

Sixty-first
Legislative Assembly
of North Dakota

REENGROSSED SENATE BILL NO. 2438

Introduced by

Senators Wanzek, Dotzenrod, Flakoll

Representatives Belter, Brandenburg, S. Meyer

1 A BILL for an Act to create and enact two new sections to chapter 54-60 of the North Dakota
2 Century Code, relating to the promotion of sustainably grown agricultural commodities; and to
3 provide an effective date.

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

5 **SECTION 1.** A new section to chapter 54-60 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Sustainably grown in North Dakota - Application - Logo - Promotion of**
8 **commodities.**

- 9 1. The department of commerce shall implement a program to promote agricultural
10 commodities that are sustainably grown in North Dakota.
- 11 2. A producer may apply to the department and upon demonstrating that the
12 producer's growing practices with respect to a particular commodity meet the
13 department's established criteria for sustainability, the department shall authorize
14 the producer to label and market the commodity as being sustainably grown in
15 North Dakota.
- 16 3. The department shall develop and make available for the use of authorized
17 producers a logo indicating that the commodity is sustainably grown in North
18 Dakota. The department shall actively support and promote the sale and use of
19 products identified as sustainably grown in North Dakota.
- 20 4. The department may establish and charge producers a fee for participating in the
21 program. The department shall forward all fees collected under this section to the
22 state treasurer for deposit in the general fund.
- 23 5. For purposes of this section, "sustainably grown" means that a crop is grown using
24 research-based practices that result in:

- 1 a. Decreased tillage requirements;
- 2 b. Decreased soil erosion;
- 3 c. Decreased use of water;
- 4 d. Decreased use of chemicals;
- 5 e. Increased yields; and
- 6 f. Greater economic benefit to producers.

7 **SECTION 2.** A new section to chapter 54-60 of the North Dakota Century Code is
8 created and enacted as follows:

9 **Advisory committee on sustainable agriculture - Creation - Duties -**
10 **Compensation.**

- 11 1. The department of commerce shall appoint an advisory committee on sustainable
12 agriculture. The committee must include:
 - 13 a. The chairman of the house agriculture committee or the chairman's designee;
 - 14 b. The chairman of the senate agriculture committee or the chairman's
15 designee;
 - 16 c. The agriculture commissioner or the commissioner's designee;
 - 17 d. The director of the North Dakota state university agricultural experiment
18 station;
 - 19 e. An agricultural producer who utilizes innovative research-based technologies
20 in farming operations;
 - 21 f. A representative of an international agricultural corporation; and
 - 22 g. An individual specializing in the domestic and international marketing of
23 agricultural products.
- 24 2. The committee shall:
 - 25 a. Examine the concept of sustainability with respect to conventional farming
26 practices and modern technology-based production practices;
 - 27 b. Examine production practices that are efficient and able to meet current and
28 future global food and nutritional needs;
 - 29 c. Examine production practices that promote increased efficiencies in resource
30 use, improve human health through access to safe and nutritious food, and
31 enhance economic opportunities for individual producers;

- 1 d. Explore metric evaluations to measure the attainment, maintenance, and
2 certification of sustainability; and
3 e. Advise the department regarding the development of a sustainability
4 certification program and the marketing and packaging of products containing
5 the certification.
- 6 3. Each legislative member of the committee is entitled to receive per diem
7 compensation in the amount established by subsection 1 of section 54-03-20 plus
8 reimbursement for expenses as provided by law for state officers if the member is
9 attending meetings or performing duties directed by the committee.

10 **SECTION 3. EFFECTIVE DATE.** Section 1 of this Act becomes effective on July 1,
11 2011.