

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2182

Introduced by

Senators Wanzek, Tomac

Representatives D. Johnson, Renner

1 A BILL for an Act to amend and reenact sections 6-09.10-03 and 6-09.10-10 of the North
2 Dakota Century Code, relating to extension of the expiration date of the agricultural mediation
3 service; to repeal sections 6-09.10-08.1, 6-09.10-08.2, 6-09.10-08.3, 6-09.10-08.4,
4 6-09.10-08.5, and 6-09.10-08.6 of the North Dakota Century Code, relating to legal and tax
5 assistance for farmers and small businesses; and to declare an emergency.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Section 6-09.10-03 of the 1995 Supplement to the North
8 Dakota Century Code is amended and reenacted as follows:

9 **6-09.10-03. North Dakota agricultural mediation service - Powers - Compensation**
10 **and expenses - Fees.** The board shall meet at the call of the chair, as is necessary to fulfill its
11 duties under this chapter. The department of agriculture shall administer the agricultural
12 mediation service. The commissioner of agriculture shall establish an agricultural mediation
13 service to disseminate information to farmers concerning farm credit problems and to provide
14 assistance to seek to resolve farm credit problems. The commissioner shall appoint an
15 administrator of the agricultural mediation service. The commissioner shall hire staff,
16 negotiators, and mediators who may mediate disputes involving farmers and others, either of
17 whom may request assistance. The board may charge the farmer and others a reasonable fee
18 for any assistance provided, such funds to be used to continue the service until June 30, ~~1997~~
19 1999. Fees charged to the farmer's creditors are limited to twenty-five dollars per hour, each,
20 for the time spent in mediation sessions. The board shall adopt policies governing the
21 negotiators, staff, and mediators hired under this section. Board members are entitled to
22 receive sixty-five dollars for each day of official service, as directed by the board. The board
23 members are entitled to expenses as provided in sections 44-08-04 and 54-06-09. The

1 expenses provided under this section may be paid from any funds available in the home-quarter
2 purchase fund.

3 **SECTION 2. AMENDMENT.** Section 6-09.10-10 of the 1995 Supplement to the North
4 Dakota Century Code is amended and reenacted as follows:

5 **6-09.10-10. Mediation - Open records and meetings exception.** Information
6 created, collected, and maintained by the agricultural mediation service in the course of any
7 formal or informal mediation is confidential and is not subject to the open records requirements
8 of section 44-04-18. Such information may be released only upon written consent of all parties
9 to the mediation or pursuant to an order issued by the court upon a showing of good cause. All
10 mediation meetings and meetings involving the board, staff, negotiators, or mediators wherein
11 the finances of specific farmers, creditors, and others are discussed, are confidential, closed
12 meetings and are not subject to the open meetings requirements of section 44-04-19.

13 **SECTION 3. REPEAL.** Sections 6-09.10-08.1, 6-09.10-08.2, 6-09.10-08.3,
14 6-09.10-08.4, and 6-09.10-08.6 of the North Dakota Century Code and section 6-09.10-08.5 of
15 the 1995 Supplement to the North Dakota Century Code are repealed.

16 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.