

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1145**

Introduced by

Representatives D. Johnson, Beltz, Hagert, Howe

Senators Lemm, Luick, Piepkorn, Wanzek, Weber

1 A BILL for an Act to amend and reenact sections 4.1-11-02 and 4.1-11-03, and subsection 2 of
2 section 4.1-11-04 of the North Dakota Century Code, relating to soybean districts and terms of
3 office for members elected to the North Dakota soybean council.

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

5 **SECTION 1. AMENDMENT.** Section 4.1-11-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **4.1-11-02. Soybean districts - Establishment - Review of district lines.**

8 1. The state consists of the following ~~eight soybean districts:~~

9 a. ~~Richland County;~~

10 b. ~~Dickey, LaMoure, Ransom, and Sargent Counties;~~

11 c. ~~Cass County;~~

12 d. ~~Barnes, Griggs, and Steele Counties;~~

13 e. ~~Traill County;~~

14 f. ~~Grand Forks County;~~

15 g. ~~Pembina, Nelson, and Walsh Counties; and~~

16 h. ~~All other North Dakota counties in which soybeans are grown.~~

17 2. ~~Beginning April 1, 2012, the state consists of the following twelve soybean districts:~~

18 a. ~~District one: Richland County;~~

19 b. ~~District two: Ransom and Sargent Counties;~~

20 c. ~~District three: Dickey and LaMoure Counties;~~

21 d. ~~District four: Cass County;~~

22 e. ~~District five: Barnes County;~~

23 f. ~~District six: Stutsman County;~~

24 g. ~~District seven: Grand Forks and Traill Counties;~~

- 1 h. District eight: Griggs, Nelson, and Steele Counties;
- 2 i. District nine: Eddy, Foster, and Wells Counties;
- 3 j. District ten: Cavalier, Pembina, and Walsh Counties;
- 4 k. District eleven: Benson, Bottineau, Burke, Divide, McHenry, Mountrail, Pierce,
5 Ramsey, Renville, Rolette, Towner, Ward, and Williams Counties; and
- 6 l. District twelve: Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden
7 Valley, Grant, Hettinger, Kidder, Logan, McIntosh, McKenzie, McLean, Mercer,
8 Morton, Oliver, Sheridan, Sioux, Slope, and Stark Counties.

- 9 2. The council shall review the district boundaries at least once every seven years to
10 ensure accurate producer representation. If, upon review, the council determines the
11 districts do not accurately represent producers in the state based upon acreage, the
12 council may redistrict upon a two-thirds vote of the members elected to the council.

13 **SECTION 2. AMENDMENT.** Section 4.1-11-03 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **4.1-11-03. North Dakota soybean council - Membership - Terms.**

- 16 1. The council consists of one producer elected from each of the districts established in
17 section 4.1-11-02.
- 18 2. Each member of the council must be a resident of ~~and a producer in the district that~~
19 ~~the member represents~~ and a producer.
- 20 3. a. The term of each elected member is three years and begins on ~~April~~July first
21 following the member's election. Except as otherwise provided in this subsection,
22 the terms must be staggered so that no more than ~~three~~four expire each year.
23 b. ~~Notwithstanding subdivision a, the terms of all council members expire on~~
24 ~~March 31, 2012. Between January 1, 2012, December first and March 31, 2012,~~
25 ~~thirty-first of the subsequent year,~~ each district established by ~~subsection 2 of~~
26 section 4.1-11-02 which has a vacancy shall elect an individual to serve as a
27 council member with a term beginning ~~April 1, 2012~~July first. The initial terms of
28 ~~individuals elected to begin serving as~~ all council members on ~~April 1, 2012, are:~~
29 (1) ~~One year for council members representing districts one, five, seven, and~~
30 ~~nine;~~

1 (2) ~~Two years for council members representing districts two, eight, ten, and~~
2 ~~twelve; and~~

3 (3) ~~Three years for council members representing districts three, four, six, and~~
4 ~~eleven expire on June thirtieth of the third year of each member's term.~~

5 4. If at any time during a member's term the member ceases to possess any of the
6 qualifications provided for in this section, the member's office is deemed vacant and
7 the council, by majority vote, shall appoint another qualified producer to serve for the
8 remainder of the term.

9 5. An elected member of the council may not serve more than two consecutive terms.

10 6. If an individual is appointed to complete a vacancy, that service is not counted as a
11 term for purposes of this section unless the duration of that service exceeds one year.

12 **SECTION 3. AMENDMENT.** Subsection 2 of section 4.1-11-04 of the North Dakota Century
13 Code is amended and reenacted as follows:

14 2. Each year during the month of ~~January~~December, the council shall publish notice of
15 the election in the official newspaper of the county for one week. The notice must
16 contain a description of the election process, a request for the nomination of potential
17 candidates for the position, and a deadline for the receipt of all nominations.