

## ANALYSIS OF THE ENVIRONMENT AND RANGELAND PROTECTION FUND 2001-03 AND 2003-05 BIENNIUMS

	<u>2001-03 Biennium</u>	<u>2003-05 Biennium</u>
Beginning balance	\$1,079,213	\$702,398
Add estimated revenues	<u>2,700,000<sup>1</sup></u>	<u>2,705,000<sup>1</sup></u>
Total available	\$3,779,213	\$3,407,398
Less estimated expenditures		
Agriculture Commissioner		
Noxious weed control (2001 HB 1009; 2003 SB 2009)	\$1,404,602	\$1,494,285
Pesticide disposal project (Safe Send) (2001 HB 1009; 2003 SB 2009)	596,842	307,436
Pesticide programs (2001 HB 1009; 2003 SB 2009)	314,620	387,732
Agriculture in the classroom program (2003 SB 2009)		50,000
Employee compensation package	25,751	
Saltcedar control (2003 SB 2319)		250,000
Pesticide Control Board		
Minor use pesticide registration (2001 HB 1497; 2003 SB 2009)	500,000 <sup>2</sup>	200,000 <sup>2</sup>
Crop Protection Product Harmonization and Registration Board		
Crop protection product registration and labeling and grants (2001 HB 1328; 2003 SB 2009)	35,000 <sup>3</sup>	25,000 <sup>3</sup>
State Department of Health		
Ground water testing (2001 SB 2004; 2003 HB 1004)	200,000	200,000
North Dakota Stockmen's Association environmental services program (2003 HB 1004)		50,000
Agricultural Experiment Station		
Chemical storage expenditures (2003 HB 1021)		<u>120,000</u>
Total estimated expenditures	<u>3,076,815</u>	<u>3,084,453</u>
Estimated ending balance	<u><u>\$702,398</u></u>	<u><u>\$322,945</u></u>

<sup>1</sup> The 1999 Legislative Assembly approved Senate Bill No. 2009 which included a provision increasing the biennial pesticide registration fee by \$50, from \$300 to \$350 only for the 1999-2001 biennium. 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. The additional \$200,100 increase in estimated revenues is due to a higher number of products registered than previously anticipated. House Bill No. 1066 (2003) provides for a Project Safe Send pesticide and pesticide container collection user fee for rinsate. The rinsate collection fee is to be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. This fee is estimated to generate \$5,000 in additional revenues to be deposited in the environment and rangeland protection fund. Senate Bill No. 2319 (2003) extends the \$350 pesticide registration fee for the 2003-05 biennium. This increase is estimated to generate \$450,000, resulting in \$2,705,000 total estimated revenues to be deposited in the environment and rangeland protection fund during the 2003-05 biennium.

<sup>2</sup> 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. House Bill No. 1328 (2001) changed the control of the minor use pesticide fund from the Agriculture Commissioner to the Crop Protection Product Harmonization and Registration Board.

<sup>3</sup> 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 consists 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 North Dakota State University Agriculture 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.

- The board may 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).

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. The 2003 Legislative Assembly extended the \$350 pesticide registration fee through June 30, 2005, after which 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.