

1999 SENATE AGRICULTURE

SB 2081

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2081

Senate Agriculture Committee

Conference Committee

Hearing Date January 7, 1999

Tape Number	Side A	Side B	Meter #
1	x		1,522
1		x	
Committee Clerk Signature <i>Christa Johnson</i>			

Minutes:

Chairman Wanzek called the meeting to order. Roll call was taken and all were present.

Chairman Wanzek opened the hearing on SB 2081: A BILL TO PROVIDE FOR THE CONTINUATION OF AN AGRICULTURAL PESTICIDE AND PESTICIDE CONTAINER PROGRAM. AND TO PROVIDE AN EXPIRATION DATE.

Senator Tomac, sponsor of SB 2081, introduced and testified in favor of the bill. The purpose of the bill is to provide a means of getting rid of toxic wastes such as pesticide and herbicides. He also asked the committee to consider the deletion of Section 3.

Senator Sand asked how much money per year or biennium and if the money wasn't spent here where would it be spent. Senator Tomac stated that the budget is somewhere around \$200,000 per year or \$400,000 per biennium. He also stated that the fees collected fall into a special fund for use in other projects. He then deferred the second question to Judy Carlson.

Senator Sand stated if this were a permanent fund we would have staff with a permanent job and I think North Dakota would benefit if this became a permanent thing, and evidently there is enough money to fund salaries but you haven't told me how many people work on it.

Senator Tomac then passed out a booklet which is enclosed.

Senator Wanzek then asked for any other proponents.

Judy Carlson from the State Agriculture Department testified in favor of the bill. Testimony enclosed.

Senator Kinnoin asked why the budget was \$200,000 some odd dollars and the fiscal note was only \$554. Carlson stated that the budget they were looking at was just for the flood grant.

Senator Urlacher asked if household chemicals were also brought to be taken care of. Carlson responded they didn't make a distinction although there were some things that couldn't be taken. She also said that all wastes are shipped out of state to be incinerated.

Senator Mathern asked why there was an expiration date on the bill. Carlson stated that initially they didn't know how much money it would take if people found out about the program.

Senator Mathern then asked if there were designated people working at the sites. Carlson stated there are generally field staff and inspectors at every site.

Senator Urlacher asked about the removal of Section 3, wouldn't the department through the advisory board be able to continue. Carlson stated she believed they could and that it would be up to the legislature to get the funding.

Senator Urlacher asked if the legislature decided that it was unnecessary at any one given time they could remove it.

Representative Aarsvold spoke in favor of the bill. No questions were asked of him.

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Senate Agriculture Committee
Bill/Resolution Number Sb 2081
Hearing Date January 7, 1999

Dennis Johnson from the North Dakota Farmer Union spoke in support. Testimony is enclosed.

Gary Knutson from the North Dakota Agriculture Association spoke in support.

Francis Schwindt from the Department of Health spoke in support. He explained that many toxic chemicals have been removed and the Department of Health strongly supports SB 2081.

Senator Sand asked for a comment on if people can be motivated for more removal of chemicals.

Mr. Schwindt stated that the protection of the public health is very important.

Senator Wanzek stated that maybe people didn't know there was a place they could get rid of these chemicals and Mr. Schwindt agreed.

Patty Lewis from the Farm Bureau spoke in support.

Senator Wanzek asked for any other proponents or opponents. No one came forward, Senator

Wanzek closed the hearing on SB 2081.

Senator Wanzek re-opened the hearing on SB 2081.

Bill Pfeifer from the Wildlife Society spoke in support of SB 2081. Testimony enclosed.

Senator Wanzek closed the hearing.

January 15, 1999

Senator Wanzek re-opened the hearing on SB 2081. Discussion was held. Senator Klein made the motion for a Do Pass. The motion was seconded by Senator Urlacher. The motion carried.

ROLL CALL VOTE: 6 yes, 0 no, 1 absent.

FLOOR ASSIGNMENT: Senator Kroeplin

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: SB 2081 Amendment to: _____

Requested by Legislative Council _____ Date of Request: 12-30-98

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative:

This bill extends the sunset on the program to collect and dispose of unusable pesticides--Project Safesend.

2. State fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Special Funds	General Fund	Special Funds	General Fund	Special Funds
Revenues:		0		0		0
Expenditures:		-		554,363		-

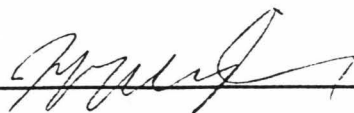
3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: 0
- b. For the 1999-2001 biennium: \$554,363
- c. For the 2001-03 biennium: 0

4. County, City, and School District fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
0	0	0	0	0	0	0	0	0

If additional space is needed, attach a supplemental sheet.

Signed 

Typed Name Jeff Weispfenning

Date Prepared: 1/5/99

Department Agriculture

Phone Number 328-2231

Date: 1/15/99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2081

Senate Agriculture Committee

Subcommittee on _____
or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Senator Klein Seconded By Senator Urlacher

Senators	Yes	No	Senators	Yes	No
Senator Wanzek	✓				
Senator Klein	✓				
Senator Sand	✓				
Senator Urlacher	✓				
Senator Kinnoin					
Senator Kroeplin	✓				
Senator Mathern	✓				

Total (Yes) 6 No 0

Absent Senator Kinnoin

Floor Assignment Senator Kroeplin

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 15, 1999 2:26 p.m.

Module No: SR-09-0718
Carrier: Kroeplin
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2081: Agriculture Committee (Sen. Wanzek, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2081 was rereferred to the Appropriations Committee.

1999 SENATE APPROPRIATIONS

SB 2081

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2081

Senate Appropriations Committee

Conference Committee

Hearing Date January 26, 1999

Tape Number	Side A	Side B	Meter #
1		X	4426-end
2	X		1-24
2-10-99 2	X		825-980
Committee Clerk Signature	<i>Kathy C. Kottenberock</i>		

Minutes:

SENATOR NETHING: Opened the hearing on SB2081; A BILL FOR AN ACT TO PROVIDE FOR THE CONTINUATION OF AN AGRICULTURAL PESTICIDE AND PESTICIDE CONTAINER DISPOSAL PROGRAM; AND TO PROVIDE AN EXPIRATION DATE.

SENATOR TOMAC: State Senator, District 31, sponsor, SB2081 to testify in support of SB2081 (meter 4426-4720). Whether you live in rural or urban areas, the possibility of finding somewhere to go with unused insecticides and herbicides is important. We assess chemical companies a fee for selling chemicals in North Dakota and the fee goes into the HERB fund. If we want a safe environment in this State, we need to have the ability to find, transport, and co-locate them to some type of disposal area. This legislation is consistent with good farming practices.

JUDY CARLSON: Project Safe Send Coordinator for the Department of Agriculture to testify in support of SB2081 (testimony attached (meter 4732-5200)).

SENATOR ANDRIST: Where do you dispose of this?

JUDY CARLSON: Almost all of the waste is incinerated out-of-state. The only thing that is not incinerated are pesticides with too much metals that cannot be legally incinerated. Those are retorted or may be mixed with something to solidify it and then land filled.

BILL PFIEFER: Speaking on behalf of the chapter of the Wildlife Society in support of SB 2081 (meter 5360-5715). This is a legal, easy way to dispose of this unusable product. Program is a winner of all living things including our natural resources and human resources. Reduction of potential contamination of water. Right now this is not an expensive program and is basically being paid for by the chemical companies through the HERB program. This is a real cheap out at this point and time. We request a strong Do Pass on this bill.

DENNIS L. JOHNSON: Lobbyist, ND Farmer's Union, testified in support of SB2081 (meter 5720-5925). The Ag Department figures show a continual increase of pounds of chemicals, containers and products being removed from the environment through this program. The program is run very effectively making it a very simple task for farmers and others to cleanup these hazardous wastes. We look at this as a win-win situation. It is a win for the farmers because it is available and very easily used and a win for the State because it helps to keep our environment clean and green, which is our pride in this State. I urge continuation of this successful program for North Dakota agricultural producers.

BRIAN KRAMER: Representative of the North Dakota Farm Bureau to testify in support of SB2081 (meter 5927-6065).

SENATOR ANDRIST: You have 16 communities a year now, how many do you have on your list. I presume you rotate, do you expect every 3 or 4 years you get back? Is that the plan?

BRIAN KRAMER: Yes, we take a look at where we were last year, the sites, where we collected the most chemicals, those types of things are all taken into consideration. We try to rotate them around so that folks do not have to travel too far to bring the chemical in.

DAVE KOLAN: North Dakota Rural Water Systems to testify in support of SB2081 (tape 2, meter 2-20).

SENATOR NETHING: Closed hearing on SB2081.

=====

SENATOR NETHING: Reopened the hearing on SB2081.

SENATOR NETHING: Called for the motion on SB2081.

SENATOR SOLBERG: Moved a Do Pass on SB2081.

SENATOR ANDRIST: Seconded the motion.

ROLL CALL: 14 YEAS; 0 NAYS; 0 ABSENT & NOT VOTING.

CARRIER: SENATOR NAADEN

SENATOR NETHING: Closed the hearing on SB2081.

Date: 2/10/99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2081

Senate APPROPRIATIONS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do PASS

Motion Made By Sen. Solberg Seconded By Sen. Andrist

Senators	Yes	No	Senators	Yes	No
Senator Nething, Chairman	✓				
Senator Naaden, Vice Chairman	✓				
Senator Solberg	✓				
Senator Lindaas	✓				
Senator Tallackson	✓				
Senator Tomac	✓				
Senator Robinson	✓				
Senator Krauter	✓				
Senator St. Aubyn	✓				
Senator Grindberg	✓				
Senator Holmberg	✓				
Senator Kringstad	✓				
Senator Bowman	✓				
Senator Andrist	4				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Sen. Naaden

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 10, 1999 11:52 a.m.

Module No: SR-27-2450
Carrier: Naaden
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2081: Appropriations Committee (Sen. Nething, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2081 was placed on the
Eleventh order on the calendar.

1999 HOUSE AGRICULTURE

SB 2081

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2081

House Agriculture Committee

Conference Committee

Hearing Date 3-4-99

Tape Number	Side A	Side B	Meter #
One SB 2081		x	0.0 to 18.5
Committee Clerk Signature <i>Arline Hanson</i>			

Minutes:

Summary of bill: Provides for the continuation of an Agriculture Pesticide and Pesticide container disposal program as conducted by the ND Dept of Agriculture.

Rep Aarsvold: Basic reason for this bill is to keep in place the Pesticide Container program and Pesticide disposal program as it has been for the past few years. We put this program in place 10 years ago and I might say it is one of the most successful programs put in place over the years between Govt and private enterprise. Its a popular well used program in our district, it allows us involved in production agriculture to rid of those chemicals that are off label or on usable or have deteriorated because of some outside situation we have no control over. We are then able to get them to a central collection point and have them disposed of safely and efficiently. In my area we have become very intensive in our farming operations over the years, we raise sugar beets, edbile beans, soybeans, corn, sunflowers, potatoes and we have at our disposal a whole array of

wonderful chemicals we can use to control weeds, insects, and you name it. Often time though find those chemicals go off label or for some other reason unusable, or another chemical is developed and we need to get rid of the old one. Now the problem presents itself as we decide where and how to dispose of that outdated, unusable, or for whatever reason its that was chemical. Do we bury it in the ground or do we find a safe way to dispose of it. Which ever is the cheapest is the way it will get done with today's economics. No questions

Judy Carlson: The project Safe Send coordinator for the department of Agriculture, (Testimony Attached) We have a very active advisory board and they recommend continuation of this program.

Rep Brusedgaard: Larimore is in my district and I see they had forty participates and 40,000 lbs of chemical disposed of. Can you imagine someone with 1000 lbs of chemical laying around and no use for it.

Judy Carlson: I was there and we had a some potato farm come in with 3 truck loads of chemical and when we had been to Larimore before they didn't realize what they could do so now they brought them all in.

Rep Rennerfeldt: Williston has been dropped as a collection sight, why?

Judy Carlson: We try & move sight around so as to make it convenient for all producers. Last year we wen to Stanley.

Rep Rennerfeldt: Is the board picked by Agri Commissioner? Do we have representatives of the FU- FB on it or what?

Rep Berg: This program was never intended to be on going. People who bring chemical in are big boys and know it has to be done now. Easy if they can get in done free.

Judy Carlson: Hard to get people to bring in if its to far to go, not convenient, etc.

Rep Berg: What would happen if we made the deadline 12 months from now?

Rep Herbel: What happens to pesticide when it comes in?

Judy Carlson: Sent out of State to disposal site for hazardous materials..

Rep Nowatzki: This program is both a Rural & Urban program? Why do city folk have pesticide laying around and have to dispose of it?

Judy Carlson: They use it on their lawns, etc>

Rep Brusegaard: Any figures for poundage brought in by City vs Rural?

Brian Kramer: ND FB.. all in favor of project safe send. Costs have gone down from \$5 per lb to about \$1 per lb to dispose of it. Lot more efficient doing it this way.

Dennis Johnson: ND FU all in favor and urge a do pass.

Gary Knutson: ND Grain Growers Assoc.

Bill Pfier: ND Wild life Society.. Very much in favor of project safe send. Very good.

Martin Schook: ND St Dept of Health.. Don't have a good alternative for these people in the state to get rid of this material.

Motion by Rep Berg for a DO PASS and refer to appropriations committee. second by

Rep Nowatzki, motion carried.

Vote total: YES 14 NO 0 ABSENT 1 Bill carrier:

Date: 3-4-99
Roll Call Vote #:

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2081

House AGRICULTURE Committee _____

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass Refer to approp

Motion Made By Berg Second By Nowatzki

Representatives	Yes	No	Representatives	Yes	No
Eugene Nicholas, Chaiman	✓		Bob Stefonowicz	✓	
Dennis E. Johnson, Vice Chm	✓				
Thomas T. Brusegaard	✓				
Earl Rennerfeldt	✓				
Chet Pollert	✓				
Dennis J. Renner	✓				
Michael D. Brandenburg	✓				
Gil Herbel	✓				
Rick Berg	✓				
Myron Koppang	✓				
John M. Warner	✓				
Rod Froelich					
Robert E. Nowatzki	✓				
Phillip Mueller	✓				

Total (Yes) 14 No 0

Absent 1

Floor Assignment _____

Huether; Johnson, D.; Johnson, N.; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Mueller; Nelson; Nichols; Nottestad; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Stefanowicz; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Weisz; Wikenheiser; Winrich; Speaker Wald

NAYS: Brusegaard; Byerly; Dalrymple; Delzer; Devlin; Ekstrom; Fairfield; Froelich; Gordier; Jensen; Keiser; Kelsh, S.; Kerzman; Lundgren; Monson; Niemeier; Nowatzki; Pollert; Poolman; Severson; Solberg; Sveen; Warner; Wentz

ABSENT AND NOT VOTING: Boucher; Dorso; Gunter; Nicholas; Svedjan; Tollefson

SB 2421 passed and the title was agreed to.

MOTION

REP. MONSON MOVED that the House reconsider its action whereby SB 2421 passed, which motion prevailed.

MOTION

REP. MONSON MOVED that SB 2421 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Monson's motion, SB 2421 was rereferred.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has passed unchanged: SB 2042, SB 2079, SB 2141, SB 2197.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2054, SB 2132, SB 2309, SB 2388, SB 2407.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2087.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2275.

MOTION

REP. MONSON MOVED that the absent members be excused, which motion prevailed.

MOTION

REP. MONSON MOVED that the House be on the Fifth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 8, 1999, which motion prevailed.

REPORT OF STANDING COMMITTEE

HCR 3058: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3058 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3071, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3071 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2055: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (10 YEAS, 7 NAYS, 3 ABSENT AND NOT VOTING). SB 2055 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2081, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2081 was rereferred to the **Appropriations Committee**.



1999 HOUSE APPROPRIATIONS

SB 2081

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2081

House Appropriations Committee
Education and Environment Division

Conference Committee

Hearing Date March 12, 1999

Tape Number	Side A	Side B	Meter #
1	x		0-17.0
Committee Clerk Signature <i>Casey Davis</i>			

Minutes:

SB 2081 - A bill for an act to provide for the continuation of an agricultural pesticide and pesticide container disposal program; and to provide an expiration date.

CHAIRMAN WENTZ opened the hearing on SB 2081.

1A: 1.0 JUDY CARLSON, Project Safe Send Coordinator for the Dept. of Agriculture, testified in support of the bill. (See testimony.)

1A: 6.5 REP. CARLSON asked if a half million dollars was not quite high for this project. Ms. Carlson said that the funding comes from the EARP fund, and that it is used to fund a lot of labor, EPA approved containers, and transportation of the chemicals.

1A: 10.0 REP. WENTZ distributed testimony from Bill Pfeifer, ND Chapter of the Wildlife Society. (See testimony.)

1A: 10.2 REP. AARSVOLD testified in support of the bill. He said that he appreciates the opportunity to get rid of chemicals. Without Safe Send, the environment is subject to environmental catastrophe.

1A: 13.7 RICHARD SCHLOSSER, ND Farmers Union, testified in support of the bill.

1A: 16.5 REP. LLOYD asked about the cost for disposal per pound, in terms of administrative costs and the actual disposal costs. Ms. Carlson replied that the cost is about \$2 per pound. She will provide Rep. Lloyd with information regarding the separate costs.

CHAIRMAN WENTZ closed the hearing on SB 2081.

General Discussion

- Committee on Committees
- Rules Committee
- Confirmation Hearings
- Delayed Bills Committee
- House Appropriations
- Senate Appropriations
- Other

Date March 23, 1999			
Tape Number	Side A	B Side	Meter #
1	x		30.0-end
1		x	0-5.0
Committee Clerk Signature <i>Casey Davis</i>			

Minutes:

SB 2081

CHAIRMAN WENTZ opened discussion on SB 2081.

REP. LLOYD presented his budget analysis for the Safesend program. The program does receive grants from the EPA. The budget contains \$552,000 all in special funds which come from the Environmental Range and Lands Fund. The price of disposing of dangerous chemicals has dramatically decreased. The original mission of the program was to get rid of chemicals hazardous to health and the environment. Rep. Lloyd said the original mission was accomplished.

REP. AARSVOLD said he was on the Ag committee when Safesend was started. He believes the intent was of a broader scope than what was discussed by Rep. Lloyd. He also noted the great local efforts on the part of wholesalers and private citizens.

REP. LLOYD said he has given consideration to increasing the fees for collection services. He gave the example that in 1998 the most common pesticide picked up was 2-4D. Some of these things have gone beyond what was the original intent of the program. They have not abused the fund by using it for something that was not ag pesticide related.

1B: 0.0 REP. NICHOLS suggested that the chemicals at abandoned farms be collected on a township by township basis. He said this should be considered before getting away from the original mission.

1B: 2.6 REP. LLOYD said the Ag department could develop such a program and work with the county agents. The county agents would be able to identify the abandoned farm areas where there may be hazardous chemicals on site, and contact land owners for permission to clean up.

General Discussion

Page 2

House Appropriations, EE Division

March 23, 1999

1B: 3.4 CHAIRMAN WENTZ suggested that they might convey language addressing the Ag department that this is the wish of the Appropriations committee.

1B: 3.6 REP. NICHOLS said he would like that to be done.

1B: 3.8 REP. AARSVOLD asked what percentage of chemicals are unidentified. Rep. Lloyd replied that in 1998 1.2% were unidentified.

CHAIRMAN WENTZ closed discussion on SB 2081.

General Discussion

- Committee on Committees
- Rules Committee
- Confirmation Hearings
- Delayed Bills Committee
- House Appropriations
- Senate Appropriations
- Other

Date March 26, 1999			
Tape Number	Side A	B Side	Meter #
1	x		0-5.0
Committee Clerk Signature <i>Amy Davis</i>			

Minutes:

SB 2081

CHAIRMAN WENTZ opened discussion.

1A: 0.9 REP. BOEHM presented the budget analysis for Safesend, which was essentially authorization to continue the program. Funds are included for the project in SB 2009.

1A: 3.9 REP. BOEHM moved for a Do Pass. Rep. Lloyd seconded the motion. A roll call vote was taken and the motion carried with 7 yeas and 0 nays. Rep. Boehm will carry the bill to the full committee.

General Discussion

- Committee on Committees
- Rules Committee
- Confirmation Hearings
- Delayed Bills Committee
- House Appropriations
- Senate Appropriations
- Other

Date March 26, 1999			
Tape Number	Side A	B Side	Meter #
2		x	35.6-37.4
Committee Clerk Signature		<i>Roxanne Stone</i>	

Minutes:

2B: 32.6 Chairman Dalrymple opened the discussion on Senate Bill 2081.

2B: 33.0 Rep. Boehm brief explanation of bill. Moved for a DO PASS. Rep. Wentz 2nd the motion. On a Roll Call Vote the motion carried.

17 voting YES

1 voting NO

2 voting ABSENT

Carrier: Rep. Boehm

Date: 3-26-99

Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2081

House Appropriations Committee

Subcommittee on Education and Environment

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By BOEHM Seconded By LLOYD

Representatives	Yes	No	Representatives	Yes	No
Chairperson Janet Wentz	X				
Vice Chairman Ed Lloyd	X				
Rep. Ole Aarsvold	X				
Rep. James Boehm	X				
Rep. Al Carlson	X				
Rep. David Monson	X				
Rep. Ronald Nichols	X				

Total (Yes) 7 No 0

Absent _____

Floor Assignment Boehm to full committee

If the vote is on an amendment, briefly indicate intent:

Date: 3-26-99

Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2081

House Appropriations Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken DP

Motion Made By BOEHM Seconded By WENTZ

Representatives	Yes	No	Representatives	Yes	No
Chairman Dalrymple	✓		Nichols		
Vice-Chairman Byerly	✓		Poolman	✓	
Aarsvold	✓		Svedjan	✓	
Bernstein	✓		Timm	✓	
Boehm	✓		Tollefson	✓	
Carlson	✓		Wentz	✓	
Carlisle	✓				
Delzer		✓			
Gulleson					
Hoffner	✓				
Huether	✓				
Kerzman	✓				
Lloyd	✓				
Monson	✓				

Total (Yes) 17 No 1

Absent 2

Floor Assignment REP. BOEHM

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 26, 1999 3:51 p.m.

Module No: HR-55-5760
Carrier: Boehm
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2081: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO PASS
(17 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2081 was placed on the
Fourteenth order on the calendar.

1999 TESTIMONY

SB 2081

Senate Agriculture, January 7, 1999

SB 2081- Agricultural pesticide and pesticide container disposal program

Chairman Wanzek, Committee members, I'm Judy Carlson, the Project Safe Send coordinator for the department of agriculture. SB 2081 continues "Project Safe Send", the unusable pesticide collection program, and the pesticide container recycling program.

This legislation continues the program for another two years.

The funding for this program is in the department of agriculture's budget. A special fund, the Environment and Range Protection fund (EARP) supports this program.

(Distribute legislative report.)

This biennium, we increased the number of collection events to thirty-two and discontinued pre-registration. The number of participants and pounds collected continued to increase. Over 700 participants brought in 215,000 pounds of unusable waste pesticides.

The amount of pesticides collected demonstrates the need for this program and the concern of North Dakota agricultural producers for the environment. Project Safe Send makes it economically feasible for individuals to get rid of their unusable pesticides.

At collection sites, participants are asked to do a program survey. In the 1997 survey, respondents were asked how often collections should be held and how far they were willing to travel to participate in PSS. Most of the participants said collections should be yearly, and few would travel over 50 miles. . In 1998, participants were also asked if the program should be continued--all but one of the 322 respondents said it should be continued.

The Project Safe Send advisory board and Roger Johnson, commissioner of agriculture believe that this program should be continued.

Thank you for your consideration.

Testimony on SB 2081

Chairman Wanzek and Committee members

Dennis L. Johnson - North Dakota Farmers Union

Farmers Union is in support of SB 2081. Our organization has a member on the Advisory board in the person of Ken Astrup. The Ag. Dept. figures show a continual increase in pounds of chemical containers and product being removed from the environment through this program. The program is administered by the Ag. Dept. very effectively - making it a very ^{simple} ~~easy~~ task for farmers and others to clean up these hazardous wastes.

I urge continuation of ^{this} very successful program for N. Dak. agricultural producers.

Do you have any questions? Thank you.

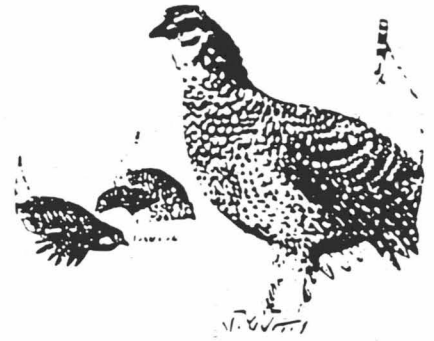
Copy to Sen. Ag. Comm. intern.



North Dakota Chapter

THE WILDLIFE SOCIETY

P. O. BOX 1442 • BISMARCK, ND 58502



TESTIMONY OF BILL PFEIFER
NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY
PRESENTED TO THE HOUSE AGRICULTURE COMMITTEE
ON SB 2081, MARCH ~~4~~₁₂, 1999

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I'm Bill Pfeifer representing the North Dakota Chapter of The Wildlife Society, an organization of nearly 400 professional natural resource managers, scientists, and educators.

The Wildlife Society strongly supports SB 2081, a Bill which provides for the continuation of a program that collects and disposes of pesticides and pesticide containers. The collection program is titled "Project Safe Send."

This program is a winner for all living things including our natural and human resources. A simple example is the reduction in the potential of contaminated drinking water.

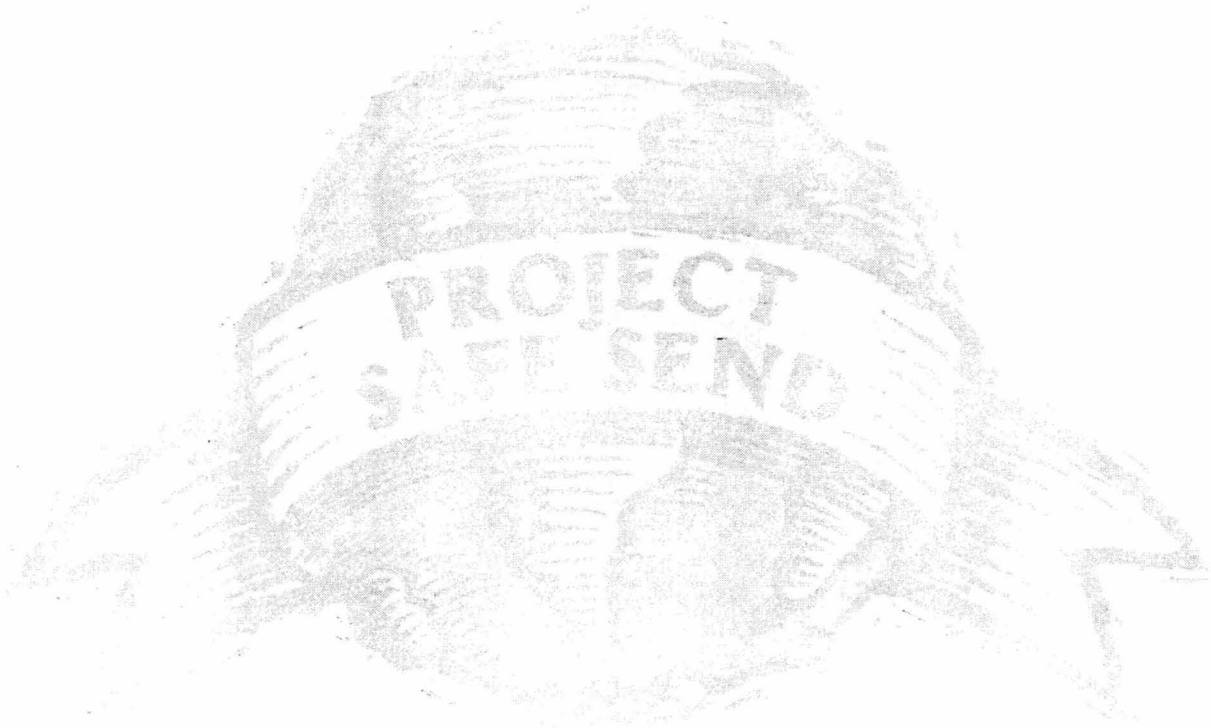
Since the disposal program began, over a half million pounds of pesticides have been collected from 2,341 pesticide users. A survey of the program participants, in 1996, indicated full support of the program's continuation.

The North Dakota Chapter of The Wildlife Society encourages passage of SB 2081 for the continued protection of all our resources.

**North Dakota Department
of Agriculture**

Report to the 1999 Legislature

Waste Pesticide collection and Recycling of Pesticide
Containers



INTRODUCTION

Thanks to Project Safe Send, 851 farmers, pesticide dealers and applicators, as well as some city folks, safely got rid of dangerous, unusable chemicals like DDT, chlordane, dioxin, mercury seed treatments and arsenic at no cost to the participants. At 36 separate collections, nearly 300,000 pounds of wastes were collected — this includes a special collection funded by the US EPA after Red River flooding in the spring of 1998.

Since the first collections in 1992, more than 650,000 pounds of pesticides have been collected from 2,341 participants.

Nevertheless, there continues to be a need for the program.

When I became commissioner of agriculture, I suggested dropping the required pre-registration in an effort to streamline the program and reduce paperwork for all concerned. By eliminating pre-registration and increasing the number of locations, the participation increased significantly.

Project Safe Send follows a simple process. Participants bring unusable pesticides to a local collection site during the hours of operation. They are asked to do a voluntary survey and inventory form. The contractor unloads the wastes for the participants and collects any paperwork.

In most cases, this takes only minutes!

The contractor properly packs the wastes for shipment to out of state incinerators and is also responsible for preparing the shipping manifests and bill of lading. Most of the program liability is passed on to the contractor who accepts the waste and signs the manifests as the generator.

Our department carefully monitors the collection events and documentation. A large portion of the payment to the contractor is withheld until final "Certificates of Disposal" are received.

While it could be very difficult and expensive for individuals to properly dispose of hazardous wastes, Project Safe Send takes on this burden and makes it relatively simple for the average person.

We continue to get telephone calls asking when the next collection will take place.

The need for Project Safe Send remains, and I encourage the 1999 Legislature to continue this worthwhile program.

Sincerely,



Roger Johnson
Commissioner of Agriculture

1997 COLLECTIONS

SITE	PARTICIPANTS	POUNDS
New Town	9	488
Bowbells	23	5,496
Williston	27	5,058
Garrison	18	1,358
Killdreer	20	1,831
Beach	4	499
Glen Ullin	18	759
New England	23	3,913
Jamestown	27	2,778
Edgeley	17	4,029
Valley City	33	11,834
Cooperstown	31	14,478
Maddock	26	2,607
Cando	27	7,169
Velva	27	17,654
Bismarck	<u>34</u>	<u>3,368</u>
TOTALS	364	83,319

1998 COLLECTIONS

SITE	PARTICIPANTS	POUNDS
Carrington	22	4,882
Medina	11	4,986
Rolla	8	809
Rugby	19	3,164
Minot	33	5,674
Crosby	22	2,653
Stanley	16	5,202
Dickinson	30	6,685
Hettinger	17	2,517
Bismarck	30	1,930
Linton	13	771
Adams	30	7,694
Larimore	40	40,339
Hillsboro	36	21,033
Ellendale	12	5,903
Lisbon	<u>28</u>	<u>17,434</u>
TOTALS	367	131,676

PROJECT SAFE SEND SUMMARY

1992-1998

YEAR	PARTICIPANTS	POUNDS
1992	396	80,910
1994	608	131,838
1995	145	48,222
1996	341	94,389
1997*	484	167,319
1998	<u>367</u>	<u>131,709</u>
TOTALS	2,341	654,387

* Additional collections were made in 1997 to gather pesticides damaged in the flooding of the Red River Valley.

1997-99 Project Safe Send Advisory Board

Ken Astrup
Farmers Union
Jamestown

Russ Brown
Agsco
Grand Forks

Greg Dahl/
Andrew Thostenson
NDSU Pesticide Programs
Fargo

Brian Kramer
North Dakota Farm Bureau
Turtle Lake

Ed Ryen
N.D. Dept. of Transportation
Bismarck

Martin Schock
N.D. Health Department
Bismarck

Cal Thorson
N.D. Agriculture Association
Fargo

Pesticide Container Recycling Program

The collection of containers for recycling has been privatized. The North Dakota Department of Agriculture promotes these collections through paid advertisements, news releases and personal communications with growers.

In 1997, 46,107 pounds of empty plastic pesticide containers were collected for recycling in North Dakota, and 55,836 pounds were collected in 1998.

The North Dakota State University Extension Service has promoted container rinsing and recycling at pesticide applicator training meetings for many years.

"The NDSU Extension Service has spent thousands of man hours in recent years educating pesticides applicators on the safe and legal use of pesticides," said Andrew Thostenson of NDSU. "We advocate recycling in our program and applicators are enthusiastically responding by bringing their empty containers to Project Safe Send promoted events. Each year participation levels have increased, so applicators are getting the message. Recycling keeps pesticide containers from crowding our landfills, contaminating our environment, or harming people. When the container gets recycled everyone benefits."

1997 COLLECTION SITES

Ostlund Chemical Co.: Ypsilanti, Enderlin, Lamoure, Gwinner, Mooreton, Clifford, Arthur, Drayton, Grand Forks, Wimbledon, Carrington, Harvey Rugby, Rolla, Edmore and Lakota.

WestChem Agricultural Chemicals Inc.: Watford City, Parshall, Sawyer, Kramer, Lansford, Berthold, Crosby, Bowbells, Ross, Williston, Halliday, Dodge, Richardton, Glen Ullin, Bentley, Hettinger, Scranton, Bowman, Rhame, New England, Golva, and Dickinson.

1998 COLLECTION SITES

Ostlund Chemical Co.: Ypsilanti, Wimbledon, Lamoure, Gwinner, Colfax, Clifford, Arthur, Drayton, Grand Forks, Carrington, Harvey, Rugby, Rolla, Edmore, Lakota and Linton.

UAP Big Sky: Watford City, Parshall, Sawyer, Newburg, Lansford, Berthold, Crosby, Bowbells, Ross, Williston, Halliday, Dodge, Richardton, Glen Ullin, Elgin, Hettinger, Scranton, Bowman, Rhame, New England, Beach, Golva and Dickinson.

Collection and Disposal of Flood-Damaged Agricultural Chemicals

INTRODUCTION

In the spring of 1997, record flood flows of up to 125,000 cubic feet per second were reported on the Red River in North Dakota, Minnesota and South Dakota. The entire Red River Valley suffered extensive flood damage. Residences, farms, schools, retail businesses, service businesses, and wholesalers were inundated. Many flooded buildings contained pesticides, yard chemicals, paints, and fertilizers.

The Federal Emergency Management Agency (FEMA) provided 100% federal funding for undertaking immediate response assistance, as authorized by Disaster Declaration FEMA-1174-DR-ND. Under this authority, the Environmental Protection Agency, Region VIII (EPA), received funding from FEMA to undertake collection and disposal of flood-damaged hazardous substances and petroleum products.

EPA requested that the North Dakota Department of Agriculture (NDDA) undertake collection and disposal of agriculture-based hazardous substances. The EPA recognized that the department had previous experience from conducting similar collections through Project Safe Send, had a network in place for communications and promotion, and had a contractor experienced in collection and disposal of flood damaged pesticides.

Project Safe Send (PSS), an unusable pesticide collection program, was authorized by the 1991 North Dakota legislature. The program is administered through NDDA and has an advisory board that includes Farm Bureau, Farmers Union, NDSU Extension Service, a

legislator, representatives of the pesticide industry and representatives from several other state agencies and organizations. These members have extensively promoted the program and were helpful in these special collections. The North Dakota Department of Health (NDDH), also represented on the board, provided personnel at several of the sites. In addition, the NDDH was very helpful in obtaining EPA identification numbers for all the collection sites in a timely manner.

GOALS AND OBJECTIVES

Project Safe Send's legislative authority is for the collection of waste, banned or unusable pesticides. In order to utilize the program to collect other hazardous substances, Gov. Edward Schafer authorized NDDA "to receive and administer these funds and contract for the collection of these materials" (see attachment 1). The department worked closely with the EPA staff to establish the framework for this emergency program.

The statement of work included four goals:

1. Provide a centralized point of contact, data base information, and communication network for the purposes of collection, transport, and disposal of damaged or unusable agricultural chemicals, as authorized by Disaster Declaration FEMA-1174-DR-ND. Agricultural chemicals which were damaged or otherwise unusable due to the effects of flooding, winter storms, spring rains, snowmelt, high winds, ice jams, and ground water saturation were eligible. Agricultural chemicals include pesticides, fertilizers, solvents,

paints, degreasers, household chemicals, and other hazardous substances. Obsolete, banned, or ineffective old chemicals were also included.

2. Provide public outreach, via county agents, to affected rural areas from the Agricultural Extension Service for purposes of organizing the collection of agricultural chemicals.
3. Provide for the preparation and distribution of media communiques, such as press releases, mail-outs, newspaper articles and fact sheets to publicize the collection transport, and disposal of damaged or unusable agricultural chemicals.
4. Provide for the physical collection, transport, and disposal of damaged or unusable agricultural chemicals.

To provide a centralized point of contact, the NDDA's "Agriculture Disaster Response Center" was utilized. Initially the center was created to assist ranchers with livestock carcass burial. The center was located within the department and had a widely advertised toll-free phone number. Up to seven personnel were available for telephone calls. The PSS advisory board helped advertise the program. The department's web page included information on the collections.

This information was linked to other pages related to flooding. One link was the NDSU Extension Service.

The department conducted a mailing to more than 6,200 certified private and commercial pesticide applicators in the North Dakota counties along the Red River Valley. Information on handling flood damaged pesticides and coping with floods was included.

All NDSU Extension Service offices in the affected counties disseminated information on the program. The agents and the state extension office provided radio and local program promotion and educated citizens about safety and cleanup procedures for flood-damaged pesticides.

The department's "paid advertisement" concentrated on radio and local newspapers. Additionally the department distributed a news release to all media in the state.

Four collection sites were selected at Wahpeton, Casselton, Grand Forks and Cavalier. The contractor was on site for two days at each site--Wahpeton, May 16 & 17; Casselton, May 19 & 20; Grand Forks and Cavalier, May 22 and 23. The table below shows the participation and gross pounds collected.

<u>LOCATION</u>	<u>PARTICIPANTS</u>	<u>POUNDS</u>
Wahpeton	34	2,626
Casselton	33	17,558
Grand Forks	32	52,872
<u>Cavalier</u>	<u>21</u>	<u>17,900</u>
Total	120	90,956

The department offered to do an on farm pickup service. Only one request was received in the Wahpeton area.

The department's contractor for these special collections was MSE Environmental, Inc., Camarillo, CA. MSE was responsible for labor, expertise, packing,

labeling, transporting and disposal of the wastes. All of the pesticides have been shipped to incinerators at ENSCO facilities in Arkansas and a small amount of 2,4,5-T was shipped to Laidlaw at their Coffeyville, Kansas facility. The paints, some empty containers and batteries have been recycled.

BUDGET

There was considerable uncertainty about the quantity of agricultural chemical wastes damaged by the spring flooding and how extensively farmers would participate. Also, the EPA had a contractor assigned to do collections in the urban areas. The budget for PSS, for agricultural waste and urban waste not collected by the EPA contractor, was estimated at \$312,000. The following table shows expenditures as of July 1997.

Salaries	\$4,266.88
Advertising	\$2,247.99
Travel	\$1,253.86
Postage	\$1,975.68
Contractor	\$182,145.30
Maps and plats	\$182.10
Telephone	\$25.05
<u>Misc.</u>	<u>\$480.74</u>
TOTAL	\$202,364.46

1998 PROJECT SAFE SEND SURVEY

1. How did you learn about the program?

Television ad	20
Local newspaper ads	130
Radio	74
Television story	4
Newspaper story	42
Extension agent	69
Poster – Cenex	25
Poster – local elevator	18
NDDA	4
Word of mouth	26
Other – Have used the service in the past • called extension agent • Gustafson representative • poster • magazine • REC • FSA • friend • Pesticide Quarterly • Park System • Terra Fertilizer • Farm Bureau magazine • Bulletin • Employer/chemical manager • DOT • Courthouse/Clerk of Court • Extension Service mailer • called NDDA • his dad • Sarah Vogel • Cenex.	

2. Should this program be continued?

Yes 321 No 1

3. What changes would you like to see in Project Safe Send?

Program works well • Send flyers to area businesses handling these chemicals • Keep it going • More collection sites • More advertising • Have a system to call those interested in disposing of chemicals • I almost missed you • Include paint cans • Williston paper – no directions to site • Collect old 5 gal pesticide cans • Glad it is available as is • Pick up more often • Be open until 4 • Great job • Maybe a post card reminder to licensed applicators • Maybe two times per year • A forklift would be handy • More advertisement over the net • Like to see a list of things that they take – paint, household products and other things • Take paint • Closer to Grafton • Take asbestos • Just heard about this, have to wait and see • Great program • This year local locations are ideal because of distance to pickup site • Move it to different cities each year, not so far to drive • More drop sites • More publicity on paint disposal • Signs on highway telling out-of-town people where to

find site • This is the first year Kaiser Ranch has participated • The collection site was convenient and advertising adequate • See them go from town to town more often • More convenient day and time • Can they buy stuff too? • Wanted to use program in past years but all the pre-delivery paperwork, etc, never got it done • More than one a year • Help keep it out of the water supply • Take everything a guys got in at least moderate quantities •

4. Should there be more or less advertising and promotion of Project safe Send?

More	130
Less	1
Same as this year	172

5. What is your business?

Farmer/rancher	181
Pesticide dealer	36
Pesticide applicator	15
Other (102) • Retired • Deliver pesticides • quit farming • seed treatment and packaging • Tribal Environmental Manager • Greenhouse owner/bookkeeper • lumber/retailer • a little bit of everything • extension agent • landowner • state government • county road superintendent • golf course • homeowner • displaced farmer • park maintenance superintendent • agronomist, writer • power plant • U.S. Air Force • University research • construction worker • elevator employee • N.D. State Hospital • U.S. Fish and Wildlife Service • Jamestown College • carpenter • Veterinary clinic • Department of Transportation • Hettinger Park District • truck driver • working man • pharmacist •	

6. What is your age group?

18-30	27
31-45	100
46-60	80
61-75	79
76 or older	31

Testimony for SB 2081
Dennis L. Johnson
North Dakota Farmer's Union

Chairman Nicholas and House Ag Committee:

*I am in support of SB 2081.

*Ag Dept. figures show a continued increase in pounds of chemical containers and pesticides being removed from the environment through this program.

*The Ag. Dept. administers the program in a manner that makes it very simple for farmers and others to remove these unused hazardous products from their property.

*Farmer's Union has a member on the Advisory board.

*One person working alone to dispose of these wastes legally would find it very difficult, but by Project Safe Sends collective program, many benefit.

*When these hazardous products leave the state environment, it becomes a win-win situation for the state and the farmer.

*I urge a "Do Pass" to continue this program.

*Are there any questions?

NORTH DAKOTA'S FIFTY-SIXTH LEGISLATIVE ASSEMBLY
Senate Agriculture Committee

1999

BILL NUMBER

SB # 2081

GENERAL BILL SUMMARY:

Senate bill provides for the continuation of Project Safesend and extend the expiration date of the program through July 31, 2001. Project Safesend is an agricultural pesticide and pesticide container disposal program. The purpose of the program is to collect and either recycle or dispose of unusable pesticides and unusable pesticide containers and promote proper pesticide container management.

No action taken.

Hearing Date: January 7, 1999.