

**Agriculture Department  
House Bill Nos. 1009, 1249, and 1349**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2001-03 executive budget (Governor Schafer) (bills as introduced)	55.50	\$4,640,283	\$6,638,291	\$11,278,574
<b>2001-03 legislative appropriations</b>	<b>55.50</b>	<b>4,371,396</b>	<b>7,050,684</b>	<b>11,422,080</b>
Legislative increase (decrease) to executive budget	0.00	(\$268,887)	\$412,393	\$143,506
Legislative increase (decrease) to 1999-2001 appropriations	0.00	(\$107,876)	\$2,454,242	\$2,346,366
2001-03 Governor Hoeven's recommendation	55.50	\$4,440,283	\$6,838,291	\$11,278,574
Legislative increase (decrease) to Governor Hoeven's recommendation	0.00	(\$68,887)	\$212,393	\$143,506

**GOVERNOR HOEVEN'S RECOMMENDATIONS**

The Hoeven recommendation replaces general fund moneys (\$200,000) with special funds (\$200,000) from the game and fish fund for wildlife services. The total amount from the game and fish fund for wildlife services is \$400,000.

**SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET (SCHAFER) AND MAJOR FUNDING ITEMS**

**Salaries and Wages**

The legislative action affecting the recommended appropriation for the Agriculture Department is in accordance with legislative salary and fringe benefits guidelines as contained in House Bill No. 1015. In addition to the above appropriations, agencies may receive additional funding from the \$5 million appropriated in Section 1 of House Bill No. 1015 for special market equity adjustments for classified state employees whose salaries are the furthest from their respective salary range midpoints. The bill includes funding to provide a market equity adjustment of \$166.25 per month for the Agriculture Commissioner and \$151.67 per month for the deputy commissioner, effective January 1, 2002.

	<b>Major Items FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
The legislative action:				
Adjusted the funding for the market equity salary increase of \$166.25 per month for the commissioner and \$151.67 per month for the deputy commissioner, effective January 1, 2002. The executive budget included more funding than was necessary to provide for this increase.		(\$6,287)		(\$6,287)
Removed funding related to 1 FTE meat inspector position		(40,107)	(\$40,107)	(80,214)
Changed the source of funding for wildlife services from general fund to the North Dakota game and fish fund as recommended by Governor Hoeven		(200,000)	200,000	

Reduced funding increases included in the executive recommendation for travel	(22,493)	(22,493)
Added funding from the Attorney General refund fund in House Bill No. 1249 for controlling and defraying the cost of Johne's disease. The funding is available as a result of a lawsuit settlement with Indirect Vitamin Products.	177,500	177,500
Added funding from the Attorney General refund fund in House Bill No. 1349 for developing and expanding agriculture in the classroom curricula. The funding is available as a result of a lawsuit settlement with Indirect Vitamin Products.	75,000	75,000
Total	<u>0.00</u>	<u>(\$268,887)</u>
	<u>\$412,393</u>	<u>\$143,506</u>

#### FTE Changes

The Legislative Assembly removed funding associated with one FTE meat inspector position but did not remove the FTE. The 2001-03 biennium appropriation includes funding for 55.5 FTE positions, the same as the 1999-2001 biennium authorized level.

#### Other Sections in House Bill No. 1009

**Commissioner's salary** - Section 2 includes statutory changes relating to the Agriculture Commissioner's annual salary. The Agriculture Commissioner's salary is increased from \$64,569 to \$66,509 on July 1, 2001, to \$68,504 on January 1, 2002, and to \$69,874 on July 1, 2002.

**Crop Protection Product Harmonization and Registration Board** - Section 3 changes the membership and duties of the Crop Protection Product Harmonization and Registration Board. This section was added to amend a section in House Bill No. 1328 (see **Related Legislation** section).

**Crop harmonization** - Section 4 was added to the bill authorizing moneys in the environment and rangeland protection fund to be used for issues relating to harmonization of crop protection product standards.

**Pesticide registration fees** - Section 5 of the bill extends the sunset clause on the \$350 pesticide product registration fee until June 30, 2003. The additional funds collected, estimated at \$416,650 for the 2001-03 biennium, will be deposited in the environment and rangeland protection fund. The pesticide product registration fee will revert to \$300 on July 1, 2003.

**Rinsate collection fees** - Section 9 was added directing the Agriculture Commissioner to charge a fee for the collection of rinsate during the 2001-03 biennium. The fee must be established at a level that will generate revenues to provide for the cost of the disposal associated with the rinsate collected during the biennium. Collections from this fee are to be deposited in the environment and rangeland protection fund.

**Pesticide recycling** - Section 10 was added requiring the Agriculture Commissioner, in consultation with the advisory board for the safe send program, to research the potential of recycling selected products collected under Project Safe Send.

#### Related Legislation

**Pesticide disposal project** - Senate Bill No. 2110 continues the agricultural pesticide and pesticide container disposal program (safe send) through July 31, 2003.

**Agriculture mediation service program** - Senate Bill No. 2216 eliminates the sunset provisions for the agricultural mediation service program.

**Crop Protection Product Harmonization and Registration Board** - House Bill No. 1328 creates the Crop Product Harmonization and Registration Board, which was amended in House Bill No. 1009. The Legislative Assembly approved the following duties and membership for the board:

Identify and prioritize crop protection product labeling needs.

Explore the extent of authority given to North Dakota under the federal Insecticide, Fungicide, and Rodenticide Act.

Identify the data necessary to enable registration of a use to occur in a timely manner.

Determine what research, if any, is necessary to fulfill data requirements for responsibilities of the board.

Request the Agriculture Commissioner to pursue specific research funding options from public and private sources.

Request the Agricultural Experiment Station to pursue specific research to coordinate registration efforts.

Pursue any opportunities to make more crop protection product options available to agriculture producers in this state through any means the board determines advisable.

Administer a grant program through which agriculture commodity groups may apply for funds to be used to address issues related to the registration of crop protection products.

The members of the Crop Product Harmonization and Registration Board consist of the following:

The Governor or the Governor's designee (chairman).

The Agriculture Commissioner or the commissioner's designee.

The chairman of the House Agriculture Committee or the chairman's designee.

The chairman of the Senate Agriculture Committee or the chairman's designee.

A member of the House or Senate Agriculture Committee who is not a member of the faction in which the committee chairman is a member, appointed by the Legislative Council chairman.

A crop protection product dealer in the state appointed by the Governor from a list of three nominees submitted by the North Dakota Agricultural Association.

A consumer of crop protection products appointed by the Governor from a list of three nominees submitted by the North Dakota Grain Growers Association.

A consumer of crop protection products appointed by the Governor from a list of three nominees submitted by the North Dakota Oilseed Council.

A representative of the crop protection product manufacturing industry appointed by the chairman of the Legislative Council (nonvoting).

The director of the Agricultural Experiment Station (nonvoting).