

Sixty-first  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1009

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture  
2 commissioner; to provide for a livestock health permit inspection program; to amend and  
3 reenact section 4-01-21 of the North Dakota Century Code, relating to the salary of the  
4 agriculture commissioner; to provide for transfers; and to provide for a legislative council study.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the  
7 funds as may be necessary, are appropriated out of any moneys in the general fund in the state  
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
9 other income, to the agriculture commissioner for the purpose of defraying the expenses of that  
10 agency, for the biennium beginning July 1, 2009, and ending June 30, 2011, as follows:

11		Adjustments or		
12		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13	Salaries and wages	\$6,984,840	\$1,145,262	\$8,130,102
14	Operating expenses	4,714,383	1,065,577	5,779,960
15	Capital assets	5,000	0	5,000
16	Grants	1,849,225	1,120,600	2,969,825
17	Board of animal health	2,299,702	78,623	2,378,325
18	Wildlife services	1,209,000	(141,600)	1,067,400
19	Crop harmonization board	<u>25,000</u>	<u>25,000</u>	<u>50,000</u>
20	Total all funds	\$17,087,150	\$3,293,462	\$20,380,612
21	Less estimated income	<u>11,388,326</u>	<u>2,141,162</u>	<u>13,529,488</u>
22	Total general fund	\$5,698,824	\$1,152,300	\$6,851,124
23	Full-time equivalent positions	67.50	2.00	69.50

**SECTION 2. ESTIMATED INCOME - ENVIRONMENT AND RANGELAND**

**PROTECTION FUND.** The estimated income line item in section 1 of this Act includes the sum of \$3,529,556, or so much of the sum as may be available, from the environment and rangeland protection fund for the purpose of defraying the expenses of various agriculture department programs, for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 3. ANHYDROUS AMMONIA STORAGE INSPECTION FUND.** The estimated income line item in section 1 of this Act includes the sum of \$40,000, or so much of the sum as may be available, from the anhydrous ammonia storage inspection fund for the purpose of defraying the expenses of regulating anhydrous ammonia storage facilities, for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 4. ESTIMATED INCOME - GAME AND FISH FUND.** The estimated income line item in section 1 of this Act includes the sum of \$768,800, or so much of the sum as may be necessary, from the game and fish department operating fund for the purpose of defraying the expenses of various agriculture department programs for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 5. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SECOND LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the 2009-11 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2007-09</u>	<u>2009-11</u>
Animal tracking database	<u>\$90,836</u>	<u>\$0</u>
Total general fund	<u>\$90,836</u>	<u>\$0</u>

The 2009-11 one-time funding amounts are not a part of the entity's base budget for the 2011-13 biennium. The agriculture commissioner shall report to the appropriations committees of the sixty-second legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 6. LEGISLATIVE COUNCIL STUDY - WILDLIFE SERVICES.** During the 2009-10 interim, the legislative council shall consider studying the cooperative agreement between the agriculture commissioner and the United States department of agriculture wildlife services program. The study, if conducted, must include a review of current program funding sources and a review of wildlife damage control programs in other states, including South

1 Dakota. The legislative council shall report its findings and recommendations, together with  
2 any legislation required to implement the recommendations, to the sixty-second legislative  
3 assembly.

4 **SECTION 7. LIVESTOCK HEALTH PERMIT INSPECTION PROGRAM.** The  
5 agriculture commissioner shall, within the commissioner's 2009-11 biennium appropriation  
6 approved by the sixty-first legislative assembly, initiate and implement a program to provide for  
7 health permit inspections on livestock entering the state for the biennium beginning July 1,  
8 2009, and ending June 30, 2011. As part of the program, the commissioner shall provide  
9 public information on the results of the livestock health permit inspections.

10 **SECTION 8. AMENDMENT.** Section 4-01-21 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **4-01-21. Salary of agriculture commissioner.** The annual salary of the agriculture  
13 commissioner is ~~seventy-eight~~ eighty-five thousand ~~five~~ eight hundred ~~ninety-nine~~ thirty dollars  
14 through June 30, ~~2008~~ 2010, and ~~eighty-one~~ ninety thousand ~~seven~~ one hundred ~~forty-three~~  
15 twenty-two dollars thereafter.