

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2110

2001 SENATE AGRICULTURE

SB 2110

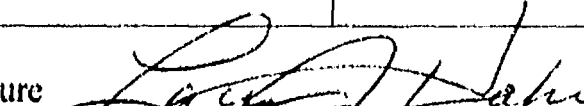
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2110

Senate Agriculture Committee

Conference Committee

Hearing Date January 19, 2001

Tape Number	Side A	Side B	Meter #
1	X		0.0 - 29.2
2	X		5.6 - 10.5
Committee Clerk Signature 			

Minutes:

The hearing opened on SB 2110.

SENATOR WANZEK introduced the bill. I am fully aware of this program and the good it has done in the past and the fact that it is a positive proactive approach to dealing with the environment and issues of concern in pesticide container disposal. Without this program many people are not sure where, and how to go about the disposal of pesticide containers. This program give them the opportunity to dispose of pesticide containers. I support this bill because it is a positive program and service for the citizens of our state.

SENATOR KLEIN, How is this program funded?

SENATOR WANZEK, All of it comes out of the EARP Fund, which funded by registration fees that product registrant pay in for pesticides that they register within our state.

REP. AARSVOLD, testified in favor of this bill. See attached testimony.

JUDY CARLSON, testified in favor of this bill. See attached testimony.

SENATOR KLEIN, Why do we continuously hear this bill every session?

JUDY CARLSON, Products are continuously being ban and changes in our farm environment, such as chemicals.

SENATOR NICHOLS, How are abandoned farms dealt with?

JUDY CARLSON, If we are aware of the situation we can do farm pickup.

BRIAN KRAMER, North Dakota Farm Bureau, testified in favor of this bill. If we get rid of this program the products will not be disposed of properly.

SENATOR KLEIN, Is a person liable for the products they drop off and can their farm be inspected?

BRIAN KRAMER, There are no questions asked.

MIKE DONAHUE, testified in favor of this bill.

BILL PFEIFER, North Dakota Chapter Wildlife Society, testified in favor of this bill. See attached testimony.

GARY KNUTSON, North Dakota Agricultural Association, testified in favor of this bill.

RICHARD SCHLOSSER, North Dakota Farmers Union, testified in favor of this bill.

The hearing was closed.

SENATOR KLIEN motioned for DO PASS on SB 2110. SENATOR URLACHER seconded the motion. Roll call vote carried: 6 Yeas, 0 No, 0 Absent and Not Voting. SENATOR URLACHER will carried the bill.

FISCAL NOTE
 Requested by Legislative Council
 12/26/2000

Bill/Resolution No.: SB 2110

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$599,369	\$0	\$0
Appropriations	\$0	\$0	\$0	\$599,396	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

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

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Expenditures are for contracting with a hazardous waste disposal company to transport and dispose of the unusable pesticides, including 0.5 FTE to coordinate and administer the activities of this program.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for*

expenditures and appropriations.

The funds are appropriated from the Environment and Rangeland Protection Fund. The appropriation is included in the executive recommendation in the Safesend line of the Agriculture Commissioner budget--HB1009.

Name:	Jeff Weispenning	Agency:	Agriculture, Department of
Phone Number:	328-4758	Date Prepared:	12/28/2000

Date: Jan. 19
Roll Call Vote #:

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2110

Senate Agriculture Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By Senator Klein Seconded By Senator Urlacher

Senators	Yes	No	Senators	Yes	No
Senator Wanzek - Chairman	✓		Senator Kroeplin	✓	
Senator Erbele - Vice Chairman	✓		Senator Nichols	✓	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Urlacher

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

REPORT OF STANDING COMMITTEE (410)
January 19, 2001 1:00 p.m.

Module No: SR-09-1301
Carrier: Urlacher
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2110: Agriculture Committee (Sen. Wanzek, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2110 was placed on the
Eleventh order on the calendar.

2001 HOUSE AGRICULTURE

SB 2110

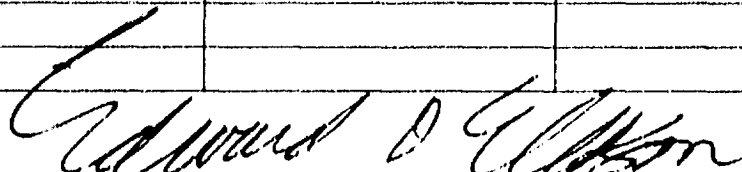
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2110

House Agriculture Committee

Conference Committee

Hearing Date 3--2--01

Tape Number	Side A	Side B	Meter #
ONE	A		00 TO 3624
Committee Clerk Signature 			

Minutes:

CHAIRMAN NICHOLAS: Committee Member, we will open the hearing on SB 2110.

Sen. Wanzek, I will call on you,

SEN. WANZEK: This Bill has been a good program. It addresses many peoples concerns.

I have no testimony prepared for SB 2110. It addresses health concerns, environmental concerns, farmers concerns and even house wife's concerns, who might have an old can of cleaning solvent where it would be prudent or wisely disposed of. I'll save all the details for other that are going to testify.

CHAIRMAN NICHOLAS: Any Questions?

REPRESENTATIVE AARSVOLD: Printed testimony. Please see. I would respond to questions:

REPRESENTATIVE BERG: Mr. Chairman, two things, when we first put this in place, the intent was kind of a hold harmless for everyone that has been stock piling chemicals. There

would be a window where they could bring them all in and clean it up and from that point on we would move forward. This has kind of evolved every two years and again I think two things. One..... To make it clear the majority of this revenue comes from household products. Not farm chemicals. The taxation. It would seem to me that rather than just renewing this program year after year it might be more efficient to look at most rural areas served by some sort of municipal waste. We could tie what we want to accomplish here more into the private sector, if they are having problems of disposing of some of these chemicals. I think we should be somewhere else long term. I don't know whether you want to respond to that.

REPRESENTATIVE AARSVOLD: I think that this will be an ongoing program in terms of need. With the new chemicals that come to the market almost on a daily basis are replacing chemicals that are not effective. Those chemicals then become potential hazards for disposal. In terms of the structure for establishing collection points, I think that is necessary in terms of liability. Typically those are at sights across the state where we can concentrate the potential hazards, potential liability into fewer sights opposed to having multiple sights in other parts of the state.

REPRESENTATIVE BERG: My point is this. You live on a farm. You have someone that comes and picks up garbage.

REPRESENTATIVE AARSVOLD: I don't, I take my garbage to a dumpsite in the township.

REPRESENTATIVE BERG: If at that dumpsite, there were a smaller dumpsite for the products that would fit hazardous chemical. Would not that be a better way to collect it?

I am thinking of the big picture.

REPRESENTATIVE AARSVOLD: Responding very briefly. I think there is a potential hazard for not only for me as a contributor to those sights but to a township who might sponsor that dumpsite or city where that dumpsite might be located. We are far better off having fewer sights. Having those collected by a special vehicle.

CHAIRMAN NICHOLAS: Any more questions committee members? Thank you Rep. Aarsvold.

We will take additional testimony in support of 2110.

JUDY CARLSON: I am Judy Carlson, the Project Safe Send Coordinator for the Department of Agriculture. Printed testimony follows, please see attachments.

CHAIRMAN NICHOLAS: Any questions committee members? THERE IS LIABILITY.

REPRESENTATIVE MUELLER: Judy, you make a statement here in your testimony. Regard to the number of pounds. Has that poundage gone up or down. What has been the general trend?

JUDY: Representative Mueller, what we find is if we do more advertising, the number of participants increases. We have to make the dumpsites convent or they just will not bring it in. The poundage has gone up. We have tables showing the increase. We like to have a sight every 50 miles.

REPRESENTATIVE JOHNSON: Judy, at your collection points your numbers. Like Larimore, the participant is over 1000 pounds. Are people bring truck loads in?

JUDY: At the Larimore sight one potato farmer, a large potato farmer, cleaned up a farm stead and they had three truck loads of ugly stuff. We do accept some waste from businesses.

REPRESENTATIVE ONSTAD: It is always a concern when you have that unmanned dumpsite. Who is liable if someone throws a five gallons into a dumpsite. Or garbage sack? Who is liable? The garbage truck comes and gets it. Who is liable. If it ends up in the waste. The person because he took the garbage.

JUDY: Under federal law there is a cradle to grave liability. Who ever owned the land, who is responsible. If you can track back, it is difficult. Picker uppers repackage the waste. We have a bid contractor for garbage pick ups. They do the loading, unloading, packaging, inventory of the pesticides.

BERG: Judy, my concern is how do we make it more convenient? Some of these people do have financial liability. They created the waste. It should not be for someone else to pay for. If I am in a business that creates hazardous waste, I should take care of it, that is part of the cost of doing business. JUDY Some of the people that are using this is probably not what we intended.

WE used to only accept waste from farmers. Some of the same people that we were not accepting waste from are the same people that are paying into it. They would be double charged. We have talked about this.

REPRESENTATIVE BERG: We just have not got the job done.

JUDY: I could tell you that even if you gave us 2 or 3 million this biennium, we could have continued collections in 50 places all over the state and say this is it. I am not sure that human nature, I'm not sure it would work.

CHAIRMAN NICHOLAS: There are chemicals now. An example is the chemical that we are using now ROVANT, for killing bugs in grain now, the EPA is going to pull that off by 2003

