

**Agriculture Commissioner
Budget No. 602
House Bill No. 1009, Senate Bill No. 2342**

	FTE Positions	General Fund	Other Funds	Total
2009-11 executive budget (bills as introduced)	70.50	\$6,934,306	\$13,867,630	\$20,801,936
2009-11 legislative appropriations	74.50	7,467,383	14,094,466	21,561,849
Legislative increase (decrease) to executive budget	4.00	\$533,077	\$226,836	\$759,913
Legislative increase (decrease) to 2007-09 appropriations	7.00	\$1,497,446	\$2,680,140	\$4,177,586

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2007-09 legislative appropriations	\$5,729,101	\$240,836 ¹	\$5,969,937
2009-11 legislative appropriations	7,467,383	0	7,467,383
2009-11 legislative increase (decrease) to 2007-09 appropriations	\$1,738,282	(\$240,836)	\$1,497,446
Percentage increase (decrease) to 2007-09 appropriations	30.3%	(100.0%)	25.1%
2009-11 legislative increase (decrease) to executive budget	\$533,077	\$0	\$533,077
Percentage increase (decrease) to executive budget	7.7%	N/A	7.7%

¹This amount includes a transfer of \$150,000 from the general fund to the environment and rangeland protection fund.

SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET AND MAJOR FUNDING ITEMS

Salaries and Wages

The legislative action affecting the recommended appropriation for the Agriculture Commissioner is in accordance with legislative salary and fringe benefits guidelines as contained in House Bill No. 1015.

	Major Items			
	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Removed funding added in the executive budget for state employee salary equity adjustments		(\$86,833)	(\$94,068)	(\$180,901)
Added grant funding for the Dairy Coalition		100,000		100,000
Added funding for Pride of Dakota activities			55,000	55,000
Added a new FTE meat inspector position to begin July 1, 2010	1.00	39,410	36,982	76,392

Added a new FTE field inspector position	1.00	155,000		155,000
Added a new FTE pesticide registration specialist position	1.00		140,000	140,000
Added funding for Project Safe Send to collect damaged chemicals and pesticides resulting from 2009 flooding			40,000	40,000
Added funding for wine industry promotion		50,000		50,000
Added funding for the weed seed free certification program			48,922	48,922
Added funding for testing and control of Johne's disease (This funding consists of \$30,000 provided in House Bill No. 1009 and \$245,500 provided in Senate Bill No. 2342.)		275,500		275,500
Authorized an additional FTE position to be used for the state meat inspection program if demand for the program requires an additional position. The agency must receive Emergency Commission approval prior to filling the position.	1.00			
Total	4.00	\$533,077	\$226,836	\$759,913

FTE Changes

The Legislative Assembly authorized 74.5 FTE positions for the 2009-11 biennium, an increase of 7 FTE positions from the 2007-09 biennium authorized level of 63.5 FTE positions and an increase of 4 FTE positions from the executive recommendation of 70.5 FTE positions. The Legislative Assembly did not change the executive budget recommendation to add a new FTE pesticide outreach position, a new FTE meat inspection position, and a new plant inspector position. The Legislative Assembly added an additional FTE meat inspection position to begin in July 2010, a new field inspector position, and a new pesticide registration specialist position. The Legislative Assembly also added an FTE meat inspector position without funding that may be funded and filled upon the agency receiving Emergency Commission approval.

Wildlife Services

The 2009-11 biennium appropriation includes \$1,067,400 for Wildlife Services, an increase of \$17,400 from the 2007-09 biennium appropriation of \$1,050,000. The 2009-11 appropriation includes \$298,600 from the general fund and \$768,800 from the game and fish fund.

Section 6 of House Bill No. 1009 provides for a Legislative Council study of the cooperative agreement between the Agriculture Commissioner and the United States Department of Agriculture Wildlife Services program.

Pesticide Registration Fees

Section 12 of House Bill No. 1009 amends North Dakota Century Code (NDCC) Section 19-18-04 to provide that all pesticide registration fees be deposited in the environment and rangeland protection fund rather than a portion in the general fund. During the 2007-09 biennium, \$50 of each pesticide registration fee was deposited in the general fund and the remaining \$300 of the fee was deposited in the environment and rangeland protection fund. The estimated effect of depositing the remaining \$50 of each pesticide registration fee in the environment and rangeland protection fund rather than the general fund is \$55,000 for the 2009-11 biennium.

Other Sections in House Bill No. 1009

Environment and rangeland protection fund - Section 2 authorizes \$3,888,578 from the environment and rangeland protection fund to be used for defraying the expenses of various Department of Agriculture programs.

Anhydrous ammonia storage inspection fund - Section 3 authorizes \$40,000 from the anhydrous ammonia storage inspection fund for the purpose of defraying the expenses of regulating anhydrous ammonia storage facilities.

Game and fish fund - Section 4 authorizes \$968,800 from the game and fish fund to the Department of Agriculture for Wildlife Services (\$768,800) and the State Board of Animal Health (\$200,000).

Livestock health permit inspection program - Section 7 requires the State Board of Animal Health to increase the number of health permit inspections on livestock entering the state and provide public information on the results of the inspections.

Additional office space - Section 8 requires the Department of Agriculture to obtain Budget Section approval prior to leasing additional office space for department purposes.

Project Safe Send - Section 9 provides that \$40,000 from the environment and rangeland protection fund appropriated for Project Safe Send be used to collect damaged pesticides resulting from 2009 flooding. An emergency clause was also added for the funding.

Pride of Dakota fees - Section 10 amends NDCC Section 4-01-19 to provide that revenue generated by the Pride of Dakota program be deposited in the Department of Agriculture operating fund rather than the general fund. The estimated fiscal effect of this change is \$55,000 for the 2009-11 biennium.

Agriculture Commissioner salary - Section 11 provides statutory changes to NDCC Section 4-01-21 relating to the salary of the Agriculture Commissioner. The salary is to be increased from the current level of \$81,743 to \$85,830 on July 1, 2009, and to \$90,122 on July 1, 2010.

Related Legislation

House Bill No. 1270 - This bill provides for the implementation of a **weed seed free certification program** by the Department of Agriculture and provides a continuing appropriation.

Senate Bill No. 2342 - This bill appropriates \$245,500 from the general fund to the Agriculture Commissioner to disburse to livestock producers participating in the North Dakota voluntary **Johne's disease** herd status program to defray expenses incurred in the testing and control of Johne's disease in livestock and to provide for the education of producers and veterinarians concerning the testing and control of Johne's disease.