

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2064

Page 1, line 3, after the semicolon insert "to provide a contingent appropriation;"

Page 1, line 4, after "enact" insert "six new sections to chapter 4-05.1 and" and replace
"subsection to section 54-44-04" with "section to chapter "4-22"

Page 1, line 5, after the first "to" insert "the state board of agricultural research and" and
replace "director of the office of management and budget" with "extension service"

Page 1, line 6, after "sections" insert "4-05.1-01, 4-05.1-02, 4-05.1-03, 4-05.1-04, 4-22-02,
4-22-03,", remove the second "and", and after "4-22-22" insert ", 4-22-47, and 4-22-48"

Page 1, line 7, after "state" insert "agricultural experiment station and state"

Page 1, line 20, replace "20,665,371" with "20,679,960"

Page 1, line 21, replace "3,547,204" with "3,489,064"

Page 1, line 22, replace "450,000" with "450,000"

Page 1, after line 22, insert:

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| "Soil conservation district grants | <u>650,000</u> " |
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Page 1, line 23, replace "24,662,575" with "25,269,024"

Page 2, line 2, replace "11,644,577" with "12,251,026"

Page 2, line 6, replace "121,231" with "118,650"

Page 2, line 8, replace "974,359" with "971,778"

Page 2, line 10, replace "638,382" with "635,801"

Page 2, line 14, replace "1,530,665" with "1,526,794"

Page 2, line 17, replace "4,857,793" with "4,853,922"

Page 2, line 19, replace "454,376" with "450,505"

Page 2, line 22, replace "40,678,794" with "40,592,544"

Page 2, line 23, replace "40,678,794" with "40,592,544"

Page 2, line 25, replace "10,082,075" with "14,127,692"

Page 2, after line 25, insert:

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|----------------------------|---------|
| "Hettinger research center | 63,473 |
| Langdon research center | 66,152" |

Page 2, line 26, replace "45,787" with "85,663"

Page 2, line 27, replace "151,483" with "325,821"

Page 2, line 28, replace "10,279,345" with "14,668,801"

Page 2, line 29, replace "30,399,449" with "25,923,743"

Page 3, line 1, replace "4,727,617" with "4,638,480"

Page 3, line 3, replace "1,158,800" with "1,123,800"

Page 3, line 5, replace "special" with "all", remove "appropriation", and replace "7,554,163" with "7,430,026"

Page 3, after line 5, insert:

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| "Less estimated income | <u>3,508,546</u> |
| Total general fund appropriation | \$3,921,480" |

Page 3, line 8, replace "467,618" with "463,503"

Page 3, after line 9, insert:

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| "Capital improvements | 35,000" |
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Page 3, line 11, replace "621,694" with "652,579"

Page 3, line 13, replace "90,018" with "120,903"

Page 3, line 16, replace "390,156" with "388,543"

Page 3, line 19, replace "575,349" with "573,736"

Page 3, line 21, replace "121,949" with "122,336"

Page 3, line 24, replace "230,608" with "228,027"

Page 3, line 27, replace "443,208" with "440,627"

Page 3, line 28, replace "301,068" with "237,595"

Page 3, line 29, replace "142,140" with "203,032"

Page 4, line 1, replace "175,181" with "173,002"

Page 4, line 3, replace "217,981" with "215,802"

Page 4, line 4, replace "178,350" with "112,198"

Page 4, line 5, replace "39,631" with "103,604"

Page 4, line 8, replace "325,439" with "323,503"

Page 4, line 11, replace "special" with "all", remove "appropriation", and replace "631,639" with "629,703"

Page 4, after line 11, insert:

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|----------------------------------|-----------|
| "Less estimated income | 591,763 |
| Total general fund appropriation | \$37,940" |

Page 4, line 14, replace "303,213" with "300,632"

Page 4, line 16, replace "463,113" with "460,532"

Page 4, line 18, replace "229,990" with "227,409"

Page 4, line 21, replace "652,890" with "610,712"

Page 4, line 22, replace "182,500" with "151,250"

Page 4, line 24, replace "935,390" with "861,962"

Page 4, after line 24, insert:

| | |
|----------------------------------|----------------|
| "Less estimated income | <u>761,052</u> |
| Total general fund appropriation | \$100,910" |

Page 4, line 28, replace "598,468" with "597,500"

Page 5, line 1, replace "1,253,699" with "1,252,731"

Page 5, line 2, replace "44,422,512" with "44,148,689"

Page 5, line 3, replace "40,107,245" with "42,206,277"

Page 5, line 4, replace "84,529,757" with "86,354,966"

Page 5, replace lines 5 through 11 with:

"SECTION 2. APPROPRIATION. There is hereby appropriated out of any moneys in the agricultural research fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much of the sum as may be necessary, to the agricultural experiment station for the purpose of distributing agricultural research grants.

SECTION 3. CONTINGENT APPROPRIATION - WILLISTON RESEARCH CENTER. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much of the sum as may be necessary, and from special funds derived from other income, the sum of \$100,000, or so much of the sum as may be necessary, to the Williston research center for the purpose of defraying a portion of the construction costs relating to the Ernie French center, for the biennium beginning July 1, 1997, and ending June 30, 1999. The general fund appropriation provided in this section may only be spent upon certification with the state treasurer that the Williston research center has received commitments to provide the \$100,000 of special funds derived from the other income for the project."

Page 5, line 26, replace "for agriculture" with "of agricultural affairs"

Page 5, line 27, replace "5" with "6" and after the period insert "The office of management and budget shall establish a salaries and wages line item for each entity of the agricultural experiment station for the 1997-99 biennium and shall transfer appropriation authority included in subdivision 4 of section 1 of this Act to the salaries and wages line item for

each entity as requested by the vice president for agriculture at North Dakota state university."

Page 5, line 30, replace "for agriculture" with "of agricultural affairs"

Page 6, line 17, replace "ninety-five" with "ninety"

Page 6, line 19, replace "for agriculture" with "of agricultural affairs"

Page 7, after line 16, insert:

"SECTION 12. UNEXPENDED FUNDS - EXEMPTION. Capital improvements funds contained in subdivision 2 of section 1 of chapter 5 of the 1995 Session Laws for the northern crops institute and capital improvements funds contained in subdivision 8 of section 1 of chapter 5 of the 1995 Session Laws for the north central research center are not subject to the provisions of section 54-44.1-11 and any unexpended funds from these appropriations are available during the biennium beginning July 1, 1997, and ending June 30, 1999."

Page 7, line 23, replace "study" with "consider studying"

Page 7, replace lines 28 through 31 with:

"SECTION 15. AMENDMENT. Section 4-05.1-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-01. Definitions. In this chapter, unless the context otherwise requires:

1. "Agricultural experiment station" means the North Dakota state university main research ~~station~~ center, the Dickinson research extension center, the Williston research extension center, the Langdon research extension center, the central grasslands research extension center, the Carrington research extension center, the Hettinger research extension center, the north central research extension center, the agronomy seed farm, and any other department or agency designated by the state board of higher education.
2. ~~"Director" means the director of the North Dakota agricultural experiment station.~~
3. ~~"Superintendent"~~ "Center director" means an administrator in charge of a research or research extension center.
3. "Station director" means the administrator of the agricultural experiment station.

SECTION 16. AMENDMENT. Section 4-05.1-02 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-02. Agricultural experiment station. The state board of agricultural research and the president of North Dakota state university shall control and administer the North Dakota agricultural experiment station is under the control of and subject to the supervision of the state board of higher education. The agricultural experiment station shall develop research programs involving the basic and applied biological, physical, and social sciences that will enhance agricultural systems and improve the quality of life. Funds appropriated to the agricultural experiment station may not be

commingled with funds appropriated to North Dakota state university. Appropriation requests to defray expenses of the agricultural experiment station must be separate from appropriation requests to defray expenses of North Dakota state university.

SECTION 17. AMENDMENT. Section 4-05.1-03 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-03. ~~Director—Superintendents~~ Center directors - Research station and research extension centers - Records and information. ~~The director is under the direction of the president of the North Dakota state university of agriculture and applied science. The research station and research extension centers of the North Dakota agricultural experiment station are under the jurisdiction of the station director. Each research or research extension center must be administered by a superintendent center director who shall report to the station director. Each research or research extension center shall keep detailed records of all research activities and publish and disseminate research results and information for the benefit of this state.~~

SECTION 18. AMENDMENT. Section 4-05.1-04 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-04. ~~Reports to director and state board of higher education.~~ Each ~~superintendent center director~~ shall submit ~~a biennial~~ an annual report to the station director on or before the first day of August of each odd-numbered year as directed by the state board of agricultural research. Each report must set forth in detail the investigations and experiments made during the preceding ~~fiscal biennium year,~~ recommendations for the welfare of the center, the financial condition of the center, how all moneys have been expended, and the results of experiments. The station director shall submit these reports, with a ~~biennial~~ report of the North Dakota state university main research ~~station center,~~ to the state board of agricultural research and the state board of higher education on or before the first day of September of each ~~odd-numbered~~ year. If the state board of higher education submits a biennial report to the governor and the secretary of state in accordance with section 54-06-04, the report must include a composite of the reports from the main research station center and each research extension center.

SECTION 19. A new section to chapter 4-05.1 of the North Dakota Century Code is created and enacted as follows:

State board of agricultural research - Membership - Terms.

1. The state board of agricultural research consists of:
 - a. The president of North Dakota state university;
 - b. The vice president of agricultural affairs at North Dakota state university;
 - c. The administrator of the agricultural experiment station;
 - d. The five persons appointed to the agricultural consultation board by the ag coalition and serving in that capacity on July 1, 1997;
 - e. The five persons appointed to the agricultural consultation board by the extension service's multicounty program units and serving in that capacity on July 1, 1997;
 - f. The two persons appointed to the agricultural consultation board by the president of North Dakota state university as representatives of the state's research extension centers and serving in that capacity on July 1, 1997;

- g. The commissioner of agriculture who serves in an ex officio capacity; and
 - h. The director of the North Dakota state university extension service who serves in an ex officio capacity.
- 2. a. The initial five members appointed by the ag coalition shall select their terms by lot so that one member serves for one year, one member serves for two years, one member serves for three years, one member serves for four years, and one member serves for five years.
 - b. The initial five members appointed by the extension service's multicounty program units shall select their terms by lot so that one member serves for one year, one member serves for two years, one member serves for three years, one member serves for four years, and one member serves for five years.
 - c. The two persons appointed as representatives of the state's research extension centers shall serve only through June 30, 1998.
- 3. At the completion of each initial term, the term of office for each member is five years, beginning on July first. No person may be appointed to a second five-year term.
- 4. a. At least ninety days before the conclusion of the initial term of each member appointed by the ag coalition, the ag coalition shall provide to the state board of higher education a list of at least three names from which the state board of higher education shall appoint a successor. Future appointments to these five positions must be made in the same manner. The state board of higher education shall ensure that four out of the five seats are held by agricultural producers.
 - b. At least ninety days before the conclusion of the initial term of each member appointed by the extension service's multicounty program units, the units through their advisory groups shall provide to the state board of higher education a list of at least three names from which the state board of higher education shall appoint a successor. Future appointments to these five positions must be made in the same manner. The state board of higher education shall ensure that four out of the five seats are held by agricultural producers.

SECTION 20. A new section to chapter 4-05.1 of the North Dakota Century Code is created and enacted as follows:

Compensation of board members - Expenses - Legislative appropriations. Each appointed member of the state board of agricultural research is entitled to receive sixty-two dollars and fifty cents per day as compensation for the time actually spent devoted to the duties of office and is entitled to receive necessary expenses in the same manner and amounts as state officials for attending meetings and performing other functions of office.

SECTION 21. A new section to chapter 4-05.1 of the North Dakota Century Code is created and enacted as follows:

State board of agricultural research - Chairman - Meetings. The state board of agricultural research annually shall elect one of its members to serve as chairman. The board shall meet at the times and locations designated by the chairman in consultation with the vice president of agricultural affairs at North Dakota state university.

SECTION 22. A new section to chapter 4-05.1 of the North Dakota Century Code is created and enacted as follows:

State board of agricultural research - Duties. Within the policies of the state board of higher education, the state board of agricultural research is responsible for the budgeting, supervision, and policymaking responsibilities associated with the supervision of the agricultural experiment station. The agricultural research board shall:

1. Determine the causes of any adverse economic impacts on crops and livestock produced in this state;
2. Develop ongoing strategies for the provision of research solutions to negate adverse economic impacts on crops and livestock produced in this state;
3. Make available financial resources, including grants and salaries, and make available equipment and facilities to implement the strategies developed under subsection 2, subject to approval by the state board of higher education;
4. Develop an annual budget for the operation of the agricultural experiment station;
5. Develop a biennial budget request and submit that request to the state board of higher education on or before March first of each even-numbered year;
6. Maximize the use of existing financial resources, equipment, and facilities to generate the greatest economic benefit from research efforts and to promote efficiency;
7. Annually evaluate the results of research activities and expenditures and report the findings to the legislative council and the state board of higher education;
8. Advise the administration of North Dakota state university regarding the recruitment and selection of the vice president of agricultural affairs and the station director; and
9. Advise the director of the extension service regarding the dissemination of research information and the best practices for management of the extension service.

SECTION 23. A new section to chapter 4-05.1 of the North Dakota Century Code is created and enacted as follows:

Agricultural research fund. The agricultural research fund is a special fund in the state treasury. The moneys in the fund must be expended for purposes of agricultural research.

SECTION 24. A new section to chapter 4-05.1 of the North Dakota Century Code is created and enacted as follows:

State board of agricultural research - Apportionment of research funds.

1. The state board of agricultural research annually shall apportion the proceeds of the agricultural research fund as follows:

- a. Seventy percent to North Dakota agricultural commodity groups that raise research moneys through perpetual fundraising mechanisms, provided that:
 - (1) The commodity represented accounts for at least two percent of the gross sales of all agricultural commodities grown or produced in the state; and
 - (2) The percentage of the dollars available for each agricultural commodity group under this section may not exceed the percentage that the gross sales of the agricultural commodity bear to the North Dakota gross sales of all agricultural commodities grown or produced during the previous year, as determined by the agricultural statistics service;
 - b. Eighteen percent to North Dakota agricultural groups representing animal agriculture; and
 - c. Twelve percent to North Dakota agricultural groups representing new and emerging crops.
2. The state board of agricultural research shall solicit proposals for research from the public and private sectors and shall appoint committees to review the proposals and award the agricultural research grants on a competitive basis. Each committee must consist of a majority of agricultural producers selected in consultation with the agricultural commodity groups representing commodities that are the subjects of the proposed research and may include researchers and other individuals knowledgeable about the proposed area of research. Whenever possible, the committees shall require that a grant recipient commit matching funds.
 3. The state board of agricultural research shall develop policies regarding the award of research grants, including requirements for matching funds, cooperation with other in-state and out-of-state researchers, and coordination with other in-state and out-of-state proposed or ongoing research projects.

SECTION 25. AMENDMENT. Section 4-22-02 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-22-02. Definitions. In this chapter, unless the context ~~or subject matter~~ otherwise requires:

1. ~~"Agency of this state" includes the government of this state and any subdivision, agency, or instrumentality, corporate or otherwise, of the government of this state.~~
2. ~~"Committee" or "state soil conservation committee" means the state soil conservation committee established by this chapter.~~
- ~~3.~~ 2. ~~"District" or "soil conservation district" means a governmental subdivision of this state, and a public body, corporate and politic, organized in accordance with the provisions of this chapter for the purposes, with the powers, and subject to the restrictions hereinafter set forth provided by law.~~
3. "Director" means the director of the North Dakota state university extension service.
4. "Due notice" means notice published at least twice, with an interval of at least seven days between the two publication dates, in a newspaper or

other publication of general circulation within the appropriate area, ~~or if no such~~. If this type of publication of general circulation is not available, ~~by posting~~ the term means notice posted at a reasonable number of conspicuous places within the appropriate area, ~~such~~ the posting to include, where possible, posting at public places where it may be customary to post notices concerning county or municipal affairs generally. At any hearing held pursuant to ~~such~~ due notice, at the time and place designated in ~~such~~ the notice, adjournment may be made from time to time without the necessity of renewing the notice for the adjourned dates.

5. "Government" ~~or "governmental"~~ includes the government of this state, the government of the United States, and any subdivision, agency, or instrumentality, corporate or otherwise, of either of them.
6. "Land occupier" ~~or "occupier of land"~~ includes any person, ~~firm, corporation, or limited liability company who~~ that holds title to or is in possession of any lands lying within a district ~~organized under the provisions of this chapter, whether as owner, lessee, renter, tenant, or otherwise, and whether or not the person, firm, corporation, or limited liability company is living or located in a rural or urban area within the district.~~
7. "Petition" means a petition filed under ~~the provisions of~~ this chapter for the creation of a soil conservation district.
8. "Qualified elector" means ~~every person of the age of an individual who is at least eighteen or upwards who~~ years old, is a citizen of the United States, and who has resided in the state ~~and in the~~ precinct thirty days next preceding any election, whether or not the ~~person~~ individual is living in a rural or urban area.
9. ~~"State" means the state of North Dakota.~~
- ~~10.~~ "Supervisor" means one of the members of the governing body of a district, elected or appointed in accordance with ~~the provisions of~~ this chapter.
- ~~11.~~ ~~"United States" or "agencies of the United States" includes the United States of America, the soil conservation service of the United States department of agriculture, and any other agency or instrumentality, corporate or otherwise, of the United States of America.~~

SECTION 26. AMENDMENT. Section 4-22-03 of the North Dakota Century Code is amended and reenacted as follows:

4-22-03. State soil conservation committee - Elective and appointive members - Records and seal.

1. The ~~state soil conservation committee must be maintained as an agency of this state to~~ shall perform the functions conferred upon it in this chapter within the limits of legislative appropriations. The committee consists of seven voting members, of whom five must be elected and two must be appointed by the governor ~~as provided herein.~~
- ~~4.~~ ~~Elective members:~~
2. For the purpose of electing the five elective members of the committee, the state ~~of North Dakota is hereby~~ divided into five areas, ~~as follows.~~

- A.a. (1) Area I includes ~~the counties of~~ Benson, Cavalier, Eddy, Foster, Grand Forks, Nelson, Pembina, Ramsey, Towner, Walsh, and Wells counties.
- ~~B.~~ (2) Area II ~~shall include the counties of~~ includes Barnes, Cass, Dickey, Griggs, LaMoure, Ransom, Richland, Sargent, Steele, and Traill counties.
- ~~C.~~ (3) Area III ~~shall include the counties of~~ includes Bottineau, Burke, Divide, McHenry, Mountrail, Pierce, Renville, Rolette, and Ward counties.
- ~~D.~~ (4) Area IV ~~shall include the counties of~~ includes Burleigh, Emmons, Kidder, Logan, McIntosh, McLean, Morton, Oliver, Sheridan, Sioux, and Stutsman counties.
- ~~E.~~ (5) Area V ~~shall include the counties of~~ includes Adams, Billings, Bowman, Dunn, Golden Valley, Grant, Hettinger, McKenzie, Mercer, Stark, Slope, and Williams counties.
- b. One member of the committee must be elected from each of the five areas by vote of the members of the boards of supervisors of the ~~conservation~~ districts in that area. Every voting member of a board of supervisors of a ~~conservation~~ district organized under this chapter is eligible to vote in the election for a member of the committee in the area in which the district is located.
- c. Elections must be held under ~~regulations to be issued~~ rules adopted by the committee and in cooperation with and at the time of the North Dakota association of soil conservation districts area meetings. In those cases where the territory of a district does not lie wholly within the boundaries of one of the five areas established under this section, the ~~regulations~~ rules must provide for the assignment of ~~such the~~ district by the committee for the purposes of ~~such the~~ elections, to the area within which most of its population resides.
- d. The committee shall conduct the election of members of the committee ~~must be conducted by the committee and~~. The election need not be held on the same dates or in the same places as the general elections for state or local officers.
2. ~~Appointive members:~~
3. ~~Two~~ The governor shall appoint two members of the committee ~~must be appointed by the governor, who~~. The governor shall ~~select appointees~~ appoint individuals who can represent those interests within the state not already represented, or less fully represented, by one or more of the five elected members of the committee. The governor shall attempt, so far as feasible, to make possible suitable representation for all interests in the state in the membership of the committee, including the interests of, ~~but not limited to,~~ farmers, livestock growers, rural areas, small towns, cities, and industry and business, recognizing that any single member of the committee may sometimes appropriately be regarded as representing more than one of these interests.
4. The committee shall invite representatives of the state association of soil conservation districts, North Dakota ~~cooperative state university~~ extension service, ~~the~~ soil conservation service, North Dakota state water commission, ~~the~~ commissioner of agriculture, and ~~the~~ game and fish department to serve as advisory, nonvoting members of the committee.

5. The term of office of every member of the committee is three years and until a successor is elected or appointed. ~~The governor has the power to extend the terms of one or more members of the committee in office upon the effective date of this chapter, in order to provide for overlapping terms for the members of the committee.~~ A member of the committee is eligible for reelection and reappointment, but no member may serve for more than two full, successive terms. ~~Vacancies~~ The governor may fill a vacancy in either an elective or appointive term ~~may be filled term~~ for the unexpired term by appointment by the governor. ~~The committee shall keep a record of its official actions, shall adopt a seal, which seal must be judicially noticed, and may perform such acts, hold such public hearings, and adopt such rules as may be necessary for the execution of its functions under this chapter.~~

SECTION 27. AMENDMENT. Section 4-22-04 of the North Dakota Century Code is amended and reenacted as follows:

4-22-04. Committee - Chairman - Quorum - Compensation ~~Provision for surety bonds and annual audit.~~ The committee shall meet annually and select its chairman, ~~who~~. The chairman shall serve for one year from the date of his selection and ~~who~~ is not eligible for a second term as chairman. Additional meetings may be held by the committee as considered necessary by the chairman, at a time and place to be fixed by the chairman. ~~Special~~ The chairman shall call special meetings ~~must be called by the chairman~~ upon written request of any four members. ~~A majority of the committee constitutes a quorum, and the concurrence of a majority in any matter within its duties is required for its determination.~~ The members of the committee shall be entitled to receive forty-five dollars per day as compensation for their services on the committee, and are entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties on the committee, in the same manner and at the same rate as prescribed by law for state employees and officials. ~~The committee shall provide for the execution of surety bonds, which may be issued by the state bonding fund, for all employees who are entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, rules, and orders issued or adopted; and shall provide for an annual audit of the accounts of receipts and disbursements.~~

SECTION 28. AMENDMENT. Section 4-22-06 of the North Dakota Century Code is amended and reenacted as follows:

4-22-06. Duties and powers generally. ~~In addition to the duties and powers hereinafter conferred upon the state soil conservation~~ The committee; it has the following duties and powers:

1. To offer such assistance as may be appropriate to the supervisors of soil ~~conservation~~ districts in the carrying out of any of their powers and programs.
2. To keep the supervisors of each of the several districts informed of the activities and experience of all other districts, and to facilitate an interchange of advice and experience between such districts and cooperation between them.
3. ~~To coordinate the programs of the several conservation districts so far as this may be done by advice and consultation.~~
4. To secure the cooperation and assistance of state, federal, regional, interstate, and local, public, and private agencies with ~~conservation~~ districts; and to facilitate arrangements under which ~~conservation~~ districts may assist or serve county governing bodies and other agencies in the

administration of any activity concerned with the conservation of natural resources.

- ~~5. To disseminate information throughout the state concerning the activities and programs of the soil conservation districts, and to encourage the formation of such districts in areas where their organization is desirable.~~
- ~~6. To review district programs, to coordinate the programs of the several districts, and to coordinate programs and activities as they relate to other special purpose districts.~~
- ~~7. 4. To review agreements, or forms of agreements, proposed to be entered into by districts with other districts or with state, federal, interstate, or other public or private organizations, and advise the districts concerning such agreements or forms of agreement.~~
- ~~8. 5. To recommend to the inclusion in annual and longer term director biennial budgets of funds necessary from the legislative assembly to finance the activities of the committee and districts; and to distribute such moneys appropriated by the legislative assembly according to applicable state laws or regulations for grants to soil conservation districts.~~
- ~~9. To compile information and make studies, summaries, and other analyses of district programs in relation to each other and to other resource conservation programs on a statewide basis.~~
- ~~10. To represent the state in matters affecting soil conservation.~~
- ~~11. 6. To require annual reports from conservation districts, the form and content of which must be developed by the committee on consultation with district supervisors.~~
- ~~12. 7. To establish uniform accounting methods which must be used by soil conservation districts, and to establish a uniform auditing reporting system.~~
- ~~13. 8. Pursuant to procedures developed mutually by the committee and other state and local agencies that are authorized to plan or administer activities significantly affecting the conservation of natural resources, to receive from such To receive from other state and local agencies for review and comment suitable descriptions of their plans, programs, and activities affecting the conservation of natural resources for purposes of coordination with district conservation programs; to arrange for and participate in conferences necessary to avoid conflict among such plans and programs; to call attention to omissions; and to avoid duplication of effort.~~
- ~~14. To develop and administer policy guidelines which the districts shall follow in the operation of district activities.~~

SECTION 29. A new section to chapter 4-22 of the North Dakota Century Code is created and enacted as follows:

Soil conservation - Duties. The North Dakota state university extension service shall assist the committee in performing the committee's duties, within the limits of legislative appropriation."

Page 9, remove lines 1 through 30

Page 10, remove lines 1 through 4

Page 11, replace lines 24 through 27 with:

"SECTION 31. AMENDMENT. Section 4-22-47 of the North Dakota Century Code is amended and reenacted as follows:

4-22-47. Consolidation of districts - Petition - Referendum - Conduct of referendum. Two or more ~~soil conservation~~ districts may be consolidated into one district by compliance with ~~the provisions of~~ this chapter. A petition ~~or petitions~~ for consolidation of soil conservation districts must be filed with the ~~secretary of the state~~ soil conservation committee and must be signed by at least twenty-five qualified electors living in each district. Upon the filing of ~~such a~~ petition ~~or petitions~~, the ~~state~~ committee ~~shall~~ by resolution ~~shall~~ fix a date for a referendum to be held in each such district and shall direct the ~~board of supervisors thereof~~ to cause notice of ~~such the~~ referendum to be posted in at least five conspicuous places within the district and to be published once each week for two consecutive weeks ~~prior to~~ before the referendum in a newspaper of general circulation ~~therein in the districts involved~~. Only qualified electors living within the district are eligible to vote at the referendum. ~~Such~~ The notice must state the date of the referendum, ~~the~~ identify each polling place ~~or places~~ for holding ~~such the~~ referendum, the time when the polls will open and close, and the question to be submitted to the qualified electors. ~~Such~~ The notice must be substantially in the following form:

~~Notice is hereby given that on~~ On the ____ day of _____, 19 ____ a referendum will be held at _____
(Designate polling place or places)
the purpose of submitting to the qualified electors within _____
soil conservation district
(Name of district)
the question as to whether _____ soil conservation districts
(Names of districts)
embracing the following townships _____
(Designate townships, by number and range)
shall be consolidated into one soil conservation district.

The ballot ~~will~~ must be in the following form:

Shall _____ soil conservation districts embracing the
(Names of districts)
following townships _____ be
(Designate townships, by number and range)
consolidated into one soil conservation district?
Yes _____
No _____

The board of supervisors of the district shall appoint the board of election for each polling place ~~must be appointed by the board of supervisors of the district and consists~~. The board of election must consist of one inspector, one judge, and one clerk. Members of ~~such the~~ election board ~~shall~~ are entitled to receive the sum of five dollars for their services.

SECTION 32. AMENDMENT. Section 4-22-48 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-22-48. Conduct of referendum - Canvass of votes. A referendum upon the question of consolidating two or more soil conservation districts must be conducted in accordance with the laws of the state prescribing the conduct of general elections. After the polls are closed, the board of election shall proceed to canvass the votes and the clerk of the board shall certify to the board of supervisors of the clerk's district and to the state committee the result of the referendum. ~~The clerk shall then securely wrap the ballots cast at the referendum and shall express or mail the ballots to the secretary of the state committee. The committee shall also canvass the ballots and verify the result. The secretary of the committee shall file the ballots in the secretary's office. Upon the expiration of two years after such ballots were canvassed by the state committee they may be destroyed.~~ The state committee shall publish the results of the referendum after having canvassed the ballots and if the committee finds that. If a majority of the ballots cast on the question in each district are for consolidation, the committee shall file with the secretary of state a statement certifying that the consolidated district has been duly and regularly established."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 110 - OFFICE OF MANAGEMENT AND BUDGET

HOUSE - This amendment removes the \$660,000 from the general fund added in the Senate for the Office of Management and Budget to distribute technician grants (\$650,000) and for committee expenses (\$10,000). The section added in the Senate is removed which provided that the Office of Management and Budget provide support services for the committee.

DEPARTMENT 627 - UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

HOUSE - The operating expenses line item is reduced by \$3,871 from the general fund to remove funding for risk management premiums.

DEPARTMENT 630 - NDSU EXTENSION SERVICE

HOUSE - This amendment makes the following changes:

| | SENATE VERSION | ADD SOIL CONSERVATION COMMITTEE | REMOVE RISK MANAGEMENT PREMIUMS | REMOVE FAMILY ECONOMICS SPECIALIST | TOTAL CHANGES | HOUSE VERSION |
|--------------------|-------------------|---------------------------------------|---------------------------------------|---|------------------|-------------------|
| Salaries and wages | \$20,665,371 | \$122,007 | | \$ (107,481) | \$ 14,589 | \$20,679,960 |
| Operating expenses | 3,547,204 | 18,000 | \$ (76,140) | | (58,140) | 3,489,064 |
| Equipment | 450,000 | | | | | 450,000 |
| Grants | | <u>650,000</u> | | <u>650,000</u> | <u>650,000</u> | |
| Total | \$24,662,575 | \$790,007 ¹ | \$ (76,140) | \$ (107,418) ² | \$606,449 | \$25,269,024 |
| General fund | \$11,644,577 | \$790,007 | \$ (76,140) | \$ (107,418) | \$606,449 | \$12,251,026 |
| Special funds | <u>13,017,998</u> | | | | | <u>13,017,998</u> |
| Total | \$24,662,575 | \$790,007 | \$ (76,140) | \$ (107,418) | \$606,449 | \$25,269,024 |
| FTE | 229.00 | 1.50 | 0.00 | -1.00 | 0.50 | 229.50 |

¹ Adds funding relating to duties associated with the Soil Conservation Committee as follows:

| | |
|---------------------------|----------------|
| Salaries and wages | |
| 1 FTE staff position | \$ 87,807 |
| .5 FTE secretary | 30,000 |
| Committee member per diem | <u>4,200</u> |
| Total | \$122,007 |
| Operating expenses | 18,000 |
| District grants | <u>650,000</u> |
| Total | \$790,007 |

The Senate provided \$660,000 from the general fund for district grants of \$650,000 and for committee expenses of \$10,000 to be administered by the Office of Management and Budget.

² Removes a family economics specialist position involved with family financial planning workshops and associated funding.

Sections are added changing the duties of the Soil Conservation Committee and providing that the NDSU Extension Service assist the Soil Conservation Committee in administering its duties.

DEPARTMENT 638 - NORTHERN CROPS INSTITUTE

HOUSE - The operating expenses line item is reduced by \$2,581 from the general fund to remove funding for risk management premiums.

DEPARTMENT 640 - AGRICULTURAL EXPERIMENT STATION

HOUSE - This amendment makes the following changes:

ALL FUNDS CHANGES

| | SENATE VERSION | FUNDING SOURCE SHIFTS FOR POOLED SALARIES | BOARD OF AGRICULTURAL RESEARCH | REMOVE RISK MANAGEMENT PREMIUMS | SALARIES AND WAGES REDUCTION | AGRICULTURE RESEARCH GRANTS | OTHER CHANGES | TOTAL CHANGES | HOUSE VERSION |
|--|-------------------------|---|--------------------------------------|---------------------------------------|------------------------------------|-----------------------------------|------------------|--------------------|-------------------------|
| Main Research Station | \$ 7,554,163 | | \$20,000 | \$(109,137) | | | \$(35,000)5 | \$ (124,137) | \$ 7,430,026 |
| Dickinson Research Center | 621,694 | | | (4,115) | | | 35,000 5 | 30,885 | 652,579 |
| Central Grasslands Research Center | 575,349 | | | (1,613) | | | | (1,613) | 573,736 |
| Hettinger Research Center | 443,208 | | | (2,581) | | | | (2,581) | 440,627 |
| Langdon Research Center | 217,981 | | | (2,179) | | | | (2,179) | 215,802 |
| North Central Research Center | 631,639 | | | (1,936) | | | | (1,936) | 629,703 |
| Williston Research Center | 463,113 | | | (2,581) | | | 150,000 6 | 147,419 | 610,532 |
| Carrington Research Center | 935,390 | | | (4,678) | | | (68,750)7 | (73,429) | 861,962 |
| Agronomy Seed Farm Agricultural Experiment Station | 1,253,699 40,678,794 | | 20,000 | (968) | \$(100,000) | \$2,000,000 | (6,250)7 | (968) 1,913,750 | 1,252,731 42,592,544 |
| Total all funds | \$53,375,030 | \$ 0 | \$40,000 ² | \$(129,788) | \$(100,000) ³ | \$2,000,000 ⁴ | \$ 75,000 | \$1,885,212 | \$55,260,242 |
| FTE | 411.22 | 0.00 | 0.00 | 0.00 | -1.00 | | 0.00 | -1.00 | 410.22 |

GENERAL FUND CHANGES

| | SENATE VERSION | FUNDING SOURCE SHIFTS FOR POOLED SALARIES | BOARD OF AGRICULTURAL RESEARCH | REMOVE RISK MANAGEMENT PREMIUMS | SALARIES AND WAGES REDUCTION | AGRICULTURE RESEARCH GRANTS | OTHER CHANGES | TOTAL CHANGES | HOUSE VERSION |
|--|-------------------|---|--------------------------------------|---------------------------------------|------------------------------------|-----------------------------------|------------------|------------------|------------------|
| Main Research Station | | \$ 4,045,617 | \$20,000 | \$(109,137) | | | \$(35,000)5 | \$ 3,921,480 | \$ 3,921,480 |
| Dickinson Research Center | \$ 90,018 | | | (4,115) | | | 35,000 5 | 30,885 | 120,903 |
| Central Grasslands Research Center | 123,949 | | | (1,613) | | | | (1,613) | 122,336 |
| Hettinger Research Center | 142,140 | 63,473 | | (2,581) | | | | 60,892 | 203,032 |
| Langdon Research Center | 39,631 | 66,152 | | (2,179) | | | | 63,973 | 103,604 |
| North Central Research Center | | 39,876 | | (1,936) | | | | 37,940 | 37,940 |
| Williston Research Center | 229,990 | | | (2,581) | | | 50,000 6 | 47,419 | 277,409 |
| Carrington Research Center | | 174,338 | | (4,678) | | | (68,750)7 | 100,910 | 100,910 |
| Agronomy Seed Farm Agricultural Experiment Station | 30,399,449 | (4,389,456) | 20,000 | | \$(100,000) | | (6,250)7 | (4,475,706) | 25,923,743 |
| Total general fund | \$31,025,177 | \$ 0 | \$40,000 ² | \$(128,820) | \$(100,000) ³ | \$ 0 | \$(25,000) | \$ (213,820) | \$30,811,357 |

1 Provides that the respective funding sources for the pooled salaries and wages of the Agricultural Experiment Station be appropriated in the subdivision with the pooled salaries. The Senate version transferred the maximum amount of general fund appropriations to the pooled salaries subdivision.

The guidelines added by the Senate relating to the allocation of the pooled salaries to the entities of the Agricultural Experiment Station for the 1997-99 biennium provided that each entity must receive at least 95 percent of the salaries and wages funding it received during the 1995-97 biennium. The House version reduces this percentage to 90 percent.

2 Provides funding to support the activities of the Board of Agricultural Research, including per diem and expense reimbursement for board members. The board is being established by provisions of this bill. This funding is not to be spent until the \$8,800 provided in North Dakota State University's 1997-99 appropriation for paying per diem and travel expenses of Agriculture Consultation Board members is spent for paying expenses of the Board of Agricultural Research members during the 1997-99 biennium.

3 Removes one FTE undesignated position and \$100,000 from the general fund associated with the position.

4 Provides in a separate section, a \$2,000,000 appropriation from the agricultural research fund for agriculture research grants. Grant committees appointed by the Board of Agricultural Research will determine the distribution of the grants. See "Other Sections" below for additional information.

5 Reduces the capital improvements line item of the Main Research Station by \$35,000 from the general fund, from \$1,158,800 to \$1,123,800. A capital improvements line item of \$35,000 from the general fund is added to the Dickinson Research Center for providing sanitation and decontamination facilities at the ranch headquarters of the Dickinson Research Center.

6 A contingent appropriation section is added providing a \$150,000 appropriation, \$50,000 of which is from the general fund, to the Williston Research Center to pay a portion of the costs associated with the construction of the Ernie French Center for the 1997-99 biennium. The general fund moneys are contingent on the center raising at least \$100,000 of other funds for the project.

7 Funding added in the Senate of \$125,000 from the general fund for a bison research program at the Carrington Research Center is reduced by \$75,000, to the level requested by the Agricultural Experiment Station.

Other Sections:

Sections are added which:

- Continue the 1995-97 appropriation authority for capital improvement projects at the Northern Crops Institute of \$1,500,000 of special funds for the food processing pilot plant project and at the North Central Research Center of \$600,000, \$300,000 of which is from the general fund and \$300,000 of special funds for the headquarter building project.

- Establish a Board of Agricultural Research that is responsible for the budgeting, supervision, and policymaking of the Agricultural Experiment Station.

- Establish an agricultural research fund. Revenue to the fund is generated from withholding four cents from agriculturally related motor vehicle fuel tax refund claims (the four-cent withholding provision is included in Senate Bill No. 2019).

- Provide that the Board of Agricultural Research appoint grant committees to determine the distribution of research grants from the funds available in the agricultural research fund as follows:

70 percent to agriculture commodity groups that raise research money.

18 percent to agriculture groups representing animal agriculture.

12 percent to agriculture groups representing new and emerging crops.

GENERAL FUND COMPARISON

| AGENCY | EXECUTIVE BUDGET | SENATE VERSION | HOUSE VERSION | SENATE INCREASE (DECREASE) TO EXECUTIVE BUDGET | HOUSE INCREASE (DECREASE) TO EXECUTIVE BUDGET | HOUSE INCREASE (DECREASE) TO SENATE VERSION |
|---------------------------------|---------------------|----------------|---------------|--|--|---|
| Office of Management and Budget | | \$ 660,000 | | \$ 660,000 | | \$ (660,000) |
| Transportation Institute | \$ 454,376 | 454,376 | \$ 450,505 | | \$ (3,871) | (3,871) |
| NDSU Extension Service | 12,107,136 | 11,644,577 | 12,251,026 | (462,559) | 143,890 | 606,449 |
| Northern Crops Institute | 638,382 | 638,382 | 635,801 | | (2,581) | (2,581) |
| Agricultural Experiment Station | 29,994,177 | 31,025,177 | 30,811,357 | 1,031,000 | 817,180 | (213,820) |
| Total general fund | \$43,194,071 | \$44,422,512 | \$44,148,689 | \$1,228,441 | \$954,618 | \$ (273,823) |