

Sixtieth
Legislative Assembly
of North Dakota

Introduced by

Representatives D. Johnson, DeKrey

Senator Wanzek

1 A concurrent resolution directing the Legislative Council to study the feasibility and desirability
2 of addressing the current imbalance in the funding and governance of the North Dakota State
3 Potato Council and of eliminating refunds from the potato assessment law.

4 **WHEREAS**, the North Dakota Potato Industry Promotion Act was enacted in 1967 with
5 the specific intent of dividing the state into five districts containing "as nearly equal potato
6 acreage as practicable" with one participating potato grower elected from each district; and

7 **WHEREAS**, the potato districts have remained geographically unchanged since 1976,
8 with potato districts 1 through 4 consisting of six counties and district 5 consisting of the
9 remaining 47 counties; and

10 **WHEREAS**, currently the majority of North Dakota potato production occurs within the
11 47 counties of district 5; and

12 **WHEREAS**, North Dakota potato growers pay three cents for each 100-pound bag of
13 potatoes they produce; and

14 **WHEREAS**, the dollars collected through the potato assessment support the research,
15 development, advertising, marketing, education, and promotion of potatoes and the potato
16 industry; and

17 **WHEREAS**, all potato farmers benefit from efforts that are funded by the potato
18 assessment; and

19 **WHEREAS**, North Dakota is the only major potato-producing state that has a refund
20 provision in its potato assessment law; and

21 **WHEREAS**, some growers believe that the refund provision should be retained
22 because it is the only way they can make a meaningful statement about the manner in which
23 and the purpose for which their assessment dollars are expended;

24 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
25 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

1 That the Legislative Council study the feasibility and desirability of eliminating refunds
2 from the potato assessment law, including the effect eliminating refunds would have on the
3 potato industry in this state and on efforts to promote potatoes, and the effect eliminating
4 refunds of potato assessments might have with respect to the checkoff provisions of other
5 commodities; and

6 **BE IT FURTHER RESOLVED**, that the Legislative Council study the feasibility and
7 desirability of addressing the current imbalance of representation in and funding of the North
8 Dakota State Potato Council and the expenditure of checkoff funds by the council and the
9 associations supported by potato checkoff funds; and

10 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
11 recommendations, together with any legislation required to implement the recommendations, to
12 the Sixty-first Legislative Assembly.