

Sixty-second  
Legislative Assembly  
of North Dakota

## REENGROSSED 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~~ for crop insurance development grants.

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

12 ~~d.c.~~ One individual representing an agricultural organization in this state, appointed  
13 by the governor;

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

16 ~~f.e.~~ One individual Two individuals involved in the crop insurance industry, one  
17 appointed by the governor and one appointed by the agriculture commissioner.

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

19 3. An appointed member may serve consecutive terms.

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

23 **SECTION 2.**

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

2        1. Biennially, the crop insurance development board shall elect one member to serve as  
3        the chairman. The chairman's term begins July 1, 2011. The chairman may serve  
4        consecutive terms.

5        2. The chairman shall call all meetings of the board.

6        3. The board shall meet as often as necessary to fulfill its duties under section 4 of this  
7        Act.

8        ~~**SECTION 3.**~~

9        ~~**Crop insurance development board - Compensation of board members.**~~

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

14        **SECTION 3.**

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

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

27        1. The crop insurance development board shall assess the feasibility and desirability of  
28        proposals submitted by individuals and by public and nonpublic entities pertaining to  
29        the development and implementation of crop insurance instruments. The board may  
30        authorize the awarding of grants to assist with future actuarial and development costs.

1 2. Grants may be awarded for up to seventy-five percent of the first fifty thousand dollars  
2 and up to fifty percent of the costs thereafter.

3 3. The board shall establish conditions pertaining to the receipt of grants, including the  
4 repayment of some or all of the grants with moneys received by the applicant from the  
5 federal crop insurance corporation for continued development of the proposal. The  
6 board shall forward any moneys received as repayments under this section to the  
7 state treasurer for deposit in the agricultural fuel tax fund.

8 **SECTION 4.**

9 **Access to board records.**

10 Materials and data submitted to, or made or received by, the board, to the extent that the  
11 board determines the materials or data consist of trade secrets or commercial, financial, or  
12 proprietary information of individuals or entities applying to or contracting with the board or  
13 receiving board services under this chapter are subject to section 44-04-18.4. The names or  
14 identities of the independent technical reviewers on any project or program are confidential and  
15 may not be disclosed by the board.

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

22 **SECTION 5. CROP INSURANCE DEVELOPMENT GRANTS.** During the 2011-13  
23 biennium, the agricultural products utilization commission shall expend up to \$100,000 from the  
24 agricultural fuel tax fund, for the purpose of awarding grants that have been approved by the  
25 crop insurance development board in accordance with this Act.