

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 25,000"
harmonization and registration board

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 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	\$4,555,365	\$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	
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 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		(\$4,567)
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 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		(310,655)
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

1 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.

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 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.

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 \$116,000 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.