

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2222

Introduced by

Senators Flakoll, Bowman, Heckaman

Representatives D. Johnson, Boe, Brandenburg

1 A BILL for an Act relating to the development of crop insurance proposals; and to provide an
2 appropriation.

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

4 **SECTION 1.**

5 **Crop insurance development board - Membership - Terms.**

6 1. The crop insurance development board consists of:

7 a. The governor or the governor's designee;

8 b. The agriculture commissioner or the commissioner's designee;

9 ~~e. One individual appointed by the senate majority leader;~~

10 ~~d. One individual appointed by the house majority leader;~~

11 c. Three legislators appointed by the chairman of the legislative management,
12 provided that two are members of the same party that holds a majority in the
13 senate and one is a member of the minority party;

14 ~~e.d.~~ One individual representing an agricultural organization in this state, appointed
15 by the governor;

16 ~~f.e.~~ One individual representing an agricultural organization in this state, appointed
17 by the agriculture commissioner; and

18 ~~g.f.~~ One individual involved in the crop insurance industry, appointed by the
19 agriculture commissioner.

20 2. The term of each appointed member is two years and begins on July 1, 2011.

21 3. An appointed member may serve consecutive terms.

22 4. If at any time a member ceases to possess any of the qualifications required by this
23 section or otherwise terminates the appointment, the member's office is deemed
24 vacant and must be filled in the same manner as the original appointment.

1 **SECTION 2.**

2 **Crop insurance development board - Chairman.**

- 3 1. Biennially, the crop insurance development board shall elect one member to serve as
4 the chairman. The chairman's term begins July 1, 2011. The chairman may serve
5 consecutive terms.
- 6 2. The chairman shall call all meetings of the board.
- 7 3. The board shall meet as often as necessary to fulfill its duties under section 4 of this
8 Act.

9 **SECTION 3.**

10 **Crop insurance development board - Compensation of board members.**

11 Each member of the crop insurance development board is entitled to receive compensation
12 in the amount established by the board but not exceeding one hundred thirty-five dollars per
13 day plus reimbursement for expenses as provided by law for state officers if the member is
14 attending meetings or performing duties directed by the board.

15 **SECTION 4.**

16 **Crop insurance development board - Duties.**

17 The crop insurance development board shall review and evaluate proposals submitted by
18 individuals and by public and nonpublic entities pertaining to the development and
19 implementation of crop insurance instruments. The board shall assess the feasibility and
20 desirability of the proposals. For those proposals that the board determines viable, the board
21 may award grants to assist with future actuarial and development costs. Grants may be
22 awarded for up to seventy-five percent of the first fifty thousand dollars and up to fifty percent
23 thereafter of the future actuarial and development costs. The board shall establish conditions
24 pertaining to the awarding of grants, including the repayment of some or all of the grants with
25 moneys received by the applicant from the federal crop insurance corporation for continued
26 development of the proposal. The board shall forward any moneys received as repayments
27 under this section to the state treasurer for deposit in the general fund.

28 **SECTION 5.**

29 **Access to board records.**

30 Materials and data submitted to, or made or received by, the board, to the extent that the
31 board determines the materials or data consist of trade secrets or commercial, financial, or

1 proprietary information of individuals or entities applying to or contracting with the board or
2 receiving board services under this chapter are subject to section 44-04-18.4. The names or
3 identities of the independent technical reviewers on any project or program are confidential and
4 may not be disclosed by the board.

5 **SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the
6 ~~general~~agricultural fuel tax fund administered by the agricultural products utilization commission
7 in the state treasury, not otherwise appropriated, the sum of ~~\$1,000,000~~\$400,000, or so much of
8 the sum as may be necessary, to the governor for the purpose of providing grants to public and
9 nonpublic entities pursuing the development and implementation of crop insurance instruments,
10 for the biennium beginning July 1, 2011, and ending June 30, 2013.