

**Fifty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2005**

SENATE BILL NO. 2236
(Senators Christmann, Bowman, Taylor)
(Representatives Haas, Pollert, Schmidt)

AN ACT to amend and reenact subsection 4 of section 4-10.6-01 and section 4-10.6-09 of the North Dakota Century Code, relating to collection of assessments on corn.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 4 of section 4-10.6-01 of the North Dakota Century Code is amended and reenacted as follows:

4. "Designated handler" means any ~~person accepting for shipment, or otherwise acquiring an interest in or to~~ grain warehouse, licensed grain buyer, processing plant, or ethanol plant which purchases corn from a grower. ~~The term includes~~ and any person having a claim against the ~~producer~~ grower, when the actual or constructive possession of the corn is taken as security, part payment, or in satisfaction of a mortgage, pledge, lien, or claim.

SECTION 2. AMENDMENT. Section 4-10.6-09 of the North Dakota Century Code is amended and reenacted as follows:

4-10.6-09. Collection of assessment. Every designated handler shall collect the assessment from the seller by deducting the assessment from the purchase price of all corn subject to the assessment and purchased by the designated handler. If a grower sells corn to a person who is not a designated handler, the grower shall forward the assessment to the council at the time and in the manner prescribed by the council.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2236.

Senate Vote: Yeas 45 Nays 2 Absent 0

House Vote: Yeas 70 Nays 12 Absent 12

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2005.

Approved at _____ M. on _____, 2005.

Governor

Filed in this office this _____ day of _____, 2005,

at _____ o'clock _____ M.

Secretary of State