

**Fifty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2005**

HOUSE BILL NO. 1264
(Representatives Aarsvold, Kingsbury, Nicholas)
(Senators Christmann, Flakoll, Taylor)

AN ACT to amend and reenact section 4-05.1-16 of the North Dakota Century Code, relating to the state board of agricultural research and education.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4-05.1-16 of the North Dakota Century Code is amended and reenacted as follows:

4-05.1-16. State board of agricultural research and education - Membership - Terms.

1. The state board of agricultural research and education consists of:
 - a. The president of North Dakota state university or the president's designee;
 - b. The vice president of agricultural affairs at North Dakota state university, who serves in an ex officio nonvoting capacity;
 - c. The administrator of the agricultural experiment station, who serves in an ex officio nonvoting capacity;
 - d. The five persons appointed to the agricultural consultation board by the ag coalition ~~and serving in that capacity on July 1, 1997;~~
 - e. The five persons appointed to the agricultural consultation board by the extension service's multicounty program units ~~and serving in that capacity on July 1, 1997;~~
 - f. ~~The two persons appointed to the agricultural consultation board by the president of North Dakota state university as representatives of the state's research extension centers and serving in that capacity on July 1, 1997;~~
 - ~~g.~~ g. The agriculture commissioner, who serves in an ex officio nonvoting capacity;
 - ~~h.~~ g. The director of the North Dakota state university extension service, who serves in an ex officio nonvoting capacity; and
 - ~~i.~~ h. Two members of the legislative assembly appointed by the chairman of the legislative council. The chairman shall appoint one member from each political faction. The terms of members are for two years, and members may be reappointed. The legislative council shall pay the compensation and expense reimbursement for the legislative members.
2.
 - a. The initial five members appointed by the ag coalition shall select their terms by lot so that one member serves for one year, one member serves for two years, one member serves for three years, one member serves for four years, and one member serves for five years.
 - b. The initial five members appointed by the extension service's multicounty program units shall select their terms by lot so that one member serves for one year, one member serves for two years, one member serves for three years, one member serves for four years, and one member serves for five years.

- e. ~~The two persons appointed as representatives of the state's research extension centers shall serve only through June 30, 1998.~~
- 3. At the completion of each initial term, the term of office for each member is ~~five~~ four years, beginning on July first. ~~No person~~ An individual may be ~~appointed~~ reappointed to a second ~~five-year~~ four-year term.
- 4. a. At least ninety days before the ~~conclusion of the initial~~ term of each a member appointed by the ag coalition expires, the ag coalition shall provide to the state board of higher education a list of one or more names from which the state board of higher education shall appoint a successor. ~~Future appointments to these five positions must be made in the same manner.~~ The state board of higher education shall ensure that four out of the five seats are held by agricultural producers.
- b. At least ninety days before the ~~conclusion of the initial~~ term of each a member appointed by the extension service's multicounty program units expires, the units through their advisory groups shall provide to the state board of higher education a list of one or more names from which the state board of higher education shall appoint a successor. ~~Future appointments to these five positions must be made in the same manner.~~ The state board of higher education shall ensure that four out of the five seats are held by agricultural producers.
- 5. If an appointed position becomes vacant, the vacancy must be filled for the unexpired portion of the term in the same manner as the initial appointment except that the ninety-day requirement is waived. An individual appointed under this subsection is eligible to serve two full terms after completing the unexpired term for which the individual was appointed.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1264.

House Vote: Yeas 82 Nays 4 Absent 8

Senate Vote: Yeas 45 Nays 0 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2005.

Approved at _____ M. on _____, 2005.

Governor

Filed in this office this _____ day of _____, 2005,

at _____ o'clock _____ M.

Secretary of State