

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE BILL NO. 1258
(Representatives Monson, Kerzman, Nelson, Nicholas)
(Senators Krauter, Wanzek)

AN ACT to create and enact a new section to chapter 4-10.2 of the North Dakota Century Code, relating to canola districts; to amend and reenact section 4-10.2-03 of the North Dakota Century Code, relating to membership of the oilseed council; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4-10.2-03 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.2-03. North Dakota oilseed council - Membership - Election - Term.

1. The North Dakota oilseed council is composed of ~~one~~:
 - a. One participating sunflower grower elected from each of the districts established in section 4-10.2-04, ~~one~~;
 - b. One participating canola grower elected from each of the districts established in section 2 of this Act;
 - c. One participating safflower grower appointed by the governor, ~~one~~;
 - d. One participating crambe grower appointed by the governor, ~~one participating rapeseed or canola grower appointed by the governor, one~~;
 - e. One participating flax grower appointed by the governor, ~~one~~;
 - f. One member appointed by the director of the agricultural experiment station.
2. The chairman of the council must be a member of the council elected by a majority vote of the council. The commissioner is an ex officio member of the council.
3.
 - a. Every elected and appointed council member must be a citizen of the state.
 - b. ~~Every~~ The elected member who is a sunflower grower must be a bona fide resident of and participating sunflower grower in the district the member represents.
 - c. The elected member who is a canola grower must be a bona fide resident of and participating canola grower in the district the member represents.
4.
 - a. The term of each elected member who is a sunflower grower is three years and begins on April first of the year of election, except that initially two members must be elected for a three-year term; two members must be elected for a two-year term; and two members must be elected for a one-year term as designated by the commissioner.
 - b. The term of each elected member who is a canola grower is three years and begins on April first of the year of election, except that initially one member must be elected for a three-year term; one member must be elected for a two-year term; and one member must be elected for a one-year term as designated by the commissioner.

- c. The term of the ~~representative for~~ elected member who is a sunflower grower from district seven must coincide with the term of the ~~representative for~~ elected member who is a sunflower grower from district six.
 - d. The term of each appointed member is three years and begins on April first of the year of the appointment, ~~except that initially.~~ Initially, the ~~flax grower~~ term of the member who is a flax grower must be appointed for ~~a three-year term~~ three years, the term of the member ~~designated~~ appointed by the director of the agricultural experiment station must be for two years, and the term of the member who is a safflower grower ~~member~~ must be appointed for ~~a two-year term, and the rapeseed or canola grower must be appointed for a one-year term~~ two years.
5. If at any time during a member's term the member ceases to possess any of the qualifications provided for in this chapter, the member's office is deemed vacant and the remaining members of the council shall appoint another qualified participating grower for the remainder of the vacated term ~~of the office vacated~~.
6. The commissioner, or a county agent designated by the commissioner, in cooperation with the North Dakota state university extension service, shall conduct ~~all~~ elections under this section in each district in the manner the commissioner ~~deems~~ determines fair and reasonable. All elections must be conducted before April first of each year.
7. No elected or appointed member of the council is eligible to serve more than ~~three~~ four consecutive three-year terms.

SECTION 2. A new section to chapter 4-10.2 of the North Dakota Century Code is created and enacted as follows:

Canola districts. The following canola districts are established:

- 1. District one consists of the counties of Golden Valley, Billings, Stark, Morton, Slope, Hettinger, Grant, Bowman, Adams, Sioux, Dunn, McKenzie, Mercer, Oliver, Divide, Burke, Williams, Mountrail, Renville, Ward, and McLean.
- 2. District two consists of the counties of Bottineau, Rolette, Pierce, Sheridan, Wells, Eddy, Foster, Burleigh, Kidder, Benson, Stutsman, McIntosh, Emmons, Logan, McHenry, LaMoure, and Dickey.
- 3. District three consists of the counties of Cavalier, Pembina, Ramsey, Towner, Walsh, Nelson, Grand Forks, Griggs, Steele, Traill, Barnes, Cass, Ransom, Richland, and Sargent.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1258 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 94 Nays 0 Absent 4

Speaker of the House

Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 43 Nays 0 Absent 6

President of the Senate

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,
at _____ o'clock _____ M.

Secretary of State