

ANALYSIS OF THE ENVIRONMENT AND RANGELAND PROTECTION FUND 1999-2001 AND 2001-03 BIENNIUMS

	<u>1999-2001 Biennium</u>	<u>2001-03 Biennium</u>
Beginning balance	\$701,250	\$928,352
Add estimated revenues	<u>2,723,000¹</u>	<u>2,499,900³</u>
Total available	\$3,424,250	\$3,428,252
Less estimated expenditures		
Agriculture Commissioner		
Noxious weed control (1999 SB 2009, 2001 HB 1009)	\$1,068,881	\$1,404,602
Pesticide disposal project (Safe Send) (1999 SB 2009, 2001 HB 1009)	573,907	596,842
Pesticide programs (1999 SB 2009, 2001 HB 1009)	266,467	314,620
Employee compensation package	11,643	25,751
Pesticide Control Board		
Minor use pesticide registration (1999 SB 2009)	285,000 ²	
Crop Protection Product Harmonization and Registration Board		
Crop protection product registration and labeling and grants (2001 HB 1328)		250,000 ⁴
Minor use pesticide registration (2001 HB 1467)		500,000 ⁵
State Department of Health		
Ground water testing (1999 HB 1004, 2001 SB 2004)	200,000	200,000
Agricultural Experiment Station		
Chemical storage expenditures (1999 HB 1021)	<u>90,000</u>	
Total estimated expenditures	<u>\$2,495,898</u>	<u>\$3,291,815</u>
Estimated ending balance	<u><u>\$928,352</u></u>	<u><u>\$136,437</u></u>

¹ The 1999 Legislative Assembly approved Senate Bill No. 2009, which includes a provision increasing the biennial pesticide registration fee by \$50, from \$300 to \$350, only for the 1999-2001 biennium. This increase was estimated by the 1999 Legislative Assembly to generate \$400,000, resulting in \$2.4 million total estimated revenues to be deposited in the environment and rangeland protection fund. The increase of \$323,000 as compared to the 1999 Legislative Assembly estimated revenues is due to a higher number of products registered than previously anticipated.

² This amount is transferred to the minor use pesticide fund and appropriated to the Agriculture Commissioner, on behalf of the Pesticide Control Board, on a continuing basis.

³ The 2001 Legislative Assembly approved House Bill No. 1009 which extended the \$350 biennial pesticide registration fee for the 2001-03 biennium. This increase was estimated by the 2001 Legislative Assembly to generate \$416,650, resulting in \$2,499,900 total estimated revenues to be deposited in the environment and rangeland protection fund.

⁴ The 2001 Legislative Assembly in House Bill No. 1328 and House Bill No. 1009 created the Crop Protection Product Harmonization and Registration Board. The duties of the board consist of the following:

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 Protection 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).

⁵ This amount is transferred to the minor use pesticide fund and appropriated to the Crop Protection Product Harmonization and Registration Board on a continuing basis. 2001 House Bill No. 1328 changed the control of the minor use pesticide fund from the Agriculture Commissioner to the Crop Protection Product Harmonization and Registration Board.

North Dakota Century Code Section 19-18-02.1 created by 1991 Senate Bill No. 2451 establishes the environment and rangeland protection fund. The fund contains collections from pesticide registration fees. The biennial fee is \$350 per pesticide product registered in the state for the 1999-2001 biennium and the 2001-03 biennium. 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 for a two-year period, of which \$250 is deposited in the environment and rangeland protection fund and \$50 in the general fund.