

Sixty-second
Legislative Assembly
of North Dakota

REENGROSSED SENATE BILL NO. 2222

Introduced by

Senators Flakoll, Bowman, Heckaman

Representatives D. Johnson, Boe, Brandenburg

1 A BILL for an Act relating to the development of crop insurance proposals; ~~and to provide an~~
2 ~~appropriation~~ to provide for crop insurance development grants; and to provide an expiration
3 date.

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

5 **SECTION 1.**

6 **Crop insurance development board - Membership - Terms.**

7 1. The crop insurance development board consists of:

8 a. ~~The governor or the governor's designee;~~

9 ~~_____ b. The agriculture commissioner or the commissioner's designee;~~

10 ~~_____ c. Three legislators appointed by the chairman of the legislative management,~~
11 ~~provided that two are members of the same party that holds a majority in the~~
12 ~~senate and one is a member of the minority party;~~

13 ~~d.b.~~ One individual representing an agricultural organization in this state, appointed
14 by the governor;

15 ~~e.c.~~ One individual representing an agricultural organization in this state, appointed
16 by the agriculture commissioner;

17 ~~_____ d.~~ One individual involved in the crop insurance industry, appointed by the governor;
18 and

19 ~~f.e.~~ One individual involved in the crop insurance industry, appointed by the
20 agriculture commissioner.

21 2. The term of each appointed member is two years and begins on July 1, 2011.

22 3. An appointed member may serve consecutive terms.

1 4. If at any time a member ceases to possess any of the qualifications required by this
2 section or otherwise terminates the appointment, the member's office is deemed
3 vacant and must be filled in the same manner as the original appointment.

4 **SECTION 2.**

5 **Crop insurance development board - Chairman.**

6 1. Biennially, the crop insurance development board shall elect one member to serve as
7 the chairman. The chairman's term begins July 1, 2011. The chairman may serve
8 consecutive terms.

9 2. The chairman shall call all meetings of the board.

10 3. The board shall meet as often as necessary to fulfill its duties under section 43 of this
11 Act.

12 ~~**SECTION 3.**~~

13 ~~**Crop insurance development board - Compensation of board members.**~~

14 ~~Each member of the crop insurance development board is entitled to receive compensation~~
15 ~~in the amount established by the board but not exceeding one hundred thirty-five dollars per~~
16 ~~day plus reimbursement for expenses as provided by law for state officers if the member is~~
17 ~~attending meetings or performing duties directed by the board.~~

18 **SECTION 3.**

19 **Crop insurance development board - Duties.**

20 ~~The crop insurance development board shall review and evaluate proposals submitted by~~
21 ~~individuals and by public and nonpublic entities pertaining to the development and~~
22 ~~implementation of crop insurance instruments. The board shall assess the feasibility and~~
23 ~~desirability of the proposals. For those proposals that the board determines viable, the board~~
24 ~~may award grants to assist with future actuarial and development costs. Grants may be~~
25 ~~awarded for up to seventy-five percent of the first fifty thousand dollars and up to fifty percent~~
26 ~~thereafter of the future actuarial and development costs. The board shall establish conditions~~
27 ~~pertaining to the awarding of grants, including the repayment of some or all of the grants with~~
28 ~~moneys received by the applicant from the federal crop insurance corporation for continued~~
29 ~~development of the proposal. The board shall forward any moneys received as repayments~~
30 ~~under this section to the state treasurer for deposit in the general fund.~~

1 1. The crop insurance development board shall assess the feasibility and desirability of
2 proposals submitted by individuals and by public and nonpublic entities pertaining to
3 the development and implementation of crop insurance instruments. The board may
4 authorize the awarding of grants to assist with future actuarial and development costs.

5 2. Grants may be awarded for up to seventy-five percent of the first fifty thousand dollars
6 and up to fifty percent of the costs thereafter.

7 3. The board shall establish conditions pertaining to the receipt of grants, including the
8 repayment of some or all of the grants with moneys received by the applicant from the
9 federal crop insurance corporation for continued development of the proposal. The
10 board shall forward any moneys received as repayments under this section to the
11 state treasurer for deposit in the agricultural fuel tax fund.

12 **SECTION 4.**

13 **Access to board records.**

14 Materials and data submitted to, or made or received by, the board, to the extent that the
15 board determines the materials or data consist of trade secrets or commercial, financial, or
16 proprietary information of individuals or entities applying to or contracting with the board or
17 receiving board services under this chapter are subject to section 44-04-18.4. The names or
18 identities of the independent technical reviewers on any project or program are confidential and
19 may not be disclosed by the board.

20 ~~— **SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the agricultural~~
21 ~~fuel tax fund administered by the agricultural products utilization commission in the state~~
22 ~~treasury, not otherwise appropriated, the sum of \$400,000, or so much of the sum as may be~~
23 ~~necessary, to the governor for the purpose of providing grants to public and nonpublic entities~~
24 ~~pursuing the development and implementation of crop insurance instruments, for the biennium~~
25 ~~beginning July 1, 2011, and ending June 30, 2013.~~

26 **SECTION 5. CROP INSURANCE DEVELOPMENT GRANTS.** During each biennium, the
27 agricultural products utilization commission shall reserve \$150,000 from the agricultural fuel tax
28 fund for the purpose of awarding grants that have been approved by the crop insurance
29 development board in accordance with this Act. If any portion of the reserved amount remains
30 unexpended at the conclusion of a biennium, the unexpended amount must also be made
31 available for the purpose of awarding grants during the ensuing biennium.

1 **SECTION 6. EXPIRATION DATE.** This Act is effective through June 30, 2015, and after that
2 date is ineffective.