19.1130.02000

Sixty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2328
with House Amendments
SENATE BILL NO. 2328

Introduced by

Senators Klein, Elkin, Holmberg, Luick

Representatives D. Johnson, Schreiber-Beck

A BILL for an Act to create and enact a new chapter to title 4.1 of the North Dakota Century Code, relating to the agricultural products utilization commission; to repeal chapter 54-60.3 of the North Dakota Century Code, relating to the agricultural products utilization commission; and to provide a report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new chapter to title 4.1 of the North Dakota Century Code is created and enacted as follows:

Agricultural products utilization commission - Composition - Appointment.

The agricultural products utilization commission shall administer the agricultural products utilization fund. The commission shall consist of nine members, five of whom must be appointed by the agriculture commissioner for terms of two years each, arranged so that two terms expire in odd-numbered years and three terms expire in even-numbered years. Four members appointed by the agriculture commissioner must be actively engaged in farming in this state and one member appointed by the agriculture commissioner must be actively engaged in business in this state. The governor shall appoint one member for a term of two years which expires in odd-numbered years. The member appointed by the governor must be actively engaged in business in this state. Commission members may be reappointed. Terms of commissioners commence on the first day of July. The commissioner of commerce, the president of North Dakota state university, and the agriculture commissioner, or their designees, are members of the commission. The commission shall elect one of its members as chairman.

Agricultural products utilization commission - Authority.

1. The North Dakota agricultural products utilization commission may apply for, accept, and expend any appropriation, grant, gift, or service made available from public or private sources.

2. The commission may administer grant programs including:
   a. A basic and applied research grant program;
   b. A utilization and marketing grant program;
   c. A cooperative marketing grant program;
   d. A nature-based tourism grant program;
   e. A technical assistance grant program for value-added businesses;
   f. A farm diversification grant program;
   g. An agricultural prototype development grant program;
   h. An agricultural technologies grant program; and
   i. A North American marketing grant program.
3. As a condition of any grant administered by the commission, the commission may require the recipient repay some or all of the grant if the recipient does not fulfill the conditions of the grant. Repayment may be monetary or any other type or method determined by the commission.

Agricultural products utilization commission - Meetings - Personnel - Reports.

The agricultural products utilization commission, an office of the agriculture commissioner, shall meet as necessary and shall report to each session of the legislative assembly. The commissioner shall provide office space, employ required personnel for the performance of its duties, hire consultants, spend any funds appropriated to the commission, and contract with public entities or private parties for services.

Agricultural products utilization commission - Reimbursement - Compensation.

Members of the agricultural products utilization commission are entitled to be reimbursed for expenses incurred in the performance of their duties, in the same manner as other state officials are reimbursed, according to sections 44-08-04 and 54-06-09. If not otherwise employed by the state of North Dakota, members of the commission are entitled to receive per diem compensation of one hundred thirty-five dollars for each day of attending meetings and performing other duties relating to official business of the commission. The commission chairman, if not otherwise employed by the state of North Dakota, may receive an additional one hundred dollars for each day of a regular meeting attended as payment for reviewing and evaluating grant proposals.

Agricultural products utilization commission - Administrative expenses.

Administrative expenses of the agricultural products utilization commission, including expenses of members of the commission, employment of required personnel, hiring of consultants, and contracting with public or private entities for services may not exceed ten percent of the funds appropriated to the commission by the legislative assembly each biennium, excluding federal funds.

Agricultural products utilization fund - Purposes.

The agricultural products utilization fund in the state treasury must be used to fund programs for agricultural research, development, processing, technology, and marketing. The fund must be used to defray the expenses of the North Dakota agricultural products utilization commission. Interest earned on moneys in the fund must be credited to the fund.

SECTION 2. REPEAL. Chapter 54-60.3 of the North Dakota Century Code is repealed.