

**Agriculture Commissioner  
Budget No. 602  
House Bill No. 1009**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2017-19 legislative appropriation	73.00	\$9,109,101	\$22,207,676	\$31,316,777
2015-17 legislative appropriation	<u>77.00</u>	<u>10,822,497</u>	<u>21,718,053</u>	<u>32,540,550</u>
2017-19 appropriation increase (decrease) to 2015-17 appropriation	(4.00)	(\$1,713,396)	\$489,623	(\$1,223,773)

**Item Description**

**FTE position changes** - The Legislative Assembly approved 73 FTE positions for the Agriculture Commissioner for the 2017-19 biennium, a decrease of 4 FTE positions from the 2015-17 biennium amount of 77 FTE positions. The Legislative Assembly removed 1 vacant FTE administrative assistant I position, 1 vacant FTE public information specialist I position, 1 vacant FTE senior agriculture program inspector position, and 1 FTE agriculture marketing specialist I position.

**One-time funding** - In 2017 House Bill No. 1009, the Legislative Assembly appropriated \$1,120,000 of one-time funding for Agriculture Commissioner, of which \$120,000 is from the Agriculture Commissioner's operating fund for the National Genomics Center and \$1 million is from the federal environmental law impact review fund. Section 9 of the bill provides the Office of Management and Budget transfer \$1 million from the strategic investment and improvements fund to the federal environmental law impact review fund for use by the Agriculture Commissioner during the 2017-19 biennium.

**Transfers** - Section 4 of House Bill No. 1009 requires the Agriculture Commissioner to transfer \$325,000 from the environment and rangeland protection fund to the minor use pesticide fund. Section 6 of the bill requires the Game and Fish Department to transfer \$614,430 to the Agriculture Commissioner for the Wildlife Services program and the State Board of Animal Health. Section 7 of the bill requires the State Water Commission to transfer \$125,000 to the Agriculture Commissioner for the Wildlife Services program.

**Pipeline restoration program** - In Section 10 of House Bill No. 1009, the Legislative Assembly identified \$200,000 from the abandoned oil and gas well plugging and site reclamation fund is available to the Agriculture Commissioner for the 2017-19 biennium, a decrease of \$200,000 from the 2015-17 biennium amount of \$400,000.

**Status/Result**

The four positions were removed effective July 2017.

The National Genomics Center is a facility located on the North Dakota State University campus that performs genetic research and tests for plant diseases and insect issues in crops. A grant of \$120,000 was provided to the National Genomic Center in October 2017.

The transfer from the strategic investment and improvements fund to the federal environmental law impact review fund was completed in September 2017. Through May 2018 the Agriculture Commissioner has spent \$120,000, primarily for legal fees from Waters of the United States litigation and for studies regarding impacts to bees and bats. The Agriculture Commissioner anticipates the entire amount will be spent during the 2017-19 biennium.

The transfer from the environment and rangeland protection fund to the minor use pesticide fund was completed in August 2017. The transfer from the State Water Commission to the Agriculture Commissioner operating fund was completed in September 2017. Through March 2018 the Game and Fish Department has not transferred funding to the Agriculture Commissioner for the Wildlife Services program and Board of Animal Health. The Agriculture Commissioner anticipates receiving one-half of the \$614,430 transfer in June 2018 and the remaining one-half in June 2019.

Through March 2018 the Agriculture Commissioner has spent \$24,342 of the \$200,000 appropriation. The Agriculture Commissioner anticipates spending approximately \$150,000 of the \$200,000 appropriation during the 2017-19 biennium.

**Wind restoration program** - Senate Bill No. 2313 (2017) requires the Agriculture Commissioner to create a wind energy reclamation program to provide technical education, support, and outreach to property owners on wind property reclamation and to contract with ombudsmen to provide technical support and followup on wind property issues. The Agriculture Commissioner is to work cooperatively with the Public Service Commission to administer the program.

**Emergency hay transportation assistance program** - In August 2017 the Emergency Commission authorized the Adjutant General to borrow \$1.5 million from the Bank of North Dakota, which was then provided to the Agriculture Commissioner to administer an emergency hay transportation assistance program for livestock producers who experienced hardship due to drought conditions in the state. The Emergency Commission also authorized the Agriculture Commissioner to increase special funds spending authority by \$1.5 million to accept funding from the Adjutant General for the program.

In August 2017 the Agriculture Commissioner developed a wind energy reclamation program. The Agriculture Commissioner is collaborating with the Public Service Commission to connect property owners experiencing wind energy reclamation and restoration issues with an independent ombudsman, a third-party resource to help reach a reasonable resolution. The program provides educational outreach to help property owners consider site development, location and route of electrical distribution lines, site restoration after decommissioning, and other issues before signing contracts.

To be eligible for the program, applicants must own livestock, have a minimum of 25 animal unit equivalents, hay must be used for the producer's own livestock, the producer must be located in a county designated as a drought severity level 2, 3, or 4 county, and hay transportation costs must have been incurred between June 1 and November 17, 2017. The Agriculture Commissioner reviewed 492 applications for the emergency hay transportation assistance program through November 17, 2017, of which 491 applications were approved. The entire \$1.5 million of funding available for the program was distributed to eligible applicants in December 2017. The average amount awarded to each applicant was \$3,055.