

**Sixtieth Legislative Assembly of North Dakota
In Regular Session Commencing Wednesday, January 3, 2007**

HOUSE CONCURRENT RESOLUTION NO. 3034
(Representatives D. Johnson, DeKrey)
(Senator Wanzek)

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

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

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

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

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

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

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

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

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

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

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

Filed in this office this _____ day of _____, 2007,
at _____ o'clock _____ M.

Secretary of State