

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 4-01 of the North Dakota  
2 Century Code, relating to the promotion of sustainably grown agricultural commodities; to  
3 provide a continuing appropriation; and to provide an effective date.

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

5 **SECTION 1.** A new section to chapter 4-01 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 agriculture commissioner shall implement a program to promote agricultural  
10 commodities that are sustainably grown in North Dakota.
- 11 2. A producer may apply to the commissioner and upon demonstrating that the  
12 producer's growing practices with respect to a particular commodity meet the  
13 commissioner's established criteria for sustainability, the commissioner shall  
14 authorize the producer to label and market the commodity as being sustainably  
15 grown in North Dakota.
- 16 3. The commissioner 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 commissioner shall actively support and promote the sale and use of  
19 products identified as sustainably grown in North Dakota.
- 20 4. The commissioner may establish and charge producers a fee for participating in  
21 the program. The commissioner shall forward all fees collected under this section  
22 to the 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. Increased efficiencies in soil and nutrient preservation;
- 2           b. Decreased reliance on tillage and other soil-depleting practices;
- 3           c. Increased efficiencies in the use of water;
- 4           d. Increased efficiencies in the use of other necessary and measurable
- 5                 agricultural inputs;
- 6           e. Increased yield efficiencies; and
- 7           f. Greater economic benefit to producers.

8           **SECTION 2.** A new section to chapter 4-01 of the North Dakota Century Code is  
9 created and enacted as follows:

10           **Advisory committee on sustainable agriculture - Creation - Duties - Powers -**  
11 **Compensation - Continuing appropriation.**

12           1. The agriculture commissioner shall appoint an advisory committee on sustainable  
13 agriculture.

14           a. The committee must include:

15                 (1) The chairman of the house agriculture committee or the chairman's  
16 designee;

17                 (2) The chairman of the senate agriculture committee or the chairman's  
18 designee;

19                 (3) The commissioner of the department of commerce or the  
20 commissioner's designee;

21                 (4) The director of the North Dakota state university agricultural experiment  
22 station;

23                 (5) An agricultural producer who utilizes innovative research-based  
24 technologies in farming operations;

25                 (6) A representative of an international agricultural corporation; and

26                 (7) An individual specializing in the domestic and international marketing of  
27 agricultural products.

28           b. If both houses of the legislative assembly are controlled by the same party,  
29 the committee also must include one member of the legislative assembly from  
30 the minority party, appointed by the chairman of the legislative council.

31           2. The committee shall:

- 1           a. Examine the concept of sustainability with respect to conventional farming
- 2                   practices and modern technology-based production practices;
- 3           b. Examine production practices that are efficient and able to meet current and
- 4                   future global food and nutritional needs;
- 5           c. Examine production practices that promote increased efficiencies in resource
- 6                   use, improve human health through access to safe and nutritious food, and
- 7                   enhance economic opportunities for individual producers;
- 8           d. Explore metric evaluations to measure the attainment, maintenance, and
- 9                   certification of sustainability;
- 10          e. Advise the commissioner regarding the development of a sustainability
- 11                   certification program and the marketing and packaging of products containing
- 12                   the certification;
- 13          f. Explore the standards held by international private sector certifying groups
- 14                   which have the potential to increase sales of North Dakota products; and
- 15          g. Report to the legislative council on the status of committee activities.
- 16          3. The committee may accept gifts, grants, and donations of money, property, and
- 17                   services. All moneys received as gifts, grants, or donations are appropriated on a
- 18                   continuing basis to the agriculture commissioner for the purpose of carrying out
- 19                   this section.
- 20          4. Each legislative member of the committee is entitled to receive per diem
- 21                   compensation in the amount established by subsection 1 of section 54-03-20 plus
- 22                   reimbursement for expenses as provided by law for state officers if the member is
- 23                   attending meetings or performing duties directed by the committee.

24          **SECTION 3. EFFECTIVE DATE.** Section 1 of this Act becomes effective on July 1,  
25          2011.