

HOUSE BILL NO. 1172

Introduced by

Representatives Kempenich, Brandenburg, Hagert

Senators Schaible, Wanzek

1 A BILL for an Act to amend and reenact section 6-09.10-04 of the North Dakota Century Code,
2 relating to agricultural mediation and negotiation services.

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

4 **SECTION 1. AMENDMENT.** Section 6-09.10-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **6-09.10-04. Request for assistance - Negotiation - Mediation.**

7 1. A farmer, creditor, person dealing with a farmer, person eligible for mediation with an
8 agency of the United States department of agriculture, a landowner, or an owner,
9 lessee, or lessor of mineral interests may request assistance from the North Dakota
10 mediation service.

11 2. Upon receipt of the request, and upon consent of all parties to mediation, the
12 administrator of the North Dakota mediation service may assign a negotiator or
13 mediator to assist the parties in reaching a voluntary settlement. A party to negotiation
14 or mediation under this section may not commence a civil action ~~to resolve the dispute~~
15 unless the party made a good-faith effort to resolve the dispute through negotiation or
16 mediation and the party provided the administrator notice by registered mail at least
17 fourteen days before commencing the action.

18 3. The United States department of agriculture farm service agency or any other farm
19 credit institution organized under the laws of the United States is exempt from the
20 notice requirement in subsection 2.