

Fifty-ninth  
Legislative Assembly  
of North Dakota

## REENGROSSED SENATE BILL NO. 2270

Introduced by

Senators Trenbeath, Espegard, Nething

Representatives Kingsbury, Nelson

1 A BILL for an Act to create and enact section 4-14.1-07.1 of the North Dakota Century Code,  
2 relating to ethanol plant production incentives; to amend and reenact section 4-14.1-10 of the  
3 North Dakota Century Code, relating to the ethanol production incentive fund; and to provide a  
4 continuing appropriation.

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

6 **SECTION 1.** Section 4-14.1-07.1 of the North Dakota Century Code is created and  
7 enacted as follows:

8 **4-14.1-07.1. Ethanol production incentives - Payments for increased production.**

9 If an ethanol plant that was in operation in this state before July 1, 1995, increases its  
10 production by the lesser of ten million gallons [37854000 liters] or fifty percent of its production  
11 capacity during any twelve-month period beginning on or after the effective date of this Act, that  
12 plant is eligible to receive ethanol production incentive payments under section 4-14.1-08 on its  
13 increased production.

14 **SECTION 2. AMENDMENT.** Section 4-14.1-10 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **4-14.1-10. Ethanol production incentive fund - Continuing appropriation.** There is  
17 created in the state treasury a special fund known as the ethanol production incentive fund.  
18 The fund consists of transfers made in accordance with section 39-04-39 and deposits made in  
19 accordance with section 57-43.1-03.1. All moneys in the fund are appropriated on a continuing  
20 basis to the agricultural products utilization commission for use in paying ethanol production  
21 incentives under sections ~~4-14.1-07~~ 4-14.1-07.1, 4-14.1-08, and 4-14.1-09.