

**SECOND ENGROSSMENT
with Senate Amendments**

Sixty-first
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1496

Introduced by

Representative Froelich

Senator Miller

1 A BILL for an Act to create and enact a new section to title 36 of the North Dakota Century
2 Code, relating to an equine assessment; to provide for an equine processing facility feasibility
3 study; to create an advisory committee; to provide an appropriation; to provide a continuing
4 appropriation; and to provide for legislative intent.

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

6 **SECTION 1.** A new section to title 36 of the North Dakota Century Code is created and
7 enacted as follows:

8 **Assessment - Continuing appropriation - Provision of grants.**

9 1. For each equine processed at an equine processing facility in this state, the owner
10 of the facility shall submit to the agriculture commissioner, at the time and in the
11 manner directed by the commissioner, an assessment in the amount of five
12 dollars. The commissioner shall forward the assessment to the state treasurer for
13 deposit in the equine processing fund.

14 2. All moneys in the equine processing fund are appropriated on a continuing basis to
15 the agriculture commissioner to be used as follows:

16 a. The agriculture commissioner shall return to the state general fund the fifty
17 thousand dollars appropriated to the department of commerce for the equine
18 processing facility feasibility study.

19 b. Upon completion of the requirement set forth in subdivision a, the
20 commissioner shall:

21 (1) Provide an annual grant equaling forty percent of any assessments
22 collected to Dickinson state university in support of the equine
23 management program;

1 (2) Provide an annual grant equaling forty percent of any assessments
2 collected to North Dakota state university in support of the equine
3 studies program; and

4 (3) Provide an annual grant equaling twenty percent of any assessments
5 collected to public or private entities conducting equine research or
6 offering hippotherapy to individuals with disabilities.

7 **SECTION 2. EQUINE PROCESSING FACILITY FEASIBILITY STUDY.**

8 1. During the 2009-10 interim, the department of commerce shall conduct an equine
9 processing facility feasibility study. The study must begin with a review of federal
10 laws, regulations, policies, and guidelines regarding equine processing and an
11 evaluation of the potential for amendments and modifications. If an equine
12 processing facility is determined to be permissible under existing laws, the study
13 may proceed to:

- 14 a. Address the cost of constructing a new equine processing facility in this state;
15 b. Determine whether any existing structures could be converted to an equine
16 processing facility and the cost of converting the structures;
17 c. Determine the nature and scope of existing and potential markets, both
18 domestic and international, for equine meat and other byproducts of equine
19 processing; and
20 d. Examine the potential for obtaining loans, grants, and other incentives in
21 order to further the development of an equine processing facility.

22 2. The department shall report its findings and recommendations, together with any
23 legislation required to implement the recommendations, to the sixty-second
24 legislative assembly.

25 **SECTION 3. ADVISORY COMMITTEE - REIMBURSEMENT FOR EXPENSES.** The

26 department of commerce may appoint a five-member committee to provide advice and
27 guidance to the department regarding the feasibility study provided for in section 2 of this Act.
28 The department may use up to \$5,000 of the amount appropriated under section 4 of this Act to
29 provide reimbursement for expenses, as allowed by law for state officers, to any member of the
30 advisory committee who does not serve on the committee by virtue of the individual's public
31 office or public employment.

1 **SECTION 4. APPROPRIATION.** There is appropriated out of any moneys in the
2 general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much
3 of the sum as may be necessary, to the department of commerce for the purpose of conducting
4 the equine processing facility feasibility study as provided under section 2 of this Act, for the
5 biennium beginning July 1, 2009, and ending June 30, 2011. The department may expend the
6 moneys appropriated under this section only if matching funds are obtained on a
7 dollar-for-dollar basis.

8 **SECTION 5. LEGISLATIVE INTENT - AGRICULTURAL PRODUCTS UTILIZATION**
9 **COMMISSION - CONSIDERATION OF GRANT PROPOSAL.** It is the intent of the legislative
10 assembly that the agricultural products utilization commission consider making a grant
11 available under section 4-14.1-03.1 to assist with the requirement for matching funds as
12 provided under section 1 of this Act.