakota membership directory**

Each year a Pride of Dakota membership directory is printed and distributed. It is the most popular publication at the Department of Agriculture. Over 5,000 directories are printed and distributed each year. Currently there are over 350 Pride of Dakota members.

**Point of Purchase Materials**

Marketing Service offers Pride of Dakota labels and shelf talkers at cost to Pride of Dakota members. Members order these products and Marketing Services fulfills those orders.

**Pride of Dakota Month**

The Governor proclaims March as Pride of Dakota month. Special efforts are made during that time to promote the Pride of Dakota label and Pride of Dakota companies. Pride of Dakota posters and shelf talkers are distributed to grocery stores throughout the state for them to display in their stores. Special media efforts are made to have feature stories run on Pride of Dakota members.

**Student Project**

During Pride of Dakota month, an essay contest is held for eighth grade students throughout the state. The topic of the contest focuses on why agriculture is important in their lives. Over 200 essays are received in the office. The winner of the contest gets to be "Agriculture Commissioner" for a day.

**Publications and Communication**

This is a special project designed to make North Dakotans more aware of specific Pride of Dakota companies. They have been asked to provide a description of their company and their products and the Marketing Services staff will assist them in writing press releases and feature stories to help make the public aware of their business.

**School Lunch Program**

School Administrators are asked to prepare a menu for the school lunch program on a particular day that contains North Dakota produced or processed products. The date this year is March 25<sup>th</sup>. Schools representing over 77,000 kids have signed up for the program. Marketing Services works with the School Lunch Administrators Annual Trade Show to promote ND products.

**ND State Fair**

A Pride of Dakota Day takes place each year at the North Dakota State Fair. Pride of Dakota members display and sell their products under a big tent. Over 30 companies participated last year. A lunch for \$1 is served utilizing food products donated by North Dakota companies. Proceeds of the lunch go to local charities. Over 1,000 were served in 2002. In the afternoon games and contests focusing on agriculture are held for children.

**Advertising**

Marketing Services has a modest advertising budget where it can advertise and promote the Pride of Dakota label. Often times it is done with special tabloids that newspapers produce promoting North Dakota.

**MAP (Market Assistance Program)**

This is a funding source for Pride of Dakota companies to access to promote market development. It is used to provide funding to North Dakota companies who are looking to expand their markets. It provides matching funds for travel and lodging expenses to Pride of Dakota companies who qualify.

**Twin Cities Food & Wine Experience**

The Twin Cities Food & Wine Experience is a good show for companies looking to expand their market. This show was suggested by the Minnesota Trade Office as a good venue for North Dakota companies to gain representation in the Minneapolis area. Three Pride of Dakota companies attended this show this year.

**Hostfest**

The Norsk Hostfest is a great opportunity for Pride of Dakota companies to sell their products to tourists from all over the world. A "Pride of Dakota Store" is set up at the Hostfest where 30 Pride of Dakota companies have their products for sale.

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Operator's Signature

10-14-03  
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## Description of Duties Marketing Staff and Public Information Officer

**Chuck Fleming**  
**Marketing Staff**  
**Marketing Services**  
**North Dakota Department of Agriculture**

The Marketing Coordinator is assigned the responsibility to carry out the mission of the North Dakota Department of Agriculture Marketing Services, which is to create new wealth by providing leadership, coordination, and service for local, domestic, and international agricultural activities. Marketing Services is also responsible for administering the Pride of Dakota program and the e-commerce shopnd.com web site.

### **Duties include:**

- Develop a biennial plan of work for Marketing Services
- Assist the program manager develop and manage the Marketing Services budget
- Oversee the Pride of Dakota program
- Oversee shopnd.com program
- Oversee the activities of two marketing specialists
  - Assist the program manager in developing standards for performance by the marketing specialists, interns, and/or temporary employees
  - Ensure the marketing specialists are cross-trained and kept informed of program activities and a team approach for all marketing programs is followed
- Develop a program of international trade activities
  - Serve as a liaison between the Department and the United States Department of Agriculture Foreign Agricultural Service (FAS) and with (Mid-America International Agri-Trade Council (MIATCO)
  - Maintain a data base of companies interested in international trade
  - Coordinate visits by international trade teams/individuals
  - Maintain a clearinghouse for incoming trade leads and disseminate them to appropriate producers or companies
  - Organize or assist others in international trade missions
  - Cooperate and participate with ND District Export Council activities
- Represent the North Dakota Department of Agriculture on boards, commissions, and organizations as assigned (The Marketing Coordinator is currently assigned these organizations: ND Soybean Council, ND Barley Council, ND Potato Council, ND Pea and Lentil Council, ND Dry Bean Council, and the Upper Great Plains Transportation Institute - Marketing Specialists are also assigned other councils and organizations)

- Develop and maintain liaison relationships with local, domestic, and international buyers/sellers
- Work with all program areas within the North Dakota Department of Agriculture to assist with marketing activities of programs throughout the department
- Serve as a marketing resource for state agriculture producers and processors
- Make recommendations to the Agriculture Commissioner and/or the program manager regarding marketing/promotional activities

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**Sara Wagner**  
**Marketing Staff**  
**Marketing Services**  
**North Dakota Department of Agriculture**

**Duties include:**

**Pride of Dakota**

Coordination of marketing activities to enhance sales of North Dakota products

- Holiday Showcases - responsible for planning the four Holiday Showcases which are retail sales events that occur every November/December
- Wholesale Gift Show - recruit buyers to attend this show to purchase Pride of Dakota products to sell in their stores
- Weekly marketing tip - send weekly e-mail marketing tips to the Pride of Dakota members
- Marketing seminars - plan educational seminars for the membership on various marketing topics
- Event planning - plan Pride of Dakota events for grocery stores, state fair, Norsk Hostfest and Pride of Dakota rooms at other trade shows
- Attend national food trade shows with companies
- Work with [www.shopnd.com](http://www.shopnd.com) - helping companies get on the site and the promotion of the site
- Develop advertisements and advertisement cooperative opportunities for Pride of Dakota companies
- General promotion and assistance of North Dakota companies and products

**Grant writing**

- APUC (Ag Products Utilization Commission)
- FSMIP (Federal State Marketing Improvement Program)
- SFMNP (Senior Farmers Market Nutrition Program)

**Farmers Market**

- Publish a farmers market directory which lists farmers markets and fruit and vegetable growers in North Dakota
- Plan special farmers market events
- Currently in the process of compiling an educational brochure on how to start your own farmers market
- Develop a poster for farmers markets to advertise their local market or home-grown stand
- Work with farmers markets throughout the state to help promote their market

**Organic**

- Trade shows -- Natural Products Expo
- Participated as a sponsor in the Sustainable Ag Conference

**International Trade**

- Work with MIATCO
- Assist companies in finding shows and contacts in overseas markets

**Promotional creation, layout and composition**

- Write and design various publications in the office.
- Marketing Newsletters, Meat Newsletter
- Department booth display
- Pride of Dakota membership directory
- Renewable Energy Brochure
- Agriculture Information brochure

**North Dakota Turkey Federation**

- Serve as the marketing arm for the North Dakota Turkey Federation
- Develop promotional activities -- recipe contests, turkey fryer give-away,
- Develop brochures and promotional material to distribute
- Advertising
- Represent the Federation at trade shows
- Attend all meetings
- Administer billings

**North Dakota Honey Promotion**

- Develop brochures
- Administer billings

Cheresea A. Bee  
Operator's Signature

10-14-03  
Date

**Bobbi Fortier Talmadge**  
**Marketing Staff**  
**Marketing Services**  
**North Dakota Department of Agriculture**

**Duties include:**

**Livestock Industry**

- North Dakota Stockmen's Association (NDSA)
  - Attend the NDSA quarterly meetings to stay abreast of the livestock issues in the state
  - Assisted with the department booth at the state convention
  - Attend the All-Breeds Tour to show support and meet more producers in the state
- Feeder Calf Council-a branch of the NDSA
  - Compiled and maintain the most comprehensive list in the state of over 100 North Dakota Feedlots
- Coordinated 6/02 Southwest North Dakota Feedlot Tour with over 45 participants in the Bowman/Hettinger area
- Assist producers find feed in drought situations
- Work with NDSU extension to promote feed list located at <http://www.ag.ndsu.nodak.edu/feedlist/>
- VIP or Vaccination Information Program
  - Working with the NDSA staff, a brochure and marketing plan were developed to promote this information-sharing program between cow/calf producers and feedlots receiving those cattle
- Compiled a PowerPoint presentation of the group's activities for the general assembly at the state NDSA convention

**Dairy Heifer Development**

- Applied for a USDA Federal-State Marketing Improvement Program in 2/02 for dairy heifer development
- Provide support for seven ND participants who attended the North Central Dairy Heifer Growers workshop in Milbank, SD on 6/02
- Provide support for 16 representatives at the Professional Dairy Heifer Growers Assn. National Conf. in Green Bay in 3/03
- Assist producers to help them find any state, or federal funding programs
- Supply producers with contacts in the industry to help them develop business opportunities
- Assisted Dakota Valley Heifer Growers in their recent effort to obtain an APUC grant for a new dairy heifer operation in Eastern ND

#### **North Dakota Cattle Backgrounding Seminars**

- Coordinated six producer/lender meetings throughout the state in cooperation with NDSA, NDSU extension, NDDA Mediation and Bank of ND

#### **Fall Feeder Calf Sales**

- Worked with producers from the North Dakota Angus Association to coordinate their fall Angus-sired feeder calf sales
  - Produced a brochure and poster to promote nine sales throughout the state
- Assisted the group in their APUC application and presentation

#### **Dakota Beef Cooperative**

- Assisted in the effort to create a producer-owned beef processing operation

#### **Value-Added Animal Agriculture Summit**

- Assisted in developing summit highlighting animal agriculture projects throughout the state

#### **North Dakota Private Grazing Lands Coalition**

- Assist livestock producer group with their efforts to promote the health and sustainability of ND's private grazing lands
- Assisted with yearly tour by producing and distributing a tour brochure

#### **ND State Meat Inspection Plants**

- Work with the smaller ND meat plants in their efforts to become state inspected plants.
- Assist plants in efforts to gain marketplace

#### **Pride of Dakota**

- Assist with event management
- Present Pride of Dakota classes at MarketPlace of Ideas
- Administer the Market Assistance Program, a small grant (\$10,000) to help companies with the cost of larger domestic and foreign shows
- Marketplace for Kids
  - Present to kids the importance of farmers and POD companies that are bringing those products to the marketplace

#### **Domestic and Foreign Trade Opportunities**

- National Restaurant Association
  - Assist companies attending the Chicago food show
  - Serve as an MIATCO assistant project manager
- Pacific Rim Trade Mission
  - Lead six ND food companies attending two of the largest food shows in Asia



- Prepared and presented a funding request to APUC for this mission
  - Recruited companies and served as a liaison for MIATCO, show officials and companies
  - Serve as the MIATCO assist project manager for the Food and Hotel Korea show
- American Feed Institute Association
  - Assist three ND companies in attending the largest livestock feed show in the United States
- Export ND
  - Assist this ND group with their efforts to increase foreign trade from companies in ND

**Ted Quanrud  
Public Information  
Policy and Communications  
North Dakota Department of Agriculture**

**Duties include:**

- **Public Information**
  - Writes press releases and news advisories primarily "translating" technical information into non-technical language, more easily understood by the general public
- **Noxious Weeds**
  - Prepared, edited and published the booklet, "North Dakota's Noxious Weed Laws and Regulations," for distribution to weed control board and weed control officers
  - Prepared and published a six-panel brochure, "North Dakota Certified Weed Free Forage & Grain Program"
- **North Dakota State Board of Animal Health**
  - Edit and publish the quarterly "North Dakota Animal Health Update," an 8- to 12-page magazine for distribution to North Dakota veterinarians and livestock groups
  - Prepared a three-panel pamphlet, "Foot and Mouth Disease: What You Can Do."
  - 2002 West Nile Virus outbreak, worked with the Board and with the State Health Department in providing the media and public with quick, accurate and pertinent information about this new disease
  - Currently work with the Board and the Department of Emergency Management in developing a plan for a response to a major foreign animal disease outbreak
- **Dairy**
  - Prepared annual maps, showing location of the state's dairy farms and processors; prepared bond forms for dairy and poultry dealers
  - Prepared a pamphlet, "North Dakota Dairy Pollution Prevention Program"
  - Prepared a 30-page document for recruiting new dairy farmers
- **Meat Inspection**
  - Designed certificates designating participants who completed training programs
- **Feed and Fertilizer Registration**
  - Prepared and published a six-panel pamphlet on anhydrous ammonia

- Designed certificates to be given to people who complete anhydrous ammonia safety training
- **Wildlife Services**
  - Designed a document advertising the blackbird eradication program
- **Pesticide Programs**
  - Prepared, edited and published the booklet "North Dakota Pesticide Laws and Regulations," distributed as a reference for producers, applicators, county agents and others
  - Prepared posters, brochures and annual reports for Project Safe Send
- **North Dakota Agriculture in the Classroom**
  - Prepared the annual reports for the North Dakota Agriculture in the Classroom Council
- **Drought Programs**
  - Photographed scenes of the 2002 drought in southern North Dakota for use by the commissioner and the state's congressional delegation in seeking disaster relief for producers
- Responded to numerous requests for information about North Dakota agriculture from the news media and the general public
- Daily review state and national news publications for stories and editorials related to North Dakota agriculture
- Edit and publish the department's biennial report
- Prepare talking points for the agriculture commissioner's public speaking appearances
- Administer the Centennial Farm Program
- Assist in research for testimony and position statements by the commissioner
- Provide technical services, such as photography and computer scanning of documents, to other department employees
- **Communication Officers of State Departments of Agriculture**
  - Served as president of the Communication Officers of State Departments of Agriculture
  - Planned and hosted COSDA's national convention in September 2002

Yvonne A. Bee  
Operator's Signature

10-14-03  
Date

# 2001-2003--Noxious Weed Budget Funds to Counties, Revised

GPS units, educational materials	40,000	\$
Bio-control Cost-Share	16,000	\$
New Invasive Weeds Cost-Share	106,000	\$
Canada Thistle Cost-Share	222,628	\$
Landowner Cost-Share	879,618	\$
Cooperative Weed Mgmt. Grants	47,372	\$
<b>TOTAL</b>	<b>1,311,618</b>	<b>\$</b>

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Cherisea J. Lee  
Operator's Signature

10-14-03  
Date

**North Dakota Department of Agriculture Distribution  
Workstations/Notebook Distribution**

	<u>Number</u>	<u>General Fund</u>	<u>Federal Funds</u>	<u>Special Funds</u>
<b>Workstations</b>				
Main Department Server	1			\$ 7,490
Workstations - FTEs	40	\$ 27,402	\$ 3,801	\$ 33,519
Workstations - Temps	2	\$ 3,634		
Workstations - Surplus	5	\$ 9,031		
Workstations - NDGeologic Survey	4		\$ 16,199	\$ 1,687
<b>Total Workstations</b>	<b>52</b>	<b>\$ 40,066</b>	<b>\$ 20,000</b>	<b>\$ 42,696</b>
<b>Notebooks</b>				
Homeland Security	25	\$ 615	\$ 35,308	
Ag Mediation Field Staff - FTEs	3	\$ 7,248		
Ag Mediation Field Staff - Temps	7	\$ 16,912		
Dairy Field Staff - FTEs	4		\$ 9,664	
Plant Industries Field Staff - FTEs	6		\$ 7,603	\$ 3,380
GPS training - County Weed Boards	1			\$ 2,416
Pool - checkout floaters	3		\$ 5,059	\$ 4,832
LCD/Projectors	2		\$ 2,416	\$ 3,290
<b>Total Notebooks</b>	<b>51</b>	<b>\$ 24,775</b>	<b>\$ 60,051</b>	<b>\$ 13,918</b>
<b>Total Workstations</b>	<b>52</b>	<b>\$ 40,066</b>	<b>\$ 20,000</b>	<b>\$ 42,696</b>
<b>Total Notebooks</b>	<b>51</b>	<b>\$ 24,775</b>	<b>\$ 60,051</b>	<b>\$ 13,918</b>
<b>Grand Totals</b>	<b>103</b>	<b>\$ 64,842</b>	<b>\$ 80,051</b>	<b>\$ 56,614</b>

**Software Notes:** 49 computers with Windows 98  
53 computers with Windows 2000  
5 computers with Arc View GIS software  
3 computers with Adobe Pagemaker  
2 computers with Macromedia Dreamweaver  
All computers with MS Office XP

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**DEPARTMENT OF AGRICULTURE  
IT PLAN COSTS**

**Data Processing:**

The following reasons account for the department's increase in IT-Data Processing for the 2003-05 biennium. They are as follows:

- 1) ITD conducted an internal audit and corrected an ITD error in jack charges. ITD was not correctly billing the department for the proper number of jacks. The number of jack charges increased from 35 to 51 (increase of 16 jacks).
- 2) ITD increased jack charges from \$19.50 to \$28.25 per unit per month between May 2000 and the current billing time frame (45% increase).

The above two items account for an \$18,198 increase to our budget from the previous biennium as follows:

May 2000 – 35 jacks/\$19.50/month/24 months = \$16,380 a biennium  
Current billing – 51 jacks/\$28.25/month/24 months = \$34,578 a biennium

The department has also entered into an agreement to use an ITD Norton Enterprise Antivirus Program adding \$960 per biennium (\$40/mo).

The following are additional ITD rate increases that are included in our budget for data processing:

- In May 2000, ITD desktop support charge was \$45.00 per hour. The current charge is \$51.40 per hour (14% increase). This cost is dependent on needs, our average use is about 1hr/month.
- ITD charges the department for records management services (whether we use the service or not) resulting in \$2,016 per biennium. ITD increased these charges from \$80 to \$84 per month.

In summary, the above explanation accounts for amounts in excess of our \$17,085 increase for data processing. However, along with this there have been other efficiencies used to offset some of the increases in costs we've incurred.

**Telephone:**

There was also a question regarding an increase in our IT-Telephone costs. However, our IT plan shows a \$25,205 decrease for the 2003-05 biennium.

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Yherosa W. Lee  
Operator's Signature

10-14-03  
Date

full waste containment systems, water diversions and waste utilization plans. In addition, the program has provided 117 dairy producers with technical assistance in nutrient management, project planning, regulatory explanation and manure containment advice. Since the program's inception, \$300,000 has been spent. EPA has committed an additional \$981,808 to the program through 2009. (See Attachment 4.)

Dairy section personnel carry out all poultry division responsibilities. North Dakota currently has 12 licensed commercial egg producers that are inspected once a year. All in-state and out-of-state hatcheries are licensed and bonded.

## State Veterinarian

The State Veterinarian's office was incorporated into the North Dakota Department of Agriculture in 1995.

Policy for the office is established by the eight-member North Dakota State Board of Animal Health (BOAH), appointed by the governor (NDCC 36-01-01).

Present BOAH members include Nathan Boehm, Mandan; Jeff Dahl, Gackle; Jody Hauge, Carson; Francis "Buck" Maher, Menoken; Dr. Dick Roth, Fargo; Paula Swenson, Walcott; Dr. William Tidball, Beach, and Dr. Kenneth Throlson, New Rockford.

The board is charged with all matters relating to the health and welfare of domestic animals and nontraditional livestock, not specifically assigned by statute to another entity. The board also determines and employs the most efficient and practical means for the prevention, suppression, control, and eradication of dangerous, contagious diseases of domestic animals and nontraditional livestock. The board must also prevent the escape and release of animals injurious to or competitive with agriculture, horticulture, forestry, wild animals and other natural resources.

The State Board of Animal Health and the North Dakota Game and Fish Department have a cooperative agreement to regulate non-traditional livestock. Game and Fish provided \$68,000 during the 2001-03 biennium for these activities.

Voluntary disease control programs provide rec-

ognition of and certification for helping producers eliminate diseases from their herds. The board has recently approved a voluntary Johne's Disease Herd Status Program for the state.

Free trade agreements have greatly increased the movement of animals and animal products. Consequently, the potential for an emerging disease outbreak has increased.

BOAH is developing a Homeland Security Plan to provide surveillance of and response to foreign animal disease emergencies, natural disasters or bioterrorist events. The board has added an assistant veterinarian to assist in this effort. In this biennium, funding was received from several sources, including a USDA grant to the governor's office for value-added agriculture, a Centers for Disease Control and Prevention grant to the North Dakota Health Department for bioterrorism preparedness and a USDA grant for homeland security. It is not known whether these funds will be continued in the future. The funding is being used for improving surveillance for disease in the state and purchasing equipment to improve our readiness if an emergency should occur.

To date, 21 veterinary practitioners have been trained to assist in an emergency. A training exercise is scheduled for late next summer.

## State Meat Inspection

The 1999 North Dakota Legislature authorized a State Meat Inspection Program. The U.S. Food Safety and Inspection Service (FSIS) approved the program as "equal to federal" on Oct. 19, 2000.

Although the laws and regulations of state and federal programs are very similar, there are many benefits in operating a state program. State programs can deal with small businesses more effectively and efficiently than the large federal system can. A state program can offer more technical support and guidance and handle disputes on a state and local level. The program also helps small livestock producers and processors to sell directly to consumers, thereby capturing more of the consumer dollar.

As part of the cooperative agreement with NDDA, FSIS provides a 50 percent match for all inspec-

tion activity expenditures, excluding inspection of any non-amenable species, such as bison or elk.

The program is administered by the director of state meat inspection with a supervisor/compliance officer located in Bismarck. Four field inspectors visit the state's 96 custom-exempt plants at least four times per year. Each plant is inspected for sanitation of facilities and equipment.

The inspectors also inspect official state establishments. At present, there are 10 official state establishments with others considering official status. Inspectors monitor slaughter and/or processing activities on a daily or weekly basis.

In addition to inspection duties, the meat inspection staff offers education and consultation to plant personnel while reviewing facilities. The supervisor and director conduct regular oversight reviews to ensure consistent inspections throughout the state. (See Attachment 5.)

## Wildlife Services

The Wildlife Services division of United States Department of Agriculture Animal and Plant Health Inspection Service works in partnership with the North Dakota Department of Agriculture and the North Dakota Game and Fish Department to minimize the negative impacts wildlife has on the lives and livelihood of North Dakotans.

Wildlife Services helps manage predator damage to livestock, blackbird damage to sunflower and other grain crops, beaver damage to trees and roadways, waterfowl damage to crops, urban wildlife problems, and wildlife hazards at airports. Blackbirds annually cause \$3-5 million in losses to sunflowers and other crops. Predation on livestock, along with waterfowl and beaver damage, accounts for an additional \$1.5 million in losses each year. Disease transmission and encounters between aircraft and wildlife also threaten human health and safety. (See Attachment 6.)

### Livestock Services Budget Comparisons

	2001-2003	Senate Version
Salaries	\$750,716	\$656,897
Operating	665,161	748,896
Capital assets	0	1,000
BoAH	930,927	876,517
Meat Inspection	632,927	770,554
Wildlife Services	<u>779,694</u>	<u>800,000</u>
	\$3,759,425	\$3,853,864
FTEs	18.5	19.4



# PLANT INDUSTRIES

Crop production is the main focus of the Plant Industries Program Area, which is comprised of the Pesticide, Registration, Plant Protection, Noxious Weeds and Apiary sections.

## Pesticide

Federal grants fund 85 percent of the pesticide section activities.

### Harmonization

The pesticide section has been very active in pesticide harmonization efforts. Representatives have participated in NAFTA Technical Working Group meetings and have actively worked with the EPA to draft federal legislation that would allow importation of Canadian pesticides.

The section participated in an industry working group sub-team to identify and resolve barriers to adoption of NAFTA pesticide labeling. The section provided its expertise in numerous meetings dealing with pesticide harmonization, including grower meetings, conferences with the NAFTA Technical Working Group and the Midwest Legislators Forum.

The section provides administrative services for the Crop Product Protection Harmonization and Registration Board, created during the last legislative session. The board also was given oversight of the Minor Use Fund which cost-shares with commodity groups and North Dakota State University for research projects on minor crops or minor uses on major crops. This biennium, the board has allocated approximately \$122,000 from this fund toward four projects compared to more than \$547,000 for 12 projects last biennium when the fund was under the Pesticide Control Board.

### Pesticides

The pesticide section enforces state and federal laws regarding the registration and use of pesticides, as mandated by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), while acting as an advocate for farmers and ranchers who depend on agricultural chemicals.

The section continues the development of initiatives mandated by the U.S. Environmental Protection Agency. These include:

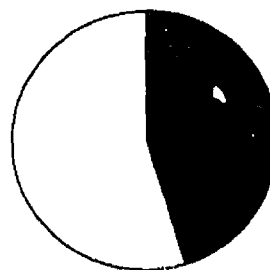
- The Endangered Species Protection Program,
- The Groundwater Protection Strategy for Pesticides,
- The Worker Protection Program.

Approximately 8,250 pesticides, ranging from household/residential products to industrial and agricultural products are registered in the state.

The section began digitally recording all pesticide labels and material safety data sheets in 2002. This project, which should be completed in 2003, improves document handling and makes pesticide data more accessible.

JEFF OLSON  
PROGRAM MANAGER

### 2003-2005 Senate Version Funding Sources



General	\$525,068
Federal	\$1,980,164
Special	\$3,067,862
Total	\$5,573,094

The section increased its marketplace inspection program through the use of personal data assistants (PDAs), handheld computers that provide inspectors with immediate access to the database of registered products. Inspectors have found more than 60 unregistered pesticides in the past six months.

The section conducted a total of 1,271 inspections, issued 169 warnings, assessed 191 penalties and took 123 samples during 2001 and 2002.

The section prepares Emergency Exemption (Section 18) requests to the EPA for pesticides to address weed, disease and insect outbreaks. In 2001 and 2002, the EPA approved 40 of 41 submitted requests for pesticides used on durum, barley, sunflowers, canola, flax, dry beans, sugarbeets and spring wheat. This section also is responsible for issuing Special Local Needs (Section 24c) registrations. A total of 27 Section 24c registrations were issued in 2001 and 2002.

### Project Safe Send

The section administers the Project Safe Send program that helps farmers and others to dispose of unusable and old pesticides. Project Safe Send has collected more than 1.3 million pounds of hazardous and unusable chemicals from over 3,700 participants since its inception in 1992. The division also coordinates the disposal of empty pesticide containers. (See Attachment 7.)

Export Certification Program Certificates Issued (Jun1-Jul30)				
Certificate	98 -99	99 -00	00 -01	01 -02
Phytosanitary - supports export of agricultural commodities to foreign countries	1,578	1,450	1,487	1,551
In-transit - rail shipments of wheat & barley through Canada to US markets	161	623	970	920
Cereal Leaf Beetle - supports shipments of wheat and barley to California	0	50	613	362
Corn Borer Agreements - supports corn shipments to the west coast	65	65	70	71

## Plant Protection

The plant protection section issues phytosanitary export certificates to facilitate export of North Dakota agricultural commodities.

The section also inspects and certifies nurseries to prevent the spread of plant pests and to facilitate export of nursery stock.

Nursery Program				
	1999	2000	2001	2002
Nursery Growers Licensed	45	39	41	38
Nursery Dealers Licensed	138	119	145	141

The section is also responsible for plant pest prevention, detection, evaluation and suppression programs to protect North Dakota agriculture and to support the export of agricultural products. Surveys are conducted under a cooperative agreement with USDA-APHIS.

Pest Survey Program Surveys Conducted	
Pest or Disease	Crop Affected
Karnal Bunt	Wheat
Dwarf Bunt	Wheat
Flag Smut	Wheat
Nematodes	
Golden	Potatoes
Colombia Root Knot	Potatoes
Soybean Cyst	Soybean
Potato Mop Top Virus	Potatoes
Cereal Leaf Beetle	Small grains
Khapra Beetle	Stored Ag products
Small Hive Beetle	Honey bees
Gypsy Moth	Trees
Common barberry (host of Black Stem Rust)	Wheat
Japanese Beetle	Nursery Stock

## Registration

The registration section is responsible for enforcing the provisions of the North Dakota Commercial Feed Law (Ch. 19-13.1), Livestock Medicines (Ch. 19-14), and Fertilizer and Soil Conditioner Law (Ch. 19-20.1).

Nearly 900 feed samples were collected this biennium for analysis. An estimated 3,147 pet foods and 4,490 commercial feeds are registered in the state. Licenses have been issued to nearly 278 feed manufacturers and 270 feed dealers.

- 14 -

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Operator's Signature

Date

## Apiary

The apiary section is responsible for the following services to the beekeeping industry:

- Annual licensing of beekeepers,
- Registration of bee yards,
- Inspection for diseases and parasites.

Approximately one-third of North Dakota bees overwinter in Texas where migratory movement inspections are required. Beehives are inspected on request. Department personnel respond to complaints by landowners, commercial pesticide applicators and the public, regarding placement of bee yards. The apiary section also works with the pesticide section to ensure proper use of pesticides in beehives.

### Plant Industries Budget Comparisons

	2001-2003	Senate Version
Salaries	\$1,536,549	\$1,643,540
Operating	940,793	1,860,193
Capital assets	0	3,000
Waterbank	900,000	
Safe Seed	599,775	619,525
Grants	100,000	100,000
Noxious Weeds	<u>1,346,836</u>	<u>1,346,836</u>
	\$5,423,953	\$5,573,094
FTEs	18	18.6

- 16 -

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Yherosa A. Bee  
Operator's Signature

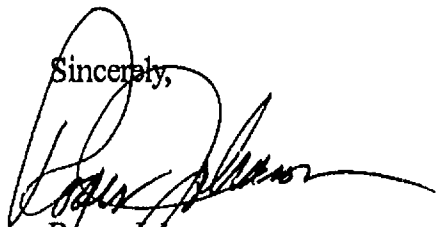
10-14-03  
Date

This budget presentation was designed to help members of the North Dakota Legislature determine spending priorities for the 2003-05 biennium. This presentation also provides detail to my response to a letter received Jan. 10, 2003, from Senate Majority Leader Bob Stenejhem and House Majority Leader Rick Berg (see Attachment 10), who requested information about the purpose and work of the North Dakota Department of Agriculture.

I believe that the work of the North Dakota Department of Agriculture is vital to our state's most important industry. Although the department is one of the smallest of its kind in the United States, its personnel administer and deliver a wide variety of programs and services for the benefit of the state's 30,000 family farmers and ranchers and all of our citizens.

My staff and I welcome the interest and questions of the Legislature and all North Dakota citizens, regarding the work of the North Dakota Department of Agriculture..

Sincerely,



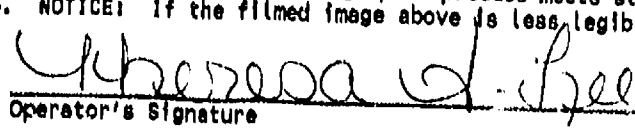
Roger Johnson  
Agriculture Commissioner

### Budget Funding Sources Comparison

	2001-2003	Senate Version
General funds	\$4,396,735	\$3,949,014
Special funds	4,006,933	4,605,625
Federal funds	<u>3,948,982</u>	<u>4,002,226</u>
<b>Total</b>	<b>\$12,352,650</b>	<b>\$12,556,865</b>

- 17 -

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Operator's Signature

10-14-03  
Date

Good Afternoon, I am Terry Dammel with Rolling Hills Premium Ranch Beef, Inc. My wife and I created, own, and operate a beef products company, developed out of frustration with quality beef products and a lack of control in our own destiny and pricing of our raw products as beef producers.

Rolling Hills, Inc. was formed and founded in 1988-1989, we became members of Pride of Dakota in 1992, and we incorporated in May of 2002.

POD has provided us with the opportunity to conduct market research within a large and diverse population at a minimal cost to us. It creates a climate that assists us in developing products based on consumer demand.

POD has developed a data base of companies to work with and created a forum for discussions among businesses about products that are essential to do business, such as, shipping, packaging, marketing, distribution, and sales. We have learned the art of networking with each other to help enhance sales and business in general.

POD has introduced us to the world wide web through, [www.shopnd.com](http://www.shopnd.com), and created an aunosphere of communication with regional, national, and international markets and visiting professionals in their various fields of markets.

Thank you

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Terry Dammel  
Operator's Signature

10-14-03  
Date

Exhibit 2

Testimony by Melissa Maasjo

I have been a member of Pride of Dakota for 10 years. Our family owns three businesses that are members of the program.

- \*Gifts Dakota Style - a retail catalog featuring North Dakota products
- \*Dakota Gardens & Herbs - processor of specialty foods
- \*Cal-Dak Cabinets - custom cabinets

- 1) Education Seminars & Workshops
    - a. food safety
    - b. marketing
    - c. internet marketing/e-commerce
    - d. patents/trademarks/copyrights
    - e. trade show tips
  - 2) Trade Shows
    - a. Minneapolis Gift Mart
    - b. Edmonton - Alberta Gift Show
    - c. Pride of Dakota wholesale show
  - 3) Retail Shows
    - a. Hostfest
    - b. Holiday Showcases
    - c. grocery store promotions
  - 4) Advertising
    - a. TV news
    - b. newspaper
  - 5) Mentoring Program  
(establishing relationships with other companies)
  - 6) Resources
    - a. labeling information
    - b. display equipment
    - c. grant opportunities
  - 7) Image  
It makes a big difference to have the Pride of Dakota label on our products!
- How has Pride of Dakota affect our sales?
- \*85% of our store accounts have come as the result of a Pride of Dakota show or function
  - \*35% of our retail sales have resulted from a Pride of Dakota show or shopnd.com

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Cheresea A. Bee  
Operator's Signature

10-14-03  
Date

Contact Ag Dept for copy

Pride of  
Dakota  
north dakota  
originals

2003 Membership Directory

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SB 2009

## PROJECT SAFE SEND ADVISORY BOARD MINUTES

May 20, 2002

### PARTICIPANTS:

Participants included: Judy Carlson, ND Department of Agriculture; Curt Erickson, Health Department; Ken Astrup, North Dakota Farmers Union; Brian Kramer, North Dakota Farm Bureau; Gary Knudson, ND Agriculture Association. Andrew Thostenson, NDSU Extension Service was unable to attend but had e-mailed his comments on pesticide recycling which will be included with the minutes.

### MINUTES:

Brian made a motion, seconded by Ken to approve the minutes of the December 1, 2001, meeting. Brian noted a correction to the minutes—"trefland". Motion passed with the amendment to the minutes.

The board discussed advertisement of the upcoming PSS collections. Judy distributed information from Kranzler Kingsley Communications—they're arranging radio and print advertisement. Posters will be sent to elevators, Cenex F.U., area restaurants and convenience stores, and libraries. Additional posters will be available to extension agents, NDDA pesticide inspectors and summer field staff. Judy said she was trying to get an ad in the REC magazine, but hadn't yet connected with the editor. The board thought that would be a good publication and should try to get PSS information in next issue. Also, it was suggested to have sites and dates in the "Calendar of Events" in local papers, and green sheets.

Next, the board discussed the possibility of "recycling" unusable pesticides. Brian said it was a shame that usable pesticides can't be used. Ken agreed, but also expressed concern for what's in the containers...liability. Steve thought that if we wanted to sort out "usable" pesticides, couldn't do on a one day collection. Judy said we could do a list like the Industrial Material Exchange Service that the NDDH distributes. In some states, the Farm Bureau coordinates the pesticide collections, and Judy suggested FB may be interested in hosting a list on their web page. Brian didn't think so. There continue to be concerns about liability if the product is not what is labeled on the container, if it's been frozen or made inactive. Ken made the motion, seconded by Steve that we not consider recycling pesticides this year but continue to study the issue. The motion passed.

Gary said there were more questions than answers to recycling. Brian asked if anyone knew what other states were doing? Judy will do a query to other states and have a report for the next advisory board meeting. She may also have Andrew check with his counterparts.

The board wants to meet prior to the next legislative session. Possibly November in Jamestown.

It was recommended that legislators be invited to PSS collection events.

The meeting adjourned at about 3 p.m.



Carlson, Judy L.

From: Andrew A. Thostenson [athosten@ndsuent.nodak.edu]  
Sent: Monday, May 20, 2002 9:07 AM  
To: 'Carlson, Judy L.'  
Subject: RE: pss meeting

I will not be attending today's PSS meeting.

I have reviewed the agenda and have some thoughts regarding the recycling of pesticides via PSS.

First I want to make it clear that I am adamantly opposed to any recycling effort in regards to pesticides collected through PSS. I once thought this might be a viable idea but have been convinced otherwise by a variety of arguments.

First, recycling these pesticide opens the State up to virtually unlimited liability. What if the pesticide is contaminated or defective because it has been frozen and the user has a crop loss or a use failure? Who is responsible? One could develop a disclaimer for people to sign, but these instruments have been proven to be difficult to defend in court.

Second, since the events of September 11, 2001, we must think more carefully about who gets access to pesticides and we must consider who has had access to pesticides and what tampering could go on. I am not so much concerned about terrorists getting a hold of pesticides from PSS, but I am concerned that some copycat mentally ill person could tamper with these pesticides and then when the product is used it results in a major crop loss or a personal injury issue.

Finally, distributing pesticides from PSS opens up a whole new can of worms in terms of documenting, verifying, and recording who gets what chemical. Example, a jug of Tordon looks perfectly good, will PSS have to verify certification credentials before they can distribute this RUP to a user? Will PSS have to keep records like a commercial dealer does?

All of these matters underscores my concern that we not get into the business of recycling pesticides.

Please share this with the committee and if needed, I will write a formal letter to PSS expressing my concerns for the record.

Best regards,

Andrew

\*\*\*\*\*

Andrew A. Thostenson, Pesticide Program Specialist  
North Dakota State University Extension Service  
166 Loftsgard Hall, P.O. Box 5051  
Fargo, North Dakota 58105-5051 USA  
Telephone: 701.231.7180, Fax: 701.231.8474  
E-mail: <mailto:athosten@ndsuent.nodak.edu>  
Web: <http://ndsupesiticide.org>

3/4/2003

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Operator's Signature

Date

10-14-03

## **Project Safe Send Funding**

**Testimony by Ivan Williams, Past President North Dakota Ag. Assn. ,  
One of the Original Architects of Project Safe Send and an Ag. Chem.  
Manufacturer Sales Rep.**

**I have many reservations about cuts in Project Safe Send funding. We have not eliminated the need for this elimination of out dated or unusable farm chemicals. The project is wholeheartedly supported by the Ag. Chemical Manufacturer's as an excellent proactive effort. And the funding does not affect the general fund.**

**Every year Project Safe Send takes in products that we can't afford to find in state, county or city waste disposal locations. Many of these products would shut these locations and require super clean-up efforts and liabilities that could cost millions. We have looked in the past at developing a super clean-up fund for North Dakota from the EARP Fund. But we realized that there is no fund large enough to take care of this problem and that stewardship is the best preventative action. Giving these farmers, users and commercial users and outlet makes good sense.**

**The funds for Project Safe Send comes from chemical manufacturer registration fees for North Dakota use. The entire industry supports this use and was involved in the start and direction of these efforts. The CROPLIFE Assn. is in favor of the continued level of funding and Project Safe Send. They question why we would want to change something that has worked from the start and is still needed. There will always be chemical products that come off label and can't be used as well as products that are no longer usable. The system has just established a credibility level that allows chemical users to turn in bad products without retaliation or penalties.**

**The success of Project Safe Send is in it's numbers. Large numbers of unusable products have been properly handled and at no cost to the North Dakota taxpayers. The EARP Fund is divided into many proactive uses, many of which can't predict the levels of use from year to year. If we under fund this project and bad chemicals end up somewhere we don't want to even think about. Shame on us! Let Project Safe Send remains funded at levels that could handle an unpredicted increase as insurance against the surprise.**

**Lastly it is easy to raid this fund because not many taxpayers are here to argue the benefits of a quiet successful project that makes government look good. And our states farmers are in the fields getting ready to use this years chemical products to protect our food supply.**

**North Dakota Agricultural Association  
415 38<sup>th</sup> Street SW, Suite B  
Fargo, ND 58103**

Telephone - 701-282-9432 Fax - 701-277-5902 E-mail - [gary@ndag.org](mailto:gary@ndag.org)

March 5, 2003

North Dakota 58<sup>th</sup> Legislative Assembly  
House Appropriations Committee

*Same  
testimony  
given to Senate*

Chairman Carlisle and Committee Members:

Members of the appropriations committee. My name is Gary Knutson. I serve as Executive Director of the North Dakota Agricultural Association. We are an organization of nearly 350 members from across North Dakota who are dealers, manufacturers, distributors, and service providers of fertilizers, production equipment, crop protection, and plant food products.

I am here today to comment supporting the work done by the staff of the Agriculture Department in the pesticide, fertilizer, and safety departments of the Plant Industries Division. We work in concert with them to promote training and education for dealers and workers "in the field" on the proper methodology for using products safely and appropriately for uses designed and registered.

We have worked with the Department in the past to help develop more cross training of staff to "one stop" inspect the pesticide and fertilizer functions of our dealerships. This economic effort is beneficial to both the agency and our dealers.

This past year we worked jointly in holding seminars statewide for dealers on NH3 safety, facility security, theft prevention, etc. We also actively support and work with the Department on Project Safe Send to dispose of unusable pesticides.

Each year we co-sponsor and support the Outstanding Pesticide Applicator and The Dealer of the Year awards, which we feel promotes the right practices of application and environmental stewardship among our industry and its farmer consumers.

Again in brief, it is our observation that industry members and the Department will necessarily continue to work together and that we enjoy excellent communications carrying out important programs including those we have highlighted.

Thank you.

*Gary Knutson*  
Gary Knutson, Executive Director  
North Dakota Agricultural Association

Roger Johnson  
Agriculture Commissioner  
www.agdepartment.com



Phone (701) 328-2231  
Toll Free (800) 242-7535  
Fax (701) 328-4567

*Exhibit #1  
4-14-03*

600 E Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

April 14, 2003

Sen. Bill Bowman, Chairman  
Conference Committee SB2009  
State Capitol  
Bismarck, ND 58505

Dear Senator Bowman:


We appreciate the opportunity to work with you and your fellow legislators as a part of the conference committee on SB2009 relating to the budget for the Agriculture Commissioner.

At the initial meeting of the conference committee, there was discussion about the amount of rinseate collected by the program over time. The disposal of rinseate became a significant issue during the discussion of Project Safe Send by the 2001 Legislature. The 2001 Legislature gave us the ability to charge for the disposal of rinseate, because we had collected and disposed of almost 40,000 pounds of rinseate during the year 2000. With the new authority, the Safe Send Advisory Committee recommended that we implement and collect a fee for disposal of rinseate equivalent to the per pound disposal cost we pay for the other unusable pesticides. With the implementation of this fee, the amount of rinseate declined significantly for each of the next two collections. In a fiscal note for HB1066 completed earlier in this legislative session, we estimated that we would collect about 5,000 pounds of rinseate in two collections during the coming biennium and that we would generate \$5,000 for the EARP fund due to these charges.

I have attached a copy of a graph comparing rinseate collections to the total amount of unusable pesticides for the previous four years and projections for the next two years. I have also attached a chart with the exact pounds of such collections for the same time frame.

I hope that this will be useful in your deliberations. Please contact us if we may be of assistance.

Sincerely,

  
Roger Johnson  
Ag Commissioner

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*Cheresea W. Bee*  
Operator's Signature

*10-14-03*  
Date

# PROJECT SAFE SEND HISTORY--Rinseate v. Total Collections

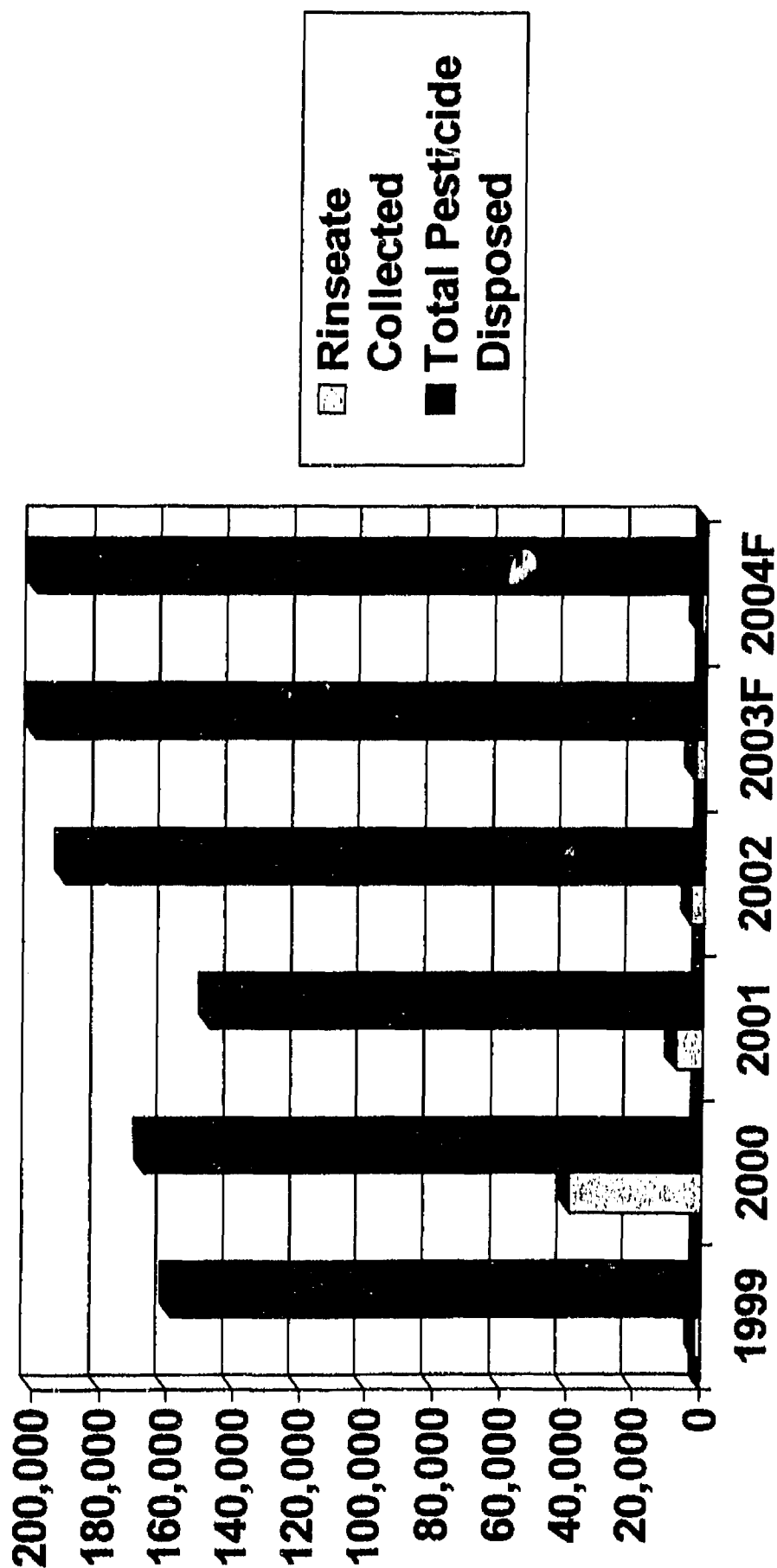
Year	Rinseate Collected (lbs.)	Pesticides Collected (lbs.)	Percent Rinseate
1999	1,613	80,910	2.0%
2000	39,283	180,060	21.8%
2001	7,918	113,791	7.0%
2002	3,772	286,193	1.3%
2003F	3,000	325,887	0.9%
2004F	2,000	338,616	0.6%

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Yuberena A. Lee  
Operator's Signature

10-14-03  
Date

# Project Safe Send History Total Collections v. Rinseate



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*Cherese W. Lee*  
Operator's Signature

*10-14-03*  
Date

AG DEPARTMENT HAS COPIES AS DOES LEGISLATIVE COUNCIL LIBRARY

**North Dakota Department  
of Agriculture**

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**Report to the 2003 Legislature**

Project Safe Send and Recycling of Pesticide  
Containers

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Cherisea W. Bee  
Operator's Signature

10-14-03  
Date



**NORTH DAKOTA WEED CONTROL ASSOCIATION**  
**724 5<sup>th</sup> Street**  
**Langdon, ND 58249**

*Exhibit 3*

Brent A. Nelson  
NDWCA President  
638 Cooper Ave.  
Grafton, ND 58237  
701-352-2311  
[banelson@state.nd.us](mailto:banelson@state.nd.us)

Wayne Carter  
NDWCA 1<sup>st</sup> Vice-President  
2916 37 St. NW  
Mandan, ND 58554  
701-667-3389  
[mcwc39@hotmail.com](mailto:mcwc39@hotmail.com)

Terry Volk  
NDWCA 2<sup>nd</sup> Vice-President  
314 W 5 St.  
Bottineau, ND 58318  
701-228-2555  
[tvolk@pioneer.state.nd.us](mailto:tvolk@pioneer.state.nd.us)

Randy Mehlhoff  
Executive Secretary  
724 5 St.  
Langdon, ND 58249  
701-256-5491 / 701-570-3545 (cell)  
[rmehlhof@ndsuxext.nodak.edu](mailto:rmehlhof@ndsuxext.nodak.edu)

Testimony by Brent A. Nelson, ND Weed Control Association President  
Senate Bill 2009  
January 21, 2003 11:00 a.m.  
Senate Appropriations Committee  
Harvest Room

Chairman Holmberg and members of the Senate Appropriations Committee, my name is Brent Nelson, Walsh County Weed Control Officer and current President of the ND Weed Control Association. I am here today to provide testimony in support of SB 2009.

The ND Weed Control Association (NDWCA) is in support of the entire bill and would like to emphasize the importance of Line 20, Noxious Weeds. Noxious Weeds negatively impact our state's agricultural land, wildlife resources, recreation, tourism, and water quality. The 2001 ND Department of Agriculture Noxious Weeds List Survey shows just over 4 million acres infested with Noxious Weeds in North Dakota. Leafy Spurge alone infests nearly 1 million acres, resulting in an estimated economic impact of \$86 million to our state.

The ND Department of Agriculture in conjunction with the NDWCA and local Weed Boards have strived to build cooperation among federal, state, and local land managers to enhance our fight against common Noxious Weeds such as Leafy Spurge and Canada Thistle, but also to develop programs that educate land managers and the public to identify new invasive weeds, so they can be mapped and treated long before they reach the levels of Leafy Spurge in North Dakota. Through programs such as the New Invasive Cost Share program, administered through the Dept. of Agriculture, Counties have been able to take a proactive approach to controlling New Invasive Weeds rather than a reactive method.

The NDWCA recently submitted a letter to Agricultural Commissioner Johnson encouraging him to request an additional appropriation of \$250,000 to be used to stop the spread of Saltcedar in North Dakota. Attached to my testimony is the letter submitted to Commissioner Johnson expressing our concern over this new invader.

I ask the committee to support this bill and to consider additional funding for Saltcedar control through the Department of Agriculture Budget.

Thank you for your time and consideration of this bill. I would be happy to answer any questions.

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*Yvonne A. Bee*  
Operator's Signature

*10-14-03*  
Date





**NORTH DAKOTA WEED CONTROL ASSOCIATION**  
**724 5<sup>th</sup> Street**  
**Langdon, ND 58249**

Brent A. Nelson  
NDWCA President  
638 Cooper Ave.  
Grafton, ND 58237  
701-352-2311  
[banelson@state.nd.us](mailto:banelson@state.nd.us)

Wayne Carter  
NDWCA 1<sup>st</sup> Vice-President  
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Mandan, ND 58554  
701-667-3389  
[micwc39@hotmail.com](mailto:micwc39@hotmail.com)

Terry Volk  
NDWCA 2<sup>nd</sup> Vice-President  
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Bottineau, ND 58318  
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[tvolk@pioneer.state.nd.us](mailto:tvolk@pioneer.state.nd.us)

Randy Mehlhoff  
Executive Secretary  
724 5 St.  
Langdon, ND 58249  
701-256-5491 / 701-570-3545 (cell)  
[rmehlhof@ndsuxext.nodak.edu](mailto:rmehlhof@ndsuxext.nodak.edu)

Testimony by Brent A. Nelson, ND Weed Control Association President  
Senate Bill 2009  
March 5, 2003 2:30 p.m.  
House Appropriations Committee (Government Operations Division)  
House Conference Room

Chairman Carlisle and members of the Government Operations Division of the House Appropriations Committee, my name is Brent Nelson, Walsh County Weed Control Officer and current President of the ND Weed Control Association. I am here today to provide testimony in support of SB 2009.

The ND Weed Control Association (NDWCA) is in support of the entire bill and would like to emphasize the importance of Line 21, Noxious Weeds. Noxious Weeds negatively impact our state's agricultural land, wildlife resources, recreation, tourism, and water quality. The 2001 ND Department of Agriculture Noxious Weeds List Survey shows just over 4 million acres infested with Noxious Weeds in North Dakota. Leafy Spurge alone infests nearly 1 million acres, resulting in an estimated economic impact of \$86 million to our state.

The ND Department of Agriculture in conjunction with the NDWCA and local Weed Boards have strived to build cooperation among federal, state, and local land managers to enhance our fight against common Noxious Weeds such as Leafy Spurge and Canada Thistle, but also to develop programs that educate land managers and the public to identify new invasive weeds, so they can be mapped and treated long before they reach the levels of Leafy Spurge in North Dakota. Through programs such as the New Invasive Cost Share program, administered through the Dept. of Agriculture, Counties have been able to take a proactive approach to controlling New Invasive Weeds rather than a reactive method.

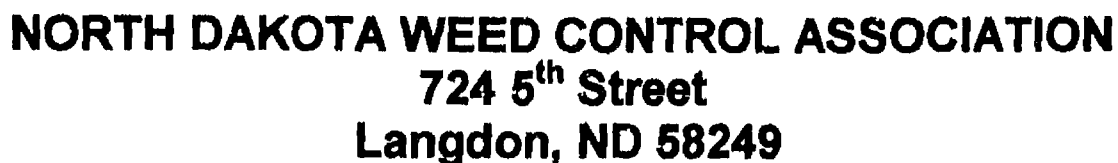
The NDWCA would like to encourage you to support this bill and SB 2319, which appropriates an additional \$250,000 for the identification and eradication of Salt Cedar in North Dakota. Both of these bills bring funding back down to the local level and are vital to the success of local programs, which are the corner stone in the control of noxious weeds.

Thank you for your time and consideration of this bill. I would be happy to answer any questions.

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*Cheresea J. Bee*  
Operator's Signature

10-14-03  
Date



**Randy Mehlhoff**  
Executive Secretary  
724 5 St.  
Langdon, ND 58249  
701-256-5491 / 701-570-3545 (cell)  
rmehlhof@ndsuext.nodak.edu

10-12-03  
Date

It is estimated that Saltcedar will double in acreage every 3 - 5 years. With the correct tools and early action, we can be successful in stopping the spread of this noxious weed. The major obstacle for completing a statewide survey and eradication program is the availability of funding. The ND Department of Agriculture coordinated an interagency program to work in a coordinated effort to begin this task. Many federal, state, and local agencies have joined forces and funding to help in this effort. The North Dakota Weed Control Association (NDWCA) is asking for your support of a bill for additional funding of \$250,000 to help stop the spread of Saltcedar. These funds should be allocated through the North Dakota Department of Agriculture Noxious Weed budget for the 2003 - 2005 biennium. If the funds can be secured, the NDWCA will work with the Department of Agriculture to develop a method for distributing the funds emphasizing the need for mapping, treatment, and education.

If you have any questions, please contact me at (701) 352-2311.

Sincerely,

*Brent A. Nelson*

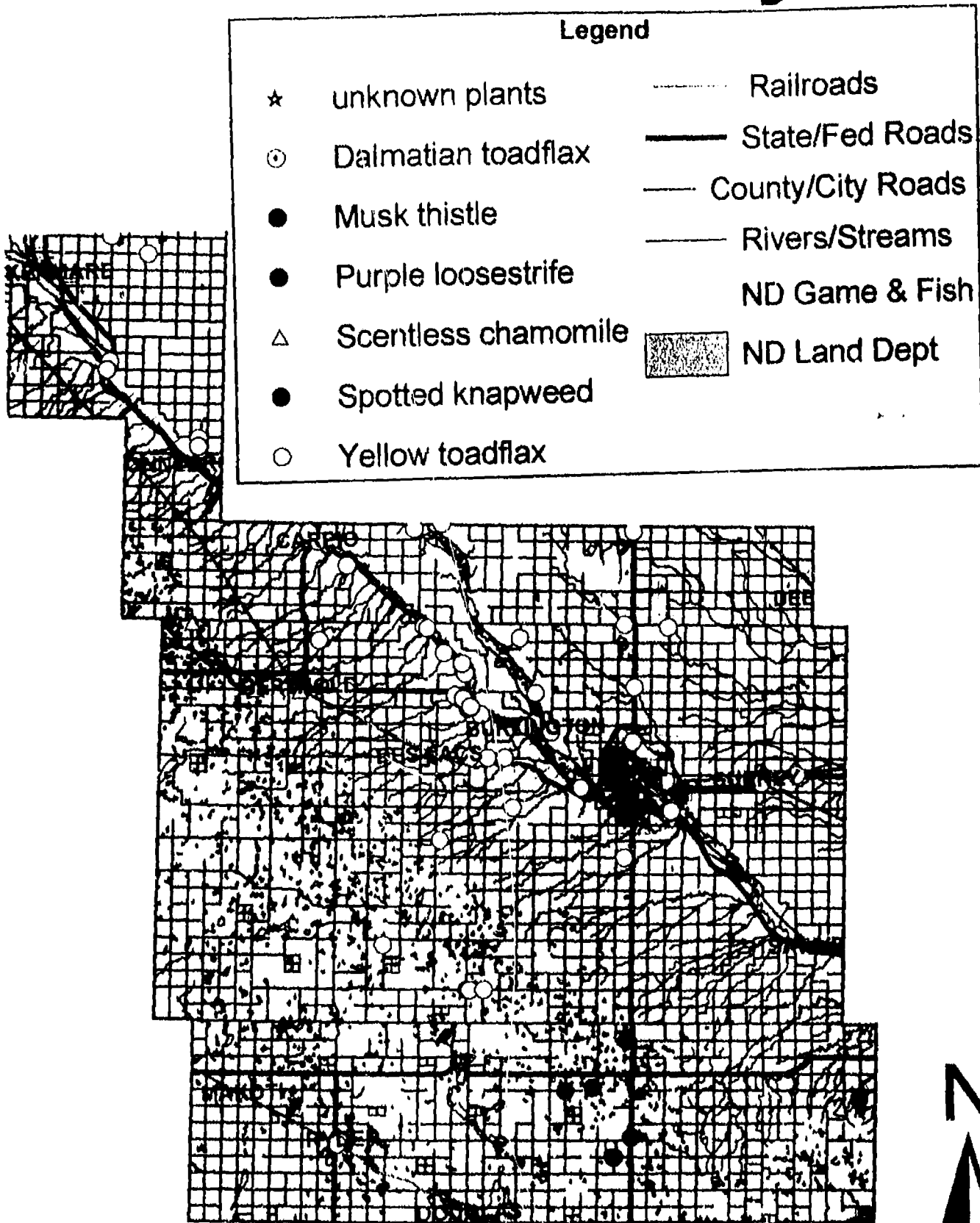
Brent A. Nelson  
President NDWCA

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*Yherosa W. Lee*  
Operator's Signature

*10-14-03*  
Date

# Ward County



North Dakota Dept. of Ag  
Noxious Weeds

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*Y. Bereska*  
Operator's Signature

10-14-03  
Date

**NORTH DAKOTA**  
**MEAT SAFETY REGULATIONS**  
DEPARTMENT OF AGRICULTURE - MEAT INSPECTION

**MEAT SAFETY REGULATIONS**

The State Meat Inspection Program is part of the North Dakota Department of Agriculture. Our mission is to ensure that the meat consumers buy products that are safe to eat and free of contamination. We protect and ensure the quality of the meat supply through registration, inspection, testing, and enforcement activities. The Department also monitors meat package labeling, which helps inform the public about what is being purchased and who processed or distributed the product.

The meat inspection program is part of the livestock division within the Department of Agriculture. Our staff consists of the meat inspection director, a supervisor/compliance officer, and field inspectors. Our staff helps meat slaughtering or processing businesses comply with state and federal rules and laws governing the processing and sale of meat products.

To be absolutely clear about labeling and processing laws that apply to your meat business, we suggest you call our office for guidance (see back page for phone numbers). North Dakota laws and regulations pertaining to meat businesses are available through the Department of Agriculture.

**NORTH DAKOTA MEAT LAWS**

North Dakota meat laws require that meat or meat food products offered for sale must be safe and wholesome. To prevent

contamination, meat must be prepared under sanitary conditions, and the equipment used must be suitable for the product being sold.

Requirements differ depending on the type and degree of meat slaughtering/processing and sales of products involved. The different types of meat businesses include custom exempt, retail exempt, official slaughtering, official processing establishments, or combinations of these.

**CUSTOM/RETAIL EXEMPT**

Custom and/or Retail Exempt Establishments must be maintained and operated in accordance with "Facility Requirements" (listed below). However, these operations are exempt from regulations for inspection of the preparation of products.

Custom processing means "slaughtering, eviscerating, dressing, or processing an animal or processing meat products for the owner of the animal or of the meat products, if all meat products derived from the custom operation are returned to the owner of the animal or of the meat products" (NDCC §36-24-01). Custom Exempt operators may not prepare meat products for sale to another retail store or distributor/wholesaler.

Retail Exempt means federal or state inspected and passed product is handled or used in the preparation of any product and sold within the retail store to household

consumers. The assumption is that household consumers who buy meat processed at a retail store are able to judge for themselves the conditions under which the products are processed. Retail Exempt operators may not prepare meat products for sale to another retail store or distributor/wholesaler.

### **OFFICIAL STATE SLAUGHTER AND/OR PROCESSING**

Official Slaughter Establishment means a plant, facility, operation, or premises where animals are slaughtered for human consumption under regulated inspection. Official Processing Establishment means a plant, facility, operation, or premises where meat or meat food products are processed under regulated inspection. These official establishments must comply with "Facility Requirements" (listed below).

Official Establishments must obtain a state or federal Grant of Inspection before operating. A state grant is obtained from the Department of Agriculture, a federal grant from Food Safety and Inspection Services (FSIS), USDA. The appropriate authorities issue a Grant of Inspection after it is determined that the applicant and the establishment meet given eligibility requirements.

Once a grant of Inspection is issued, meat products prepared under inspection will bear the mark of inspection. These products are then eligible for sale to another retail store or distributor/wholesaler. Currently, meat food products inspected and passed under state inspection may be sold within North Dakota. Meat food products inspected and passed under federal

inspection may be sold in interstate commerce, or outside of North Dakota.

### **WILD GAME/NONTRADITIONAL**

In North Dakota, game animals or non-traditional livestock such as elk, deer, bison, ostrich and emu generally have the same requirements as traditional livestock, such as cattle or swine. All meat products offered for sale must be slaughtered and processed under inspection within an official slaughter and/or processing establishment. Custom processing of game animals is the same as listed under "Custom Processing".

One distinction for non-traditional meat products is in the regulations governing interstate shipment/sales. If non-traditional livestock is slaughtered and processed under inspection, product may be offered for sale across state borders.

### **FACILITY REQUIREMENTS**

All individuals processing any meat product, including custom processors must have their facilities approved prior to operation. Meat processing facilities must meet specific requirements pertaining to construction, lighting, equipment, sanitation, and related items.

- ☒ Your meat processing area must be a room(s) separate from all living and sleeping quarters. Home processing is not allowed. The area must be large enough to allow the handling, preparation, and storage of ingredients, finished products, and packaging materials without danger of contamination from other food-contact surfaces, unprocessed foods or

ingredients, or the processing environment.

- ☐ Walls and ceilings must be built of durable materials, impervious to moisture, and have a smooth, light colored, easy-to-clean surface.
- ☐ Floors must be in good condition with adequate drainage. Wood-surfaced floors are unacceptable.
- ☐ Walls, floors, ceilings, doors, windows, and other outside openings must be constructed and maintained to prevent the entrance of vermin, such as flies or mice.
- ☐ Lighting must be sufficient for the intended purpose. Light bulbs or florescent tubes must be shatterproof or protected with covers to prevent contamination of food in the event of bulb breakage.
- ☐ A supply of running water at a suitable temperature and under pressure as needed must be provided in all areas where required. When requested, a water potability certificate must be made available. The certificate must be renewed annually if using a municipal water supply or semi-annually if using a private well.
- ☐ Plumbing must meet all state and local codes.
- ☐ Sinks must be adequate to wash, rinse, and sanitize utensils and equipment.
- ☐ Toilet facilities should include an adequate toilet, hand washing facility, and ventilation fan. The door cannot

open into the food processing area unless there is a vestibule.

- ☐ Hand washing facilities with running hot and cold water, soap, paper towels and easy-to-clean waste containers, must be adequate in the establishment as necessary to ensure cleanliness of all persons handling product. Common towels (cloth towels used by more than one person) cannot be used.
- ☐ Ventilation, whether natural or mechanical, must be adequate to remove excessive heat, condensation, smoke, or fumes.
- ☐ Tables, counters, and other work surfaces must be in good repair and easily cleanable.
- ☐ Equipment and utensils used for processing or otherwise handling edible product or ingredients must be of such material and construction so they will not contaminate product. Wood and glassware equipment or utensils are generally unacceptable.
- ☐ Storage of your ingredients and finished product must be appropriate for the type of product being processed and must protect the food from contamination. Refrigerated foods must be held at 41°F or less.

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*Cheresea J. Lee*  
Operator's Signature

*10-14-03*  
Date

## LABELING

Food labeling requirements fall under state and federal regulation. All packaged foods need to be labeled.

In general, a packaged product label must list:

- The name of the product
- The name, address, and zip code of the manufacturer, packer, or distributor
- A listing of ingredients in decreasing order of predominance by weight
- A net weight or volume statement
- Nutrition information if required\*

\*Very small food businesses (including manufacturers, packers, and distributors) are exempt from the required "Nutrition Facts" label if they make no nutrition or health claim, have less than 10 full-time employees, and sell less than 10,000 consumer packages of any specific food item.

## ADDITIONAL INFORMATION

If you have questions or need more information, please contact the Department of Agriculture, Meat Inspection.

### **NORTH DAKOTA STATE MEAT INSPECTION PROGRAM**

Director: Dr. Andrea Grondahl  
Phone: (701) 328-4762  
e-mail: [agrondah@state.nd.us](mailto:agrondah@state.nd.us)

Senior Meat Inspector:  
Jordan Woodbury Phone: (701) 328-2234  
e-mail: [jwoodbur@state.nd.us](mailto:jwoodbur@state.nd.us)

ND Dept of Agriculture  
State Capitol - 6<sup>th</sup> Floor  
600 East Boulevard, Dept. 602  
Bismarck, ND 58505  
Phone: (701) 328-2231  
Toll-free: (800) 242-7535  
Fax: (701) 328-4567

## NONDISCRIMINATION STATEMENT

The North Dakota Department of Agriculture does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in the provision of services and complies with the provisions of the North Dakota Human Rights Act.

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*Andrea Grondahl*  
Operator's Signature

*10-14-03*  
Date



Roger Johnson  
Agriculture Commissioner  
www.agdepartment.com



Phone (701) 328-2231  
Toll Free (800) 242-7535  
Fax (701) 328-4567

600 E Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

April 16, 2003

Sen. Bill Bowman, Chairman  
Conference Committee SB2009  
State Capitol  
Bismarck, ND 58505

Dear Senator Bowman:

We appreciate the opportunity to work with you and your fellow legislators as a part of the conference committee on SB2009 relating to the budget for the Agriculture Commissioner.

I have attached a spreadsheet that provides detailed breakout regarding the non-traditional livestock responsibilities carried out by the Board of Animal Health and the costs associated with the various duties.

I hope that this will be useful in your deliberations. Please contact us if we may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Johnson".  
Roger Johnson  
Ag Commissioner

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A handwritten signature in black ink, appearing to read "Theresa W. Lee".  
Operator's Signature

10-14-03  
Date

# BOARD OF ANIMAL HEALTH-NON-TRADITION LIVESTOCK DETAIL

Task	Cost	
Deputy State Veterinarian	\$ 89,286	60 % of FTE is assigned to non-traditional livestock (NTL) which includes: heading the advisory council, work and regulations dealing with non-traditional regulatory including CWD, inventory of non-traditional and rulemaking
State Veterinarian	\$ 42,772	25% of FTE is assigned to non-traditional livestock
Inspection/Field Staff (salary, operating)	\$ 30,000	The Board has responsibility to inspect 280 non-traditional facilities.
Support Staff (inventories)	\$ 17,616	The BoAH inventories all non-traditional animals as required by by Game and Fish Department; 30% of one support FTE
Support Staff (Health Permits)	\$ 3,628	Recording a health permits/ certificates for exported and imported NTL and issuing health permits for imported NTL; approximate staff time is 5% of one support FTE
CWD Operating Costs	\$ 2,500	CWD work on cervids for training and mileage not covered under salary line
TOTAL	\$ 185,802	

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Operator's Signature

Date

# North Dakota Dairy Pollution Prevention Program



*Helping dairy producers  
improve water quality  
through waste management*

NORTH DAKOTA DEPARTMENT OF AGRICULTURE  
ROGER JOHNSON, COMMISSIONER

## FOR MORE INFORMATION

If you need more information or want to sign up for DP3, please contact:

Coordinator  
Dairy Pollution Prevention Program  
North Dakota Department of Agriculture  
600 E. Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020  
(800) 242-7535  
ndda@state.nd.us



**Buy North Dakota Products**



The North Dakota Department of Agriculture is the lead sponsor of the North Dakota Dairy Pollution Program. Cooperating agencies and entities include:

- North Dakota Milk Producers Association
- North Dakota Department of Health
- North Dakota Non-Point Source Pollution Program
- U.S. Department of Agriculture/Natural Resources Conservation Service
- All identified watershed districts
- North Dakota State University Cooperative Extension Service

The North Dakota Dairy Pollution Program is funded by a grant from the U.S. Environmental Protection Agency.



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Operator's Signature

*Cherese W. Bee*

Date

*10-14-03*

## INTRODUCTION

Dairy farms produce tons of manure, and dairy producers know that managing manure can be difficult and expensive.

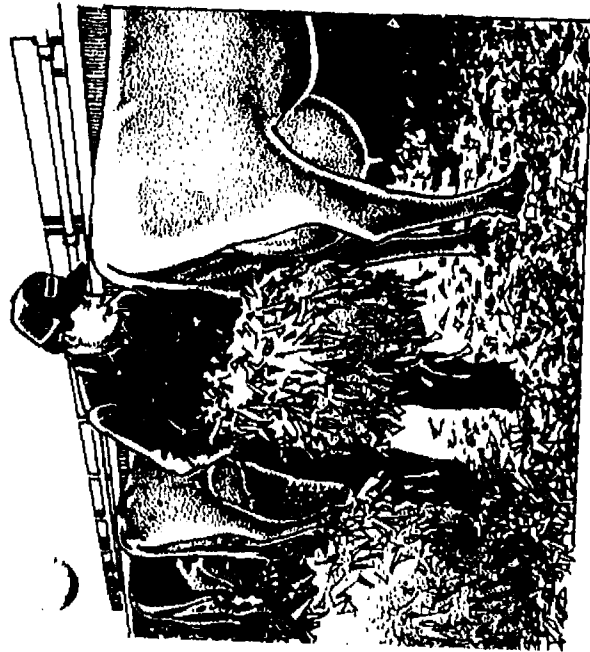
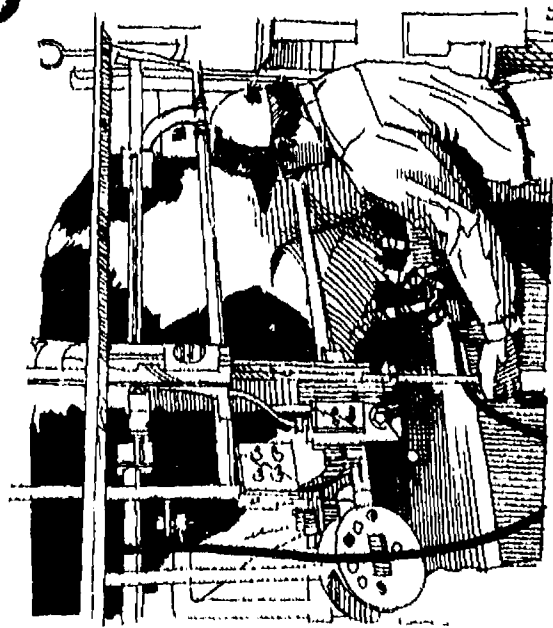
This is especially true in areas where waste runoff and seepage can easily pollute surface and ground water.

Now there's help. It's called the **North Dakota Dairy Pollution Prevention Program** or DP3 for short.

DP3 provides financial, technical and educational assistance to help dairy producers identify, reduce or eliminate releases of livestock waste into surface or groundwater.

DP3 is a voluntary program and entirely non-regulatory.

DP3 is a cost-share program. The program pays 60 percent of approved expenses, and the producer pays 40 percent.



## HOW DOES DP3 WORK?

- 1 Any dairy producer who is interested in participating in DP3 should contact the North Dakota Department of Agriculture to schedule a meeting with the program coordinator.
- 2 After the initial meeting, the coordinator visits the dairy operation and with the producer evaluates the current situation.
- 3 If the coordinator determines that the operation qualifies for DP3, a contract is drawn up, establishing the goals and responsibilities of the producer and the program. The contract may be for a single year or more.
- 4 The producer then hires an engineer who develops a design to meet the contract specifications. Designs may include:
  - Dairy waste containment systems
  - Drainage systems
  - Sewage systems
  - Fencing
  - Miscellaneous surface and ground water improvements
- 5 After the State Health Department approves the design, construction can begin. The producer's own labor in the construction phase can be credited as part of the producer's cost-share match.
- 6 After the project is completed, a monitoring plan will be established to make sure the new system is operating properly.

## WHAT ARE THE BENEFITS?

Participation in DP3 offers several major benefits, including:

- Controlling or preventing erosion
- Preventing feedlot waste from entering streams, lakes and rivers.
- Using wetlands as a living filter to remove nutrients and sediments from surface and ground waters.
- Preventing or slowing run-off rates during major precipitation events.
- Helping participants develop a system for applying manure as fertilizer in field applications.

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Operator's Signature

*Cherene A. Lee*

Date

10-14-03

## What is negotiation?

Negotiation is a less formal and often longer process than mediation. The negotiator acts as a representative of the farmer or rancher. AMS employs about 15 negotiators located throughout the state. They help farmers and ranchers prepare financial statements, cash flow projections, loan applications and other paperwork. Negotiators will also meet with farm creditors or other government agencies to help farmers with financial management and other issues.

## Is there any cost?

If you have never worked with an AMS negotiator, the first 10 hours of negotiation assistance are free of charge. After that, a modest hourly fee is assessed. Mediation fees are charged to farmers, major creditors and other parties for time spent "at the table." A waiver of fees may be granted to those who are unable to pay.

## Other disputes?

AMS also provides mediation services in other areas of contention, including landlord-renter disputes, weed control or seed disputes and appeals with federal or state agencies. AMS provides referrals to farmers and ranchers in many specialized areas such as:

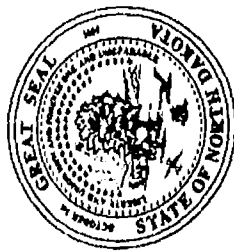
- ◆ Legal services.
- ◆ Mental health services.
- ◆ Social services.
- ◆ Accounting and tax advice.
- ◆ Alternative financing.

## How does it work?

If you have questions or need assistance, call the toll-free number, 1-800-642-4752. A negotiator will be assigned to you and will contact you directly.

## Other resources

- ◆ If you do not already have an attorney, consult with people you trust for a referral. The North Dakota State Bar Association maintains a list of lawyers who practice agricultural law. For more information, call, toll-free, 1-800-932-8880.
- ◆ The HELP-LINE provides crisis intervention, information and referrals to individuals facing stress and depression brought on by financial or other rural-related problems. Trained volunteers offer free and confidential assistance to rural residents, 24 hours-a-day, 7 days-a-week. The toll-free number is 1-800-472-2911.



North Dakota  
Department of Agriculture  
Agricultural Mediation Service  
600 E. Boulevard Ave. Dept. 602  
Bismarck, ND 58505-0020  
PH: (800) 642-4752  
(701) 328-4769  
FAX: (701) 328-4567

8/98

# AG MEDIATION

Solving Problems;  
Resolving Disputes

AGRICULTURAL MEDIATION SERVICE  
NORTH DAKOTA DEPARTMENT OF AGRICULTURE  
ROGER JOHNSON, COMMISSIONER

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Operator's Signature

*Cherese W. Lee*

Date

10-14-03

# Agricultural Mediation Service

The North Dakota Agricultural Mediation Service (AMS) was established in 1984 to help financially distressed farmers and ranchers. AMS credit counselors (negotiators) are trained to provide farmers with one-on-one assistance in credit and financial matters and resolving disputes.

With about 15 negotiators and mediators located around the state, AMS annually provides mediation and negotiation services, counseling and other assistance to approximately 1,000 farmers on a broad range of subjects, including:

- ◆ Finances.
- ◆ Beginning farmer loan applications.
- ◆ Farm planning.
- ◆ Farm production practices.
- ◆ Seed disputes.
- ◆ Disputes with federal and state agencies.

The North Dakota Agricultural Mediation Service is a division of the North Dakota Department of Agriculture, and is headquartered in the State Capitol in Bismarck. AMS policies are established by the North Dakota Credit Review Board.

## Advantages

Experience has shown that mediation:

- ◆ Prevents violence.
- ◆ Promotes community harmony.
- ◆ Results in longer lasting, "better" solutions.
- ◆ Saves time and money.
- ◆ Is confidential and preserves the dignity and self-esteem of all parties.

## What is mediation?

Mediation is a voluntary, problem-solving process created to help farmers and others avoid costly and often ruinous litigation.

Mediation brings the disagreeing parties in a dispute to the same table in an attempt to resolve their differences. During mediation, everyone involved in the dispute should be willing to "lay all their cards on the table" and to consider all possible solutions to the problem.

The mediator is a neutral and impartial third party. The mediator arranges the time and location of meetings between disputants and conducts the meetings. Trained in problem-solving techniques, the mediator helps create an environment in which the disagreeing parties can resolve their differences. The mediator assists disputants in considering all options and in recording agreements.

Mediation can mean the difference between acceptable agreement and expensive litigation, even foreclosure and bankruptcy. And it works: agreements are reached in two-thirds of all cases.



## How does it work?

Mediation usually begins after negotiation between a farmer and another party has failed to result in a workable repayment plan. Mediation may also be initiated when a creditor either rejects a borrower's restructuring plan or considers foreclosure. In North Dakota, the Farm Service Agency (formerly FmHA), Farm Credit Services and the Bank of North Dakota are required to offer mediation before initiating foreclosure proceedings. Here's how the mediation process is conducted:

- ◆ Either a farmer, lender or other party contacts the AMS and requests mediation.
- ◆ AMS assigns a negotiator to help the farmer prepare for mediation by getting all necessary financial papers and other documents in order.
- ◆ AMS assigns a mediator to the case.
- ◆ The mediator sets up a meeting(s) between the farmer and other parties.
- ◆ The negotiator attends mediation meetings with the farmer and helps represent the farmer's interests during the meetings.
- ◆ The mediator is neutral and facilitates frank and open discussion of all issues.
- ◆ The participants discuss all problems, possible solutions and options.
- ◆ Participants reach a mutually satisfactory agreement or "agree to disagree."
- ◆ The mediator issues a written report detailing the agreement and officially closing the mediation process.

Exhibit 86

Dear Ag-Mediation Hearing Panel,

My name is Jon Grunfelder and I farm and ranch in south-central North Dakota. First of all I would like to apologize for not being there in person. I received a call on Monday and was told I could deliver a load of fat bison to Rapid City, SD on Tuesday. I really needed to move that load out so I was unable to attend the Ag-mediation hearing today. The fact is that bison are one of the reasons I have used the services of Ag-mediation. I have shares in the bison processing plant in New Rockford. Currently the plant owes me more money than I care to talk about, and I have bison that were delivered three years ago on March 14 of this year and I still have not received payment for these animals. This has put considerable financial strain on my operation along with the drought we had this summer and continue to endure. The employees at Ag-mediation, namely Patsy Otto, have been very understanding and helpful. They have an understanding of the programs available and how these different options can help a producer stay on the land and be productive. The paperwork necessary to apply for these programs can be overwhelming to say the least. A good record keeping system is certainly helpful, but arranging these records and filling out the many forms needed is where Ag-mediation is extremely helpful. They can help a producer make the decisions necessary to go to a banker with a viable plan.

The drought of this last summer has certainly taken its toll on farmers in our area. In many cases crop insurance will not be enough. Disaster aid is certainly needed, but seems to be mired down in Washington. With or without this aid I feel many farmers and ranchers will be looking at what their options for the future will be. This is where Ag-mediation comes in. They have the knowledge and access to programs that can help many of these families. Therefore I ask you in all sincerity to please fund Ag-mediation to the fullest extent possible, because they are an essential part of keeping Agriculture going in our state during these trying times.

Sincerely,



SB 2009

**North Dakota Department of Transportation  
State Rail Fund**

- In 1994, North Dakota was notified that interest charged by a State to a Railroad under the Federal Local Rail Freight Assistance (LRFA) program is not considered federal funds and is eligible to be retained by the State
  - On March 28, 1995, NDDOT requested approval to remove the accumulated State's share from the LRFA loan program for the purpose of establishing a State Rail Program.
  - On May 12, 1995 NDDOT received the requested approval.

- In conjunction with this activity, the NDDOT requested approval from the ND Legislature to proceed with a state funded rail program. Accordingly, during the 1995 Legislative session, the Legislature passed a new section to chapter 49-17.1 of NDCC as follows:

**49-17.1-02.1. Department may authorize local rail projects.** *For the purpose of promoting the public interest and local economic development, the department may utilize revenue generated under this chapter for the construction or improvement of railway freight transportation projects not otherwise eligible for assistance under the Railroad Revitalization and Regulatory Reform Act of 1976 [Pub. L. 94-210; 90 Stat. 149; 49 U.S.C. 1651 et seq.] and which meet standards and specifications developed by the department.*

- On July 7, 1995, the NDDOT received the State's share from the Federal Rail Administration. The amount of \$2,655,128.88 provided the initial capitalization for the State Rail Fund.
- Subsequent to the initial capitalization of the State Rail Fund, the expenditures from the fund have consisted solely of loans for rail revitalization projects. The revenue to the fund has consisted of interest from the railroads (both from State Rail Fund loans and Federal Rail Fund loans), and interest earned on the fund balance from the Bank of North Dakota.
  - Interest charged on loans from the State Rail Fund has been at rates ranging from 3.88 to 4.25 percent.
    - To date the loans from the State Rail Fund have been made to short line railroads only.
  - Interest earned on the fund balance deposited with the Bank of North Dakota is currently at 0.55 percent. This rate fluctuates periodically.

Prepared by NDDOT Office of Business Support; Financial Management Division 3/24/03

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*Cheresea A. Free*  
Operator's Signature

*10-14-03*  
Date



North Dakota Department of Transportation  
State Rail Fund Activity  
Inception thru 12/31/02

Beginning Balance 7/7/95 \$2,655,128.88

**REVENUE**

**Interest Revenue**

7/1/95-6/30/96	162,885.96	
7/1/96-6/30/97	115,493.44	
7/1/97-6/30/98	127,133.00	
7/1/98-6/30/99	114,217.29	
7/1/99-6/30/00	177,788.80	
7/1/00-6/30/01	71,552.66	
7/1/01-6/30/02	289,987.46	
7/1/02-12/31/02	87,941.55	
Total Interest Revenue		\$1,147,000.16

**Loan Repayments**

7/1/01-6/30/02	82,249.25	
7/1/02-12/31/02	82,249.25	
Total Loan Repayments		\$164,498.50

Total Revenue \$1,311,498.66

**EXPENDITURES**

**Loans Advanced**

7/1/98-6/30/99	731,801.62	
7/1/99-6/30/00	758,574.52	
7/1/00-6/30/01	88,557.32	
7/1/01-6/30/02	727,381.49	
7/1/02-12/31/02	85,865.63	
Total Loans Advanced		\$2,392,180.58

**BALANCE AVAILABLE FOR LOANS 12/31/02**

\$1,574,448.96

Prepared by NDDOT Office of Business Support; Financial Management Division; 3/24/03; State Rail Fund Activity Inclusive.xls Activity

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Operator's Signature

Date

Exhibit  
#1  
4-21-03

## AGRICULTURE IN THE CLASSROOM FUNDING

### 2001-03 APPROPRIATION

**House Bill No. 1009** - The funding for agriculture in the classroom was \$96,000 of special funds to be generated from fundraising activities.

**House Bill No. 1349** - This bill provided a \$75,000 appropriation from the Attorney General refund fund from lawsuit settlement collections for the purpose of developing and expanding agriculture in the classroom curricula. The funding was available as a result of a lawsuit settlement with Indirect Vitamin Products.

**Total 2001-03 appropriation** - \$171,000 from special funds, of which \$96,000 was to be generated from fundraising and \$75,000 from the Attorney General refund fund.

### 2003-05 APPROPRIATION

**Senate Bill No. 2009** - This bill provides an appropriation of \$175,000 for the agriculture in the classroom program. This amount includes \$100,000 of special funds authority from fundraising and a carryover of \$71,000 from the Attorney General refund fund.

**NOTE:** The executive recommendation eliminated the special line item for agriculture in the classroom. The recommendation includes \$10,000 for temporary salaries and \$161,000 for operating costs.

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Yherosa G. Lee  
Operator's Signature

10-14-03  
Date

Contact Ag Dept for copy

North Dakota

# agMag

December 2002

A Magazine about Agriculture for North Dakota Students

# corn

You probably know about popcorn and corn on the cob, but did you know corn is also used for livestock feed, fuel for engines, food sweetener and many other products? Let's learn more about corn!

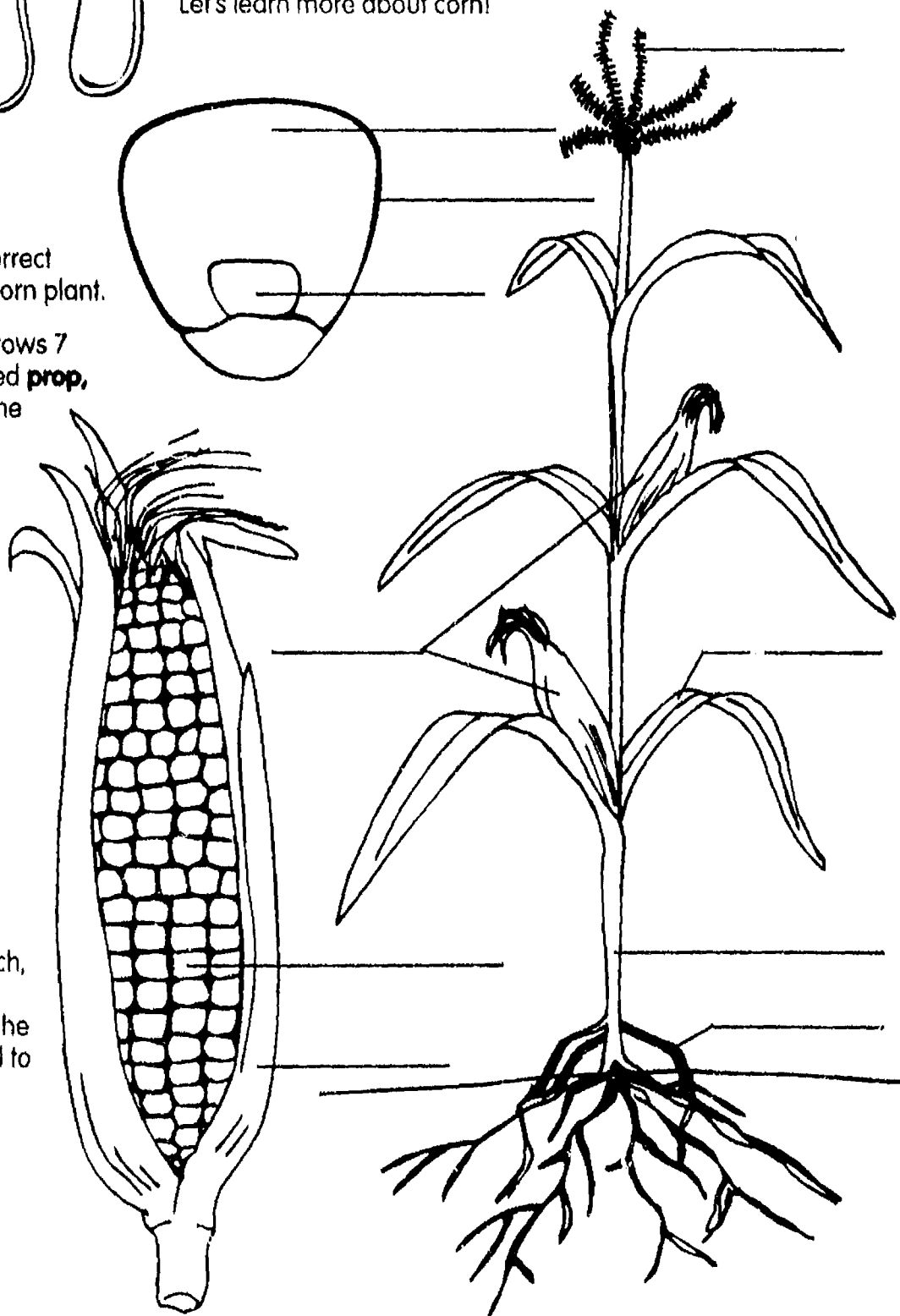
## Growing Strong and Tall

Copy the bold words on the correct lines to identify the parts of a corn plant.

Corn is an annual plant that grows 7 to 10 feet tall. Strong roots called **prop**, or **brace**, roots help support the **stalk**. A **tassel** grows at the top of each stalk and contains hundreds of small flowers that produce pollen. Long, sword-like **leaves** grow out from the stalk.

**Ears** of corn grow where the leaves join the stalk. Leaves called **husks** protect each ear. An ear consists of a corncob covered with rows of **kernels**.

Each kernel is protected by the **outer hull**, or **pericarp**, which protects the grain from water, insects and microorganisms. The **endosperm**, made of starch, is the corn kernel's source of energy. The **germ** contains all the elements needed for the kernel to grow into another corn plant.



North Dakota  
Agriculture  
in the  
Classroom

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Operator's Signature

Yherosa A. Bee

Date

10-14-03

Burdell Johnson Exhibit 7  
SB 2009

### State Funding Issues for USDA/Wildlife Services

- A combination of state and federal funding is used by Wildlife Services to assist North Dakotans with wildlife damage problems.
- During the 2001 legislative session, a total of \$779,694 in state funding was provided to Wildlife Services. This was \$100,000 less than what was provided in 1999. The \$100,000 decrease led to the elimination of the (1) guard animal cost-share program, (2) reduction in the amount of aerial hunting, and (3) reduction in the level of service provided for managing waterfowl damage.
- Proposed funding during the 2003-2005 biennium for Wildlife Services is \$788,209. This is \$91,485 less than the total state funding provided to Wildlife Services during the 1999-2001 biennium.
- Wildlife Services funding for the 2003-2005 biennium is part of the ND Department of Agriculture budget. The budget bill number is SB 2009.

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Cheresea J. Bee  
Operator's Signature

10-14-03  
Date

Chairman Carlisle and members of the Committee,

I am Burdell Johnson, a cattle and sheep rancher from Tuttle,  
North Dakota

I am writing in support of funding for the Wildlife Services  
program. They have provided me with predator control service for  
a number of years. This last year they took 55 coyotes within a  
one mile radius of my buildings. I hunt and trap myself but I don't  
have the tools they have, namely aerial hunting and M-44's.

Wildlife Services is the only agency in the state that does not only  
conduct predator control in rural areas, but also works on beaver  
damage, deer and goose problems on airports, and rabid skunk  
problems in the cities.

Wildlife Services is one reason I am still in the livestock business  
today. Again, I strongly support funding for this agency.

Burdell Johnson  
Rt. 1, Box 32  
Tuttle, ND 58488

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Burdell Johnson  
Operator's Signature

10-14-03  
Date

**"The Sheep  
Who Can Help  
Feed and Clothe  
Mankind"**



My name is Burton Pfliger; I am President of the North Dakota Lamb and Wool Producers association. I speak to you on behalf of the 1.5 million dollars in damage incurred by livestock predation each year, 150,000 mother ewes and 225,000 lambs with an current economic impact of 40 million dollar economy.

**Past legislative assemblies have recognized the wisdom and symbiotic relationships shared by Wildlife Services, North Dakota landowners and North Dakota sportsmen. They realized the primary focus on wildlife services was protecting the investment of the state of ND largest industry, agriculture.**

Currently WS has no management plan on predators like coyotes or black birds but responds to citizen complaints. Much of WS work focuses on individual complaints received from ND citizens. Their work focuses on animals that are causing damage to people, livestock, crops or structures. The benefits to adjacent landowners are difficult to measure but profoundly felt by all producers. The elimination of additional losses to surrounding property owners is another aspect difficult to value but profoundly felt. WS has in place a highly efficient selection and removal process of the problem animals that we wish to keep in place.

One of the concerns we have as producers is that if the Senate approved 800,000 figure is not funded a shift and or change will take place focusing programs away from the state's largest economic engine agriculture. During the last session WS received a 100,000 dollar cut which resulted in a loss of precious aerial- hunting time, a loss of the guard animal program and a loss of migratory waterfowl damage control critical to pre-harvest grain losses. We believe that wildlife services budget should be funded at the level of 800,00 approved with a do pass from the senate on SB2009. We believe any change in this dollar figure would be an injustice to WS and could compromise its focus on wildlife mitigation and damage control. We are asking for no new money to be appropriated. Instead that you consider and follow the wisdom of the Senate and fund Wildlife Services at the full 800,000 dollar level contained in SB2009. A large portion of the money in the general fund is dollars created by taxing of the largest economic engine in the state, agriculture.

**It should be noted that Wildlife Services provides an excellent and positive link to a vast number of landowners, of whom landowners request services. This positive link should not be ignored but rather exploited by sportsmen to further ensure future willingness of landowners to allow sportsmen access to vast acres of hunting paradise. In tight economic times it makes good sense and good relations to use a small portion of unused dollars to fund an integral part of North Dakota's landowner friendly Wildlife Services. In doing so you can strike a balance between a level of service to the largest economic engine of North Dakota, agriculture, and help to foster better relations between sportsmen and landowners.**

**We urge you to enact the recommendation of the Senate and do pass on SB2009 as it currently stands. Draw on the wisdom of past assemblies by recognizing the vital role played by Wildlife Services and the potential to create better landowner sportsmen relations.**

Operator's Signature Theresa W. Lee

10-14-03  
Date



## North Dakota Wildlife Services



United States Department of Agriculture  
Animal and Plant Health Inspection Service

### Highlights Report - 2002

#### USDA Resolves Wildlife Conflicts in North Dakota

Every day, residents, agencies, industries, and organizations call on North Dakota Wildlife Services (WS) for expertise in protecting agriculture, property, natural resources, and human health and safety from damage or threats posed by wildlife. Managed by professional wildlife biologists, WS responds with effective, selective and humane strategies to resolve wildlife conflicts.

North Dakota is characterized by a diverse landscape of river valleys, rolling prairie, and badlands. Vast open spaces occupied by farms, ranches, and small towns contrast with expanding urban/suburban areas. A diversity of wildlife occupies the land and cities as well, often causing conflict with their human counterparts.

WS assists with the management of wildlife conflicts that impact livestock producers, farmers, homeowners, airports, and public land managers. WS operates a cooperatively funded program with Federally allocated USDA funds supplemented by funding provided by two state agencies, the North Dakota Department of Agriculture and the North Dakota Game and Fish Department, and other sources such as producer groups, municipalities, individuals, etc. who experience wildlife damage.

#### Applying Expertise to Wildlife Challenges

In many instances, Wildlife Services enables others to resolve their wildlife conflicts by providing *technical assistance* which may include sharing information or equipment.

However, when resolving these conflicts is beyond the means of the individual, Wildlife Services conducts *direct assistance* regarding wildlife at the damage site.

**Protecting Livestock from Predators**—In 2002, Wildlife Services responded to 892 occurrences of predator conflicts with livestock. Agency personnel documented \$120,000 in livestock losses to predators with a control program in place. Scientific research shows that in the absence of a livestock protection program, losses can be two to three times higher.

**Protecting Crops**—Blackbirds are responsible for more than \$5 million in losses annually to sunflower and grain crops in the upper Great Plains. In 2002, Wildlife Services identified 6,700 acres of cattail wetlands as blackbird roost habitat. These areas were treated with an aquatic herbicide to make them less attractive to the blackbirds while improving habitat for waterfowl and other wildlife. Wildlife Services also assisted with 130 incidents of wildlife damage to other crops during 2002.

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**Beaver Damage Management- Wildlife**  
Services responded to 628 incidents of beaver damage to trees, roadways, and crops which resulted in losses totaling \$1.1 million. Certified explosive specialists used binary explosives to remove 130 beaver dams in order to restore normal water flow in streams and creeks.

**Human Health and Safety- Wildlife**  
Services documented 120 occurrences of wildlife threats to human health. Nearly 75% of the concerns dealt with the threat of rabies transferring from wildlife to humans or domestic pests.

**Urban Wildlife Conflicts-** Each year Wildlife Services responds to increasing occurrences of human/wildlife conflicts in urban areas. These conflicts range from animals inside homes to damage to trees, lawns, and gardens. Wildlife typically responsible for these problems include bats, beaver, rabbits, raccoons, skunks, and squirrels. In 2002, Wildlife Services documented damages totaling \$63,000 to urban homeowners.

**Protecting Air Travelers**—Every year, lives are endangered worldwide and billions of dollars are wasted when birds and other wildlife damage aircraft. Experts estimate that bird strikes with airplanes cost the civil aviation industry more than \$300 million annually in the United States. Wildlife Services assisted civilian airports in Bismarck, Fargo, Grand Forks, and Minot with a variety of potentially hazardous situations involving wildlife. Deer, ducks, geese, and gulls are the species which pose the greatest hazards.

**Information Transfer**—Wildlife Services continued its extensive educational program (technical assistance) to help North Dakotans with their specific wildlife conflicts. A total of 1,300 personal

## Remaining Challenges Create Unmet Needs

Public health and safety is a growing concern for the North Dakota Wildlife Services program. The threat of rabies, West Nile virus, and other diseases transferring from wildlife to humans or domestic animals continues to be an issue. Wildlife Services will assist human health agencies and other natural resource agencies to better inform the public about the proper procedures necessary to minimize the hazards associated with wildlife-borne diseases.

## Cooperating Entities

USDA National Wildlife Research Center  
ND Department of Agriculture  
ND Game and Fish Department  
ND State University - Dept. of Biological  
Sciences  
ND Department of Health  
ND Farm Bureau  
ND Lamb and Wool Producers  
ND Stockmen's Association  
National Sunflower Association  
USDA Forest Service  
U.S. Fish and Wildlife Service  
Bureau of Land Management

**Contact Information:**

**USDA/Wildlife Services**  
2110 Miriam Drive, Suite A  
Bismarck, ND 58501-2502  
Phone: 701-250-4405 FAX: 701-250-4408  
E-mail: [p.mastrangelo@usda.gov](mailto:p.mastrangelo@usda.gov)

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**Operator's Signature**

Date \_\_\_\_\_