

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1389

Introduced by

Representatives Skarphol, Wald

1 A BILL for an Act to amend and reenact sections 4-05.1-02, 4-05.1-04, 4-05.1-16, and
2 4-05.1-19 of the North Dakota Century Code, relating to the duties, responsibilities, and
3 membership of the state board of agricultural research and education.

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

5 **SECTION 1. AMENDMENT.** Section 4-05.1-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **4-05.1-02. Agricultural experiment station.** The state board of agricultural research
8 and education shall establish policies governing the direction and control of the North Dakota
9 agricultural experiment station and the president of North Dakota state university shall ~~control~~
10 ~~and~~ administer the ~~North Dakota~~ agricultural experiment station, subject to the supervision of
11 the state board of higher education. Funds appropriated to the agricultural experiment station
12 may not be commingled with funds appropriated to North Dakota state university.
13 Appropriation requests to defray expenses of the agricultural experiment station must be
14 separate from appropriation requests to defray expenses of North Dakota state university.

15 **SECTION 2. AMENDMENT.** Section 4-05.1-04 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **4-05.1-04. Reports.** Each center director shall submit an annual report to the station
18 director as directed by the ~~state board of agricultural research and education~~ president of North
19 Dakota state university. Each report must set forth in detail the investigations and experiments
20 made during the preceding year, recommendations for the welfare of the center, the financial
21 condition of the center, how all moneys have been expended, and the results of experiments.
22 The station director shall submit these reports, with a report of the North Dakota state university
23 main research center, to the state board of agricultural research and education and the state
24 board of higher education on or before the first day of September of each year. If the state

1 board of higher education submits a biennial report to the governor and the secretary of state in
2 accordance with section 54-06-04, the report must include a composite of the reports from the
3 main research center and each research extension center.

4 **SECTION 3. AMENDMENT.** Section 4-05.1-16 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **4-05.1-16. State board of agricultural research and education - Membership -**
7 **Terms.**

- 8 1. The state board of agricultural research and education consists of:
- 9 a. ~~The president of North Dakota state university or the president's designee;~~
 - 10 b. ~~The vice president of agricultural affairs at North Dakota state university, who~~
11 ~~serves in an ex officio nonvoting capacity;~~
 - 12 e. ~~The administrator of the agricultural experiment station, who serves in an~~
13 ~~ex officio nonvoting capacity;~~
 - 14 d. ~~The five persons~~ Five individuals appointed to the agricultural consultation
15 board by the ag coalition and serving in that capacity on July 1, 1997;
 - 16 e. ~~b. The five persons~~ Five individuals appointed to the agricultural consultation
17 board by the extension service's multicounty program units and serving in that
18 capacity on July 1, 1997;
 - 19 f. ~~The two persons appointed to the agricultural consultation board by the~~
20 ~~president of North Dakota state university as representatives of the state's~~
21 ~~research extension centers and serving in that capacity on July 1, 1997;~~
 - 22 g. ~~The agriculture commissioner, who serves in an ex officio nonvoting capacity;~~
 - 23 h. ~~The director of the North Dakota state university extension service, who~~
24 ~~serves in an ex officio nonvoting capacity; and~~
 - 25 i. c. Two members of the legislative assembly appointed by the chairman of the
26 legislative council. The chairman shall appoint one member from each
27 political faction. The terms of members are for two years, and members may
28 be reappointed. The legislative council shall pay the compensation and
29 expense reimbursement for the legislative members.
- 30 2. As the terms of office held on the effective date of this Act by individuals listed in
31 subdivisions a and b of subsection 1 expire, the ag coalition shall provide to the

- 1 governor a list of two names for each position and the governor shall appoint an
2 individual to each position from that list.
- 3 3. a. The initial five members appointed by the ag coalition shall select their terms
4 by lot so that one member serves for one year, one member serves for two
5 years, one member serves for three years, one member serves for four years,
6 and one member serves for five years.
- 7 b. The initial five members appointed by the extension service's multicounty
8 program units shall select their terms by lot so that one member serves for
9 one year, one member serves for two years, one member serves for three
10 years, one member serves for four years, and one member serves for five
11 years.
- 12 e. ~~The two persons appointed as representatives of the state's research~~
13 ~~extension centers shall serve only through June 30, 1998.~~
- 14 ~~3.~~ 4. At the completion of each initial term, the term of office for each member is five
15 years, beginning on July first. No person may be appointed to a second five-year
16 term.
- 17 ~~4.—~~a. ~~At least ninety days before the conclusion of the initial term of each member~~
18 ~~appointed by the ag coalition, the ag coalition shall provide to the state board~~
19 ~~of higher education a list of one or more names from which the state board of~~
20 ~~higher education shall appoint a successor. Future appointments to these~~
21 ~~five positions must be made in the same manner. The state board of higher~~
22 ~~education shall ensure that four out of the five seats are held by agricultural~~
23 ~~producers.~~
- 24 ~~b.~~ ~~At least ninety days before the conclusion of the initial term of each member~~
25 ~~appointed by the extension service's multicounty program units, the units~~
26 ~~through their advisory groups shall provide to the state board of higher~~
27 ~~education a list of one or more names from which the state board of higher~~
28 ~~education shall appoint a successor. Future appointments to these five~~
29 ~~positions must be made in the same manner. The state board of higher~~
30 ~~education shall ensure that four out of the five seats are held by agricultural~~
31 ~~producers.~~

1 **SECTION 4. AMENDMENT.** Section 4-05.1-19 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **4-05.1-19. State board of agricultural research and education - Duties.** Within the
4 policies of the state board of higher education, the state board of agricultural research and
5 education is responsible for ~~budgeting and policymaking~~ establishing and directing policies
6 associated with the agricultural experiment station and the North Dakota state university
7 extension service. The board of agricultural research and education shall:

- 8 1. Determine the causes of any adverse economic impacts on crops and livestock
9 produced in this state;
- 10 2. Develop ongoing strategies for the provision of research solutions and resources
11 to negate adverse economic impacts on crops and livestock produced in this state;
- 12 3. ~~Develop ongoing strategies for the dissemination of research information through~~
13 ~~the extension service;~~
- 14 4. ~~Implement~~ Collaborate with the president of North Dakota state university to
15 implement the strategies developed under ~~subsections~~ subsection 2 and 3, subject
16 to approval by the state board of higher education;
- 17 5. ~~Develop, with the agricultural experiment station and the North Dakota state~~
18 ~~university extension service, an annual~~
- 19 4. Receive budget development updates from the president of North Dakota state
20 university and upon completion review and approve the biennial budget for the
21 operations of ~~these entities~~;
- 22 6. ~~Develop a biennial budget request and submit that request to the president of~~
23 ~~North Dakota state university and the state board of higher education;~~
- 24 7. ~~Maximize the use of existing financial resources, equipment, and facilities to~~
25 ~~generate the greatest economic benefit from research and extension efforts and to~~
26 ~~promote efficiency~~ the agricultural experiment station and the North Dakota state
27 university extension service;
- 28 &- 5. Annually evaluate the results of research and extension activities and expenditures
29 and ~~report~~ provide the findings to the budget section of the legislative council and
30 the state board of higher education;

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- 1 9. ~~Advise the president of North Dakota state university regarding the recruitment,~~
2 ~~selection, and performance of the vice president of agricultural affairs, the~~
3 ~~extension service director, and the station director; and~~
4 40: 6. ~~Present a status report~~ Annually provide to the budget section of the legislative
5 council a five-year plan that addresses the future of agriculture in this state and the
6 role of the agricultural experiment station in that vision.