

HOUSE BILL NO. 1318

Introduced by

Representatives Brandenburg, Headland, Pollert, Silbernagel

Senators Dotzenrod, Erbele, Wanzek

1 A BILL for an Act to provide for agriculture development impact grants; to provide for a transfer;
2 to provide appropriations; and to provide for a report to the budget section.

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

4 **SECTION 1.**

5 **Definitions.**

6 As used in this Act:

7 1. "Agriculture development" means farming, ranching, other agricultural commodity
8 production, and industries directly related to the processing of agriculture products,
9 including fertilizer plants, food processing facilities, and other agriculturally related
10 value-added processes.

11 2. "Impacted political subdivisions" means a county, city, school district, township, or
12 other taxing district empowered by law to levy taxes which demonstrates actual or
13 anticipated extraordinary expenditures caused by agriculture development.

14 **SECTION 2.**

15 **Agriculture impact grant fund.**

16 There is created in the state treasury a special fund known as the agriculture impact grant
17 fund. Moneys in the fund must be used for grant awards as provided by law and as
18 appropriated by the legislative assembly to be distributed by the department of transportation to
19 impacted political subdivisions.

20 **SECTION 3.**

21 **Agriculture impact grant advisory committee.**

22 The agriculture impact grant advisory committee consists of the director of the department
23 of transportation and one representative from each of the following:

24 1. North Dakota barley council;

- 1 2. North Dakota beef commission;
- 2 3. North Dakota beekeepers association;
- 3 4. North Dakota corn utilization council;
- 4 5. North Dakota dairy promotion commission;
- 5 6. North Dakota dry bean council;
- 6 7. North Dakota dry pea and lentil council;
- 7 8. North Dakota oilseed council;
- 8 9. North Dakota potato council;
- 9 10. North Dakota soybean council;
- 10 11. North Dakota turkey federation; and
- 11 12. North Dakota wheat commission.

12 The director of the department of transportation is chairman of the committee. The committee
13 must meet at the call of the director to review requests for funding from the agriculture impact
14 grant fund. The committee shall make recommendations to the department of transportation for
15 grant awards. The director shall provide staff services to the committee.

16 **SECTION 4.**

17 **Agriculture impact grant program.**

18 The department of transportation shall establish and administer an agriculture impact grant
19 program to provide grants to impacted political subdivisions. The department of transportation
20 shall:

- 21 1. Develop a plan for awarding and disbursing grants to impacted political subdivisions to
22 address the initial impacts, including infrastructure and basic government services,
23 caused by agriculture development. Services or programs to alleviate sociological
24 impacts as well as services or facilities to meet secondary impacts are not eligible for
25 the grant funding provided in this chapter.
- 26 2. Establish procedures and provide proper forms to political subdivisions for grant
27 applications as provided in this chapter.
- 28 3. Make grant disbursements based on the recommendations of the agriculture impact
29 grant advisory committee, at least once each fiscal year, to impacted political
30 subdivisions as provided in this chapter and within the limits of legislative
31 appropriations. In determining the amounts to be awarded and disbursed to impacted

1 political subdivisions, consideration must be given to identified needs and revenue
2 received by each impacted political subdivision from taxes or fund distribution formulas
3 provided by law.

4 **SECTION 5. APPROPRIATION - TRANSFER - GENERAL FUND TO AGRICULTURE**

5 **IMPACT GRANT FUND.** There is appropriated out of any moneys in the general fund in the
6 state treasury, not otherwise appropriated, the sum of \$5,000,000, which the office of
7 management and budget shall transfer to the agriculture impact grant fund during the biennium
8 beginning July 1, 2015, and ending June 30, 2017. The office of management and budget shall
9 transfer the funds provided under this section to the agriculture impact grant fund as requested
10 by the director of the department of transportation.

11 **SECTION 6. APPROPRIATION - AGRICULTURE IMPACT GRANT FUND -**

12 **DEPARTMENT OF TRANSPORTATION - REPORT TO BUDGET SECTION.** There is
13 appropriated out of any moneys in the agriculture impact grant fund in the state treasury, not
14 otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to
15 the department of transportation for the purpose of awarding grants to counties, cities, school
16 districts, townships, and other taxing districts in agriculture development impacted areas, for the
17 biennium beginning July 1, 2015, and ending June 30, 2017. The department of transportation
18 may spend up to \$50,000 of the funding provided under this section for defraying the expenses
19 of administering the grants and for reimbursing the costs of the agriculture impact grant
20 advisory committee. The department of transportation shall report to the budget section and to
21 the appropriations committees of the sixty-fifth legislative assembly on the use of this funding.
22 The funding provided under this section is not subject to 54-44.1-11.