

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2009

That the House recede from its amendments as printed on pages 1063-1067 of the Senate Journal and pages 1169-1173 of the House Journal and that Engrossed Senate Bill No. 2009 be amended as follows:

Page 1, line 2, replace "19-18-04" with "4-37-02"

Page 1, line 3, replace "pesticide registration" with "to the agriculture in the classroom council"

Page 1, line 4, remove "fees" and replace "and to provide an effective date" with "to provide for a legislative council study; to provide for a performance audit; to provide for a report to the budget section; and to declare an emergency"

Page 1, line 23, replace "1,196,923" with "1,209,097"

Page 1, line 24, replace "1,442,058" with "458,508"

Page 2, line 1, replace "150,000" with "75,000"

Page 2, line 4, replace "200,000" with "1,050,000"

Page 2, remove line 5

Page 2, line 6, replace "3,147,656" with "2,926,280"

Page 2, line 7, replace "1,604,602" with "1,746,439"

Page 2, line 8, replace "1,543,054" with "1,179,841"

Page 2, line 14, replace "6,980,440" with "6,992,614"

Page 2, line 15, replace "5,697,933" with "4,714,383"

Page 2, line 17, replace "1,924,225" with "1,849,225"

Page 2, line 19, replace "200,000" with "1,050,000"

Page 2, line 20, replace "50,000" with "25,000"

Page 2, line 21, replace "17,157,300" with "16,935,924"

Page 2, line 22, replace "11,091,134" with "11,232,971"

Page 2, line 23, replace "6,066,166" with "5,702,953"

Page 2, line 26, replace "\$3,042,109" with "\$3,142,109"

Page 3, line 4, replace "\$889,684" with "\$1,019,684"

Page 3, line 8, replace "\$318,138" with "\$259,000"

Page 3, after line 10, insert:

"SECTION 8. TRANSFER - APPROPRIATION. The office of management and budget shall transfer \$150,000 from the general fund to the environment and rangeland protection fund during the period beginning July 1, 2007, and ending June 30, 2009.

SECTION 9. TRANSFER - APPROPRIATION. The North Dakota state university extension service shall provide \$50,000 from the pesticide enforcement fund to the agriculture commissioner for deposit in the environment and rangeland protection fund for the endangered species program during the period beginning July 1, 2007, and ending June 30, 2009.

SECTION 10. INTENT - EMERGENCY COMMISSION REQUEST. The agriculture commissioner may request from the emergency commission additional full-time equivalent positions for the state meat inspection program if demand for the program increases sufficient to require the positions during the period beginning July 1, 2007, and ending June 30, 2009."

Page 3, after line 12, insert:

"SECTION 12. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY. The general fund appropriation in Senate Bill No. 2338 includes \$90,836 for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The agriculture commissioner shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Animal tracking data base	\$90,836
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SECTION 13. SPECIAL REVENUE - REPORT TO BUDGET SECTION. All revenues from inspection and grading services provided by state meat inspectors and graders must be allocated to the state meat inspection program. The agriculture commissioner shall report annually to the budget section regarding the revenues and expenditures for the state meat inspection program.

SECTION 14. ENDANGERED SPECIES PROGRAM - REPORT TO BUDGET SECTION. The agriculture commissioner shall report annually to the budget section regarding the status of the endangered species program.

SECTION 15. LEGISLATIVE COUNCIL STUDY - TRANSFER OF PROGRAM. The legislative council shall consider studying, during the 2007-08 interim, the transfer of predator control from the agriculture commissioner to the game and fish department. The study should include a review of the South Dakota predator control program. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

SECTION 16. PERFORMANCE AUDIT - WILDLIFE SERVICES. The state auditor shall conduct a performance audit of the services provided pursuant to the cooperative agreement between the agriculture commissioner and the United States department of agriculture wildlife services during the biennium beginning July 1, 2007, and ending June 30, 2009. The performance audit must include a review of all funding sources, including grants from the agriculture commissioner, game and fish funds, and federal funds, for the wildlife damage management program in North Dakota for the 2003-05, 2005-07, and 2007-09 bienniums. The results of the performance audit must

be presented to the legislative audit and fiscal review committee and filed with the appropriations committees during the sixty-first legislative assembly."

Page 3, replace lines 19 through 31 with:

"SECTION 18. AMENDMENT. Section 4-37-02 of the North Dakota Century Code is amended and reenacted as follows:

4-37-02. Agriculture in the classroom council. An agriculture in the classroom council is established. The council consists of sixteen members to be appointed by the agriculture commissioner. One member must be the agriculture commissioner or the commissioner's designee, and one member must be the superintendent of public instruction or the superintendent's designee. Agriculture in the classroom grant recipients are nonvoting members of the council.

SECTION 19. EMERGENCY. The sum of \$130,000 included in the wildlife services line item in section 3 of this Act is declared to be an emergency measure."

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 19

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2009 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Office of Management and Budget						
Total all funds	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0
Less estimated income						
General fund	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0
Department of Agriculture						
Total all funds	\$16,309,662	\$17,157,300	(\$221,376)	\$16,935,924	\$16,829,686	\$106,238
Less estimated income	10,878,945	11,091,134	141,837	11,232,971	11,064,913	168,058
General fund	\$5,430,717	\$6,066,166	(\$363,213)	\$5,702,953	\$5,764,773	(\$61,820)
Bill Total						
Total all funds	\$16,309,662	\$17,157,300	(\$71,376)	\$17,085,924	\$16,979,686	\$106,238
Less estimated income	10,878,945	11,091,134	141,837	11,232,971	11,064,913	168,058
General fund	\$5,430,717	\$6,066,166	(\$213,213)	\$5,852,953	\$5,914,773	(\$61,820)

Senate Bill No. 2009 - Office of Management and Budget - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Transfer to the EARP fund			\$150,000	\$150,000	\$150,000	
Total all funds	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0
Less estimated income						
General fund	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of Conference Committee Changes

	TRANSFER TO THE EARP FUND ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Transfer to the EARP fund	\$150,000	\$150,000
Total all funds	\$150,000	\$150,000
Less estimated income		
General fund	\$150,000	\$150,000
FTE	0.00	0.00

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

Senate Bill No. 2009 - Department of Agriculture - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$6,662,302	\$6,980,440	\$12,174	\$6,992,614	\$6,799,926	\$192,688
Operating expenses	5,518,433	5,697,933	(983,550)	4,714,383	5,650,833	(936,450)
Capital assets	5,000	5,000		5,000	5,000	
Grants	1,774,225	1,924,225	(75,000)	1,849,225	1,849,225	
Board of Animal Health	2,299,702	2,299,702		2,299,702	2,299,702	
Crop Harmonization Board	50,000	50,000	(25,000)	25,000	25,000	
Wildlife Services		200,000	850,000	1,050,000	200,000	850,000
Total all funds	\$16,309,662	\$17,157,300	(\$221,376)	\$16,935,924	\$16,829,686	\$106,238
Less estimated income	10,878,945	11,091,134	141,837	11,232,971	11,064,913	168,058
General fund	\$5,430,717	\$6,066,166	(\$363,213)	\$5,702,953	\$5,764,773	(\$61,820)
FTE	67.00	67.00	0.50	67.50	66.00	1.50

Dept. 602 - Department of Agriculture - Detail of Conference Committee Changes

	REDUCES SALARY EQUITY FUNDING ¹	REDUCES FUNDING FOR MOTOR POOL EXPENSES ²	REDUCES FUNDING FOR DAIRY COALITION GRANT ³	REMOVES FUNDING FOR 1 MEAT INSPECTION FTE POSITION ⁴	ENDANGERED SPECIES PROGRAM ⁵	REDUCES FUNDING SUPPORT FROM THE EARP FUND ⁶
Salaries and wages	(\$59,138)			(\$83,688)	\$155,000	
Operating expenses		(\$25,000)		(48,550)	95,000	(\$75,000)
Capital assets						
Grants			(\$75,000)			
Board of Animal Health						
Crop Harmonization Board						(25,000)
Wildlife Services						
Total all funds	(\$59,138)	(\$25,000)	(\$75,000)	(\$132,238)	\$250,000	(\$100,000)
Less estimated income	24,689			63,474	200,000	100,000
General fund	(\$34,449)	(\$25,000)	(\$75,000)	(\$68,764)	\$50,000	\$0
FTE	0.00	0.00	0.00	(1.00)	1.50	0.00

	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES ⁷	MOVES WILDLIFE SERVICES FUNDING FROM OPERATING LINE TO WILDLIFE SERVICES LINE ⁸	REMOVES WILDLIFE SERVICES FROM OPERATING LINE ⁹	REDUCES FUNDING FOR WILDLIFE SERVICES ¹⁰	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages					\$12,174
Operating expenses			(\$930,000)		(983,550)
Capital assets					
Grants					(75,000)
Board of Animal Health					(25,000)
Crop Harmonization Board					850,000
Wildlife Services		\$930,000		(\$80,000)	850,000
Total all funds	\$0	\$930,000	(\$930,000)	(\$80,000)	(\$221,376)
Less estimated income	130,000	680,000	680,000		141,837
General fund	(\$130,000)	\$250,000	(\$250,000)	(\$80,000)	(\$363,213)
FTE	0.00	0.00	0.00	0.00	0.50

¹ This amendment reduces the salary equity funding added by the Senate from \$318,138 to \$259,000.

- 2 This amendment reduces funding for motor pool expenses by \$25,000. The House reduced motor pool operating expenses by \$50,000.
- 3 This amendment reduces the grant to the North Dakota Dairy Coalition added by the Senate from \$150,000 to \$75,000.
- 4 This amendment removes funding for salary and operating funds for 1 FTE position included in the executive budget for the state meat inspection program. The House removed 2 FTE positions. The conference committee did not remove a position that is to be a half-time inspector and half-time grader.
- 5 This amendment provides funding of \$200,000 from the environment and rangeland protection fund and \$50,000 from the general fund for an endangered species program, including 1.5 FTE positions and operating expenses.
- 6 This amendment reduces funding from the environment and rangeland protection fund for SafeSend (\$25,000), crop harmonization (\$25,000), and farmer's market (\$50,000), the same as the House version.
- 7 This amendment changes the funding source from the general fund to the game and fish fund for Wildlife Services for a total of \$240,000 from the general fund and \$810,000 from the game and fish fund.
- 8 This amendment moves the funding for Wildlife Services from the operating line item to the Wildlife Services line item.
- 9 This amendment removes funding for Wildlife Services from the operating line item.
- 10 This amendment reduces general fund support for Wildlife Services by \$80,000, to \$240,000.

Adds a section of legislative intent allowing the department to request from the Emergency Commission additional FTE positions for the meat inspection program if demands increase during the 2007-09 biennium.

Provides an emergency of \$130,000 for Wildlife Services funding.

A section is added identifying one-time funding for the Agriculture Commissioner and providing for a report to the 61st Legislative Assembly on the agency's use of the one-time funding.

A section is added providing for a transfer of \$50,000 from the North Dakota State University Extension Service to the environment and rangeland protection fund.

A section is added to amend Section 4-37-02 of the North Dakota Century Code relating to the membership of the Agriculture in the Classroom Council.

A section is added to provide legislative intent that all special fund revenues from inspection and grading services provided by the state meat inspectors and graders be allocated to the state meat inspection program and to provide for an annual report to the Budget Section regarding the state meat inspection program.

A section is added to provide for a Legislative Council study in the 2007-09 biennium relating to transferring predator control services from the Agriculture Commissioner to the Game and Fish Department.

A section is added requiring the commissioner to report annually to the Budget Section on the status of the endangered species program.

A section is added requiring a performance audit of all funding sources related to the cooperative agreement between Wildlife Services and the Agriculture Commissioner.