

Fifty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2169

Introduced by

Agriculture Committee

(At the request of the State Seed Arbitration Board)

1 A BILL for an Act to amend and reenact sections 4-09-03.1 and 4-09-20.2 of the North Dakota
2 Century Code, relating to the composition of and petitions to the state seed arbitration board.

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

4 **SECTION 1. AMENDMENT.** Section 4-09-03.1 of the 1999 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **4-09-03.1. State seed arbitration board - Compensation and expenses.** The state
7 seed arbitration board consists of the commissioner of agriculture, the state seed
8 commissioner, the director of the North Dakota state university extension service, the director of
9 the North Dakota agricultural experiment station, the chair of the North Dakota seed trade
10 committee of the North Dakota agriculture association, and a representative of a major North
11 Dakota farm organization appointed by the commissioner of agriculture, or their authorized
12 designees. Each board member is entitled to receive as per diem compensation sixty-two
13 dollars and fifty cents, and reimbursement of expenses as provided by law for state officers,
14 while attending meetings or performing duties directed by the board, except that no
15 compensation under this section may be paid to any member who receives compensation or
16 salary as a regular state employee or official. Compensation and expenses for board members
17 who do not receive compensation or salary as a regular state employee or official must be paid
18 by the department of agriculture.

19 **SECTION 2. AMENDMENT.** Section 4-09-20.2 of the 1999 Supplement to the North
20 Dakota Century Code is amended and reenacted as follows:

21 **4-09-20.2. Seed arbitration board - Petition - Arbitration hearing.** A seed labeler,
22 seed dealer, or a seed customer ~~shall~~ may petition the commissioner of agriculture in writing for
23 a hearing to settle a dispute involving a seed transaction. The commissioner of agriculture shall
24 submit the dispute to the seed arbitration board, and the board shall arbitrate the dispute. The

- 1 board, within thirty days after the hearing, shall make a nonbinding recommendation for the
- 2 resolution of the dispute. Evidence presented to the board and any findings or
- 3 recommendations by the board are admissible as evidence in any subsequent proceeding. The
- 4 board shall adopt rules and procedures for arbitration proceedings, including a formula for
- 5 reimbursement by the parties of the expenses of the arbitration process.