

Sixty-fourth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1318**

Introduced by

Representatives Brandenburg, Headland, Pollert, Silbernagel

Senators Dotzenrod, Erbele, Wanzek

1 A BILL for an Act to provide for agriculture development impact grants;~~to provide for a transfer;~~  
2 ~~to provide appropriations; and to provide for a report to the budget section.~~

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

4 **SECTION 1.**

5 **Definitions.**

6 As used in this Act:

7 1. "Agriculture development" means farming, ranching, other agricultural commodity  
8 production, and industries directly related to the processing of agriculture products,  
9 including fertilizer plants, food processing facilities, and other agriculturally related  
10 value-added processes.

11 2. "Impacted political ~~subdivisions~~subdivision" means a county, city, school district,  
12 township, or other taxing district empowered by law to levy taxes, and which  
13 demonstrates actual or anticipated extraordinary expenditures caused by agriculture  
14 development.

15 **SECTION 2.**

16 **Agriculture impact grant fund.**

17 There is created in the state treasury a special fund known as the agriculture impact grant  
18 fund. Moneys in the fund must be used for grant awards as provided by law and as  
19 appropriated by the legislative assembly, to be distributed by the department of transportation to  
20 impacted political subdivisions.

21 **SECTION 3.**

22 **Agriculture impact grant advisory committee.**

23 ~~—The agriculture impact grant advisory committee consists of the director of the department~~  
24 ~~of transportation and one representative from each of the following:~~

- ~~1. North Dakota barley council;~~
- ~~2. North Dakota beef commission;~~
- ~~3. North Dakota beekeepers association;~~
- ~~4. North Dakota corn utilization council;~~
- ~~5. North Dakota dairy promotion commission;~~
- ~~6. North Dakota dry bean council;~~
- ~~7. North Dakota dry pea and lentil council;~~
- ~~8. North Dakota oilseed council;~~
- ~~9. North Dakota potato council;~~
- ~~10. North Dakota soybean council;~~
- ~~11. North Dakota turkey federation; and~~
- ~~12. North Dakota wheat commission.~~

1. The agriculture impact grant advisory committee consists of:
  - a. The director of the department of transportation;
  - b. The commissioner of commerce or the commissioner's designee;
  - c. One individual representing the North Dakota corn growers association;
  - d. One individual representing the North Dakota grain growers association; and
  - e. One individual representing the North Dakota soybean growers association.
2. The director of the department of transportation is chairman of the committee.
3. The committee must meet at the call of the director to review requests for funding from the agriculture impact grant fund.
4. The committee shall make recommendations to the department of transportation for grant awards. The director shall provide staff services to the committee.

#### **SECTION 4.**

##### **Agriculture impact grant program.**

The department of transportation shall establish and administer an agriculture impact grant program to provide grants to impacted political subdivisions. The department of transportation shall:

1. Develop a plan for awarding and disbursing grants to impacted political subdivisions to address the initial impacts, including infrastructure and basic government services, caused by agriculture development. Services or programs to alleviate sociological

1 impacts as well as services or facilities to meet secondary impacts are not eligible for  
2 the grant funding provided in this chapter.

3 2. Establish procedures and provide proper forms to political subdivisions for grant  
4 applications as provided in this chapter.

5 3. Make grant disbursements based on the recommendations of the agriculture impact  
6 grant advisory committee, at least once each fiscal year, to impacted political  
7 subdivisions as provided in this chapter and within the limits of legislative  
8 appropriations. In determining the amounts to be awarded and disbursed to impacted  
9 political subdivisions, consideration must be given to identified needs and revenue  
10 received by each impacted political subdivision from taxes or fund distribution formulas  
11 provided by law.

12 ~~—SECTION 5. APPROPRIATION – TRANSFER – GENERAL FUND TO AGRICULTURE-~~

13 ~~IMPACT GRANT FUND. There is appropriated out of any moneys in the general fund in the~~  
14 ~~state treasury, not otherwise appropriated, the sum of \$5,000,000, which the office of~~  
15 ~~management and budget shall transfer to the agriculture impact grant fund during the biennium~~  
16 ~~beginning July 1, 2015, and ending June 30, 2017. The office of management and budget shall~~  
17 ~~transfer the funds provided under this section to the agriculture impact grant fund as requested~~  
18 ~~by the director of the department of transportation.~~

19 ~~—SECTION 6. APPROPRIATION – AGRICULTURE IMPACT GRANT FUND –~~

20 ~~DEPARTMENT OF TRANSPORTATION – REPORT TO BUDGET SECTION. There is~~  
21 ~~appropriated out of any moneys in the agriculture impact grant fund in the state treasury, not~~  
22 ~~otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to~~  
23 ~~the department of transportation for the purpose of awarding grants to counties, cities, school~~  
24 ~~districts, townships, and other taxing districts in agriculture development impacted areas, for the~~  
25 ~~biennium beginning July 1, 2015, and ending June 30, 2017. The department of transportation~~  
26 ~~may spend up to \$50,000 of the funding provided under this section for defraying the expenses~~  
27 ~~of administering the grants and for reimbursing the costs of the agriculture impact grant~~  
28 ~~advisory committee. The department of transportation shall report to the budget section and to~~  
29 ~~the appropriations committees of the sixty-fifth legislative assembly on the use of this funding.~~  
30 ~~The funding provided under this section is not subject to 54-44.1-11.~~