

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2126
(Agriculture Committee)
(At the request of the Bank of North Dakota)

AN ACT to amend and reenact subsection 1 of section 6-09.9-02, subsection 2 of section 6-09.9-03, subsection 2 of section 6-09.11-03, subsection 4 of section 6-09.11-05, and subsection 1 of section 6-09.11-06 of the North Dakota Century Code, relating to definitions and operating loans for the Family Farm Survival Act and the family farm loan program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 6-09.9-02 of the North Dakota Century Code is amended and reenacted as follows:

1. "Farmer" means a resident of this state who owns or operates an existing farm or ranch operation, and has a debt-to-asset ratio of fifty percent or greater or a net worth of less than ~~three hundred thousand dollars~~ an amount determined by the Bank of North Dakota. The industrial commission may adopt additional eligibility criteria in determining who is a farmer eligible for loans under this chapter.

SECTION 2. AMENDMENT. Subsection 2 of section 6-09.9-03 of the North Dakota Century Code is amended and reenacted as follows:

2. The amount of a participation interest purchased by the Bank under this section may not be greater than sixty-five percent of the loan amount or ~~two hundred fifty thousand dollars~~ an amount determined by the Bank, whichever is less. The term of any participation interest purchased under this section may not exceed one year.

SECTION 3. AMENDMENT. Subsection 2 of section 6-09.11-03 of the North Dakota Century Code is amended and reenacted as follows:

2. The amount of a participation interest purchased by the Bank under this section may not be greater than the lesser of ~~two hundred fifty thousand dollars~~ an amount determined by the Bank or ninety percent of the loan amount.

SECTION 4. AMENDMENT. Subsection 4 of section 6-09.11-05 of the North Dakota Century Code is amended and reenacted as follows:

4. The net worth of the applicant does not exceed ~~three hundred thousand dollars~~ an amount determined by the Bank of North Dakota.

SECTION 5. AMENDMENT. Subsection 1 of section 6-09.11-06 of the North Dakota Century Code is amended and reenacted as follows:

1. A loan under this chapter may not be greater than the lesser of ~~two hundred fifty thousand dollars~~ an amount determined by the Bank of North Dakota or ninety percent of the appraised value of the security given for the loan, with the actual percentage to be determined by the Bank ~~of North Dakota~~. The Bank may do all things and acts, may require such security, and may establish additional terms and conditions as is determined necessary to purchase a participation interest in a loan under this chapter.

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 Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2126.

Senate Vote: Yeas 46 Nays 0 Absent 1

House Vote: Yeas 85 Nays 2 Absent 7

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,

at _____ o'clock _____ M.

Secretary of State