

**HOUSE BILL NO. 1282**

Introduced by

Representatives Brandenburg, Kempenich, Pollert

1 A BILL for an Act to amend and reenact section 4-01-26 of the North Dakota Century Code,  
2 relating to limitations on commodity groups.

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

4 **SECTION 1. AMENDMENT.** Section 4-01-26 of the North Dakota Century Code is amended  
5 and reenacted as follows:

6 **4-01-26. Commodity groups - Agriculture commissioner - Meetings - State agencies.**

- 7 1. The agriculture commissioner may participate, as a nonvoting member, in any regular  
8 or special meeting of a commodity group, including any executive session held by a  
9 commodity group.
- 10 2. Annually, the agriculture commissioner shall call a meeting of representatives from  
11 each commodity group for the purpose of engaging in collaborative efforts to promote  
12 and market agricultural commodities.
- 13 3. For purposes of this section, "commodity group" means the:
- 14 a. North Dakota barley council;
- 15 b. North Dakota beef commission;
- 16 c. North Dakota beekeepers association;
- 17 d. North Dakota corn utilization council;
- 18 e. North Dakota dairy promotion commission;
- 19 f. North Dakota dry bean council;
- 20 g. North Dakota dry pea and lentil council;
- 21 h. North Dakota oilseed council;
- 22 i. North Dakota potato council;
- 23 j. North Dakota soybean council;
- 24 k. North Dakota turkey federation; and

- 1 I. North Dakota wheat commission.
- 2 4. A commodity group is an executive branch state agency and must comply with all
- 3 state procurement laws and rules and office of management and budget guidelines
- 4 applicable to executive branch state agencies and institutions.
- 5 5. A commodity group may not:
- 6 a. Contract with any person to perform any activity that is so intimately related to the
- 7 public interest as to mandate performance by a state officer or employee,
- 8 including the procurement or the expenditure of funds, or any activity that
- 9 requires the exercise of discretion in applying the authority of the state or the use
- 10 of judgment in making a decision for or otherwise binding the state;
- 11 b. Delegate the duty to determine the uses for which moneys raised by or
- 12 appropriated to the commodity group are expended;
- 13 c. Engage in a commercial business enterprise; or
- 14 d. Contract with or employ any person that has a potential or actual conflict of
- 15 interest.
- 16 6. Upon the recommendation of the agriculture commissioner, the governor may remove
- 17 a member of a commodity group for cause.