

ANALYSIS OF THE ENVIRONMENT AND RANGELAND PROTECTION FUND FOR THE 2007-09 BIENNIUM

	2007-09 Biennium	
Beginning balance - July 1, 2007		\$979,801
Add estimated revenues		
Pesticide registration fees	\$3,030,000 ¹	
Transfer from general fund (2007 SB 2009)	150,000 ²	
Transfer from pesticide enforcement fund (2007 SB 2009)	50,000 ³	
Total estimated revenues		3,230,000
Total available		\$4,209,801
Less estimated expenditures and transfers		
Agriculture Commissioner		
Noxious weed control (2007 SB 2009)	\$1,683,355	
Pesticide disposal project (Safe Send) (2007 SB 2009)	597,462	
Pesticide programs (2007 SB 2009)	506,792	
Agriculture in the Classroom program (2007 SB 2009)	100,000	
Farmer's market	29,500	
Endangered species (2007 SB 2009)	200,000	
Blackbird research (2007 SB 2179)	79,500	
Crop Protection Product Harmonization and Registration Board ⁴		
Crop protection product registration and labeling and grants (2007 SB 2009)	25,000	
Minor use pesticide registration (2007 SB 2009)	200,000 ⁵	
State Department of Health		
Ground water testing (2007 HB 1004)	216,119	
North Dakota Stockmen's Association environmental services program (2007 HB 1004)	50,000	
Total estimated expenditures and transfers		3,687,728
Estimated ending balance - June 30, 2009		\$522,073

¹The 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 \$350 pesticide registration fee was extended for the 2001-03 biennium (2001 House Bill No. 1009), the 2003-05 biennium (2003 Senate Bill No. 2319), the 2005-07 biennium (2005 House Bill No. 1009), and the 2007-09 biennium (2007 Senate Bill No. 2323). This increase is estimated to generate \$505,000 of additional revenue to be deposited in the environment and rangeland protection fund during the 2007-09 biennium.

²Transfer from general fund - Senate Bill No. 2009 (2007) provides for a transfer of \$150,000 from the general fund to the environment and rangeland protection fund for the endangered species program for the 2007-09 biennium.

³Transfer from pesticide enforcement fund - Senate Bill No. 2009 (2007) provides for a transfer of \$50,000 from the North Dakota State University Extension Service pesticide enforcement fund to the environment and rangeland protection fund for the endangered species program for the 2007-09 biennium.

⁴North Dakota Century Code Section 4-35-30 as created by House Bill Nos. 1328 and 1009 (2001) created the Crop Protection Product Harmonization and Registration Board. The duties of the board consist of:

- 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 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.
- 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 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).

⁵This 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.

NOTE: The estimated June 30, 2009, balance made at the end of the 2007 legislative session was \$4,783. The increase in the estimated balance of \$517,290 is due to the actual July 1, 2007, balance of \$979,801 being \$517,290 more than the estimated July 1, 2007, balance at the end of the 2007 legislative session of \$462,511. The increased July 1, 2007, balance resulted from unspent appropriations and increased registration fee collections during the 2005-07 biennium.

FUND HISTORY

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 2007-09 biennium. Of this amount, \$300 is deposited in the environment and rangeland protection fund and \$50 in the general fund.