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Dennis Halliwell
Operator's Signature

10/3/03
Date

2003 HOUSE APPROPRIATIONS

HB 1389

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Deanne Hall Smith
Operator's Signature

10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1389

House Appropriations Committee

☐ Conference Committee

Hearing Date 02-18-03

Tape Number	Side A	Side B	Meter #
2		B	47
Committee Clerk Signature <i>Chris J. Sykes</i>			

Minutes:

Rep. Skarphol This reduces the size of SBARE, I Move Amendment 30314.0207 to HB 1389.

2nd by Rep. Wald.

Rep. Rennerfeldt Will the research centers have any input as to who is nominated to the district representations around the state?

Rep. Skarphol It is intended that there will be geographical distribution and representation.

Rep. Brusegaard I want to commend Rep. Skarphol for taking on this board. These amendments fix problems with SBARE and NDSU relations. This has been an ongoing problem for 6 years. Rep. Skarphol took this issue on head on.

Motion Passes.

Rep. Skarphol I move a Do Pass As Amended 2nd by Carlson. Motion Carries 16 yeas, 6 nays, 1 absent/not voting. Rep. Skarphol will carry the bill.

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Deanna Hallmark
Operator's Signature

10/3/03
Date

FISCAL NOTE
Requested by Legislative Council
01/21/2003

Bill/Resolution No.: HB 1389

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

NDSU does not estimate any substantial cost increase to produce the required reports. Any additional costs would be absorbed within current appropriations.

3. State fiscal effect detail: For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Laura Glatt	Agency:	NDUS
Phone Number:	328-4116	Date Prepared:	01/24/2003

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Operator's Signature

Date

30314.0207
Title.0300

Prepared by the Legislative Council staff for
Representative Berg
February 18, 2003

VR
2/18/03
1083

HOUSE AMENDMENTS TO HOUSE BILL NO. 1389 APP 2-19-03

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 4-05.1-02, 4-05.1-04, 4-05.1-16, and 4-05.1-19 of the North Dakota Century Code, relating to the duties, responsibilities, and membership of the state board of agricultural research and education.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4-05.1-02 of the North Dakota Century Code is amended and reenacted as follows:

4-05.1-02. Agricultural experiment station. The state board of agricultural research and education shall establish policies governing the direction and control of the North Dakota agricultural experiment station and the president of North Dakota state university shall ~~control and administer the North Dakota agricultural experiment station,~~ subject to the supervision of the state board of higher education. Funds appropriated to the agricultural experiment station may not be commingled with funds appropriated to North Dakota state university. Appropriation requests to defray expenses of the agricultural experiment station must be separate from appropriation requests to defray expenses of North Dakota state university.

SECTION 2. AMENDMENT. Section 4-05.1-04 of the North Dakota Century Code is amended and reenacted as follows:

4-05.1-04. Reports. Each center director shall submit an annual report to the station director as directed by the ~~state board of agricultural research and education~~ president of North Dakota state university. Each report must set forth in detail the investigations and experiments made during the preceding year, recommendations for the welfare of the center, the financial condition of the center, how all moneys have been expended, and the results of experiments. The station director shall submit these reports, with a report of the North Dakota state university main research center, to the state board of agricultural research and education and the state board of higher education on or before the first day of September of each year. If the state board of higher education submits a biennial report to the governor and the secretary of state in accordance with section 54-06-04, the report must include a composite of the reports from the main research center and each research extension center.

SECTION 3. 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;~~

Page No. 1

30314.0207

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Deanna Hallmark
Operator's Signature

10/3/03
Date

2013

- d. ~~The five persons~~ Five individuals appointed to the agricultural consultation board by the ag coalition and serving in that capacity on July 1, 1997;
- e. b. ~~The five persons~~ Five individuals 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. ~~The agriculture commissioner, who serves in an ex-officio nonvoting capacity;~~
- h. ~~The director of the North Dakota state university extension service, who serves in an ex-officio nonvoting capacity; and~~
- i. c. 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. As the terms of office held on the effective date of this Act by individuals listed in subdivisions a and b of subsection 1 expire, the ag coalition shall provide to the governor a list of two names for each position and the governor shall appoint an individual to each position from that list.
3. 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. 4. At the completion of each initial term, the term of office for each member is five years, beginning on July first. No person may be appointed to a second five-year term.
4. a. ~~At least ninety days before the conclusion of the initial term of each member appointed by the ag coalition, 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 member appointed by the extension service's multicounty program units, 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.~~

SECTION 4. AMENDMENT. Section 4-05.1-19 of the North Dakota Century Code is amended and reenacted as follows:

4-05.1-19. State board of agricultural research and education - Duties.

Within the policies of the state board of higher education, the state board of agricultural research and education is responsible for ~~budgeting and policymaking~~ establishing and directing policies associated with the agricultural experiment station and the North Dakota state university extension service. The board of agricultural research and education shall:

1. Determine the causes of any adverse economic impacts on crops and livestock produced in this state;
2. Develop ongoing strategies for the provision of research solutions and resources to negate adverse economic impacts on crops and livestock produced in this state;
3. ~~Develop ongoing strategies for the dissemination of research information through the extension service;~~
4. ~~Implement~~ Collaborate with the president of North Dakota state university to implement the strategies developed under ~~subsections~~ subsection 2 and 3, subject to approval by the state board of higher education;
5. ~~Develop, with the agricultural experiment station and the North Dakota state university extension service, an annual~~
4. Receive budget development updates from the president of North Dakota state university and upon completion review and approve the biennial budget for the operations of these entities;
6. ~~Develop a biennial budget request and submit that request to the president of North Dakota state university and the state board of higher education;~~
7. ~~Maximize the use of existing financial resources, equipment, and facilities to generate the greatest economic benefit from research and extension efforts and to promote efficiency the agricultural experiment station and the North Dakota state university extension service;~~
- 8- 5. Annually evaluate the results of research and extension activities and expenditures and ~~report~~ provide the findings to the budget section of the legislative council and the state board of higher education;
9. ~~Advise the president of North Dakota state university regarding the recruitment, selection, and performance of the vice president of agricultural affairs, the extension service director, and the station director; and~~
- 10- 6. Present a status report Annually provide to the budget section of the legislative council a five-year plan that addresses the future of agriculture in this state and the role of the agricultural experiment station in that vision."

Renumber accordingly

Date: 2-18
Roll Call Vote #: 11

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1389

House Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 0207

Action Taken DPAA

Motion Made By Skarphol Seconded By Carlson

Representatives	Yes	No	Representatives	Yes	No
Rep. Ken Svedjan (Chair)	✓		Rep. Bob Skarphol	✓	
Rep. Mike Timm (Vice-Chair)	✓		Rep. Blair Thoreson	✓	
Rep. Bob Martinson	✓		Rep. Eliot Glassheim		✓
Rep. Thomas Brusegaard	✓		Rep. Joe Kroeber		✓
Rep. David Monson	✓		Rep. John Warner	✓	
Rep. Earl Rennerfeldt	✓		Rep. Jeff Delzer		✓
Rep. Francis J. Wald	✓		Rep. Amy Warnke	✓	
Rep. Ole Aarsvold		✓	Rep. Larry Bellew	✓	
Rep. Pam Gulleason	✓		Rep. Keith Kempenich	✓	
Rep. Ron Carlisle	✓		Rep. James Kerzman		✓
Rep. Al Carlson	✓		Rep. Ralph Metcalf		✓
Rep. Kim Koppelman					

Total (Yes) 16 No 6

Absent 1

Floor Assignment Skarphol

If the vote is on an amendment, briefly indicate intent:

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Dennis Hallmark
Operator's Signature

10/3/03
Date

REPORT OF STANDING COMMITTEE (410)
February 19, 2003 8:25 a.m.

Module No: HR-32-3218
Carrier: Skarphol
Insert LC: 30314.0207 Title: .0300

REPORT OF STANDING COMMITTEE

HB 1389: Appropriations Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (16 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1389 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 4-05.1-02, 4-05.1-04, 4-05.1-16, and 4-05.1-19 of the North Dakota Century Code, relating to the duties, responsibilities, and membership of the state board of agricultural research and education.

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- ~~e.~~ The administrator of the agricultural experiment station, who serves in an ex-officio nonvoting capacity;
 - ~~d.~~ The ~~five persons~~ Five individuals appointed to the agricultural consultation board by the ag coalition and serving in that capacity on July 1, 1997;
 - ~~e.~~ b. The ~~five persons~~ Five individuals 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.~~ The agriculture commissioner, who serves in an ex-officio nonvoting capacity;
 - ~~h.~~ The director of the North Dakota state university extension service, who serves in an ex-officio nonvoting capacity; and
 - ~~i.~~ c. 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.
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- ~~e.~~ The ~~two persons~~ appointed as representatives of the state's research extension centers shall serve only through June 30, 1998.
- ~~3.~~ 4. At the completion of each initial term, the term of office for each member is five years, beginning on July first. No person may be appointed to a second five-year term.
- ~~4.~~ a. ~~At least ninety days before the conclusion of the initial term of each member appointed by the ag coalition, 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 member appointed by the extension service's multicounty program units, 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.~~

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4. ~~Implement~~ Collaborate with the president of North Dakota state university to implement the strategies developed under subsections subsection 2 and 3, subject to approval by the state board of higher education;
5. ~~Develop, with the agricultural experiment station and the North Dakota state university extension service, an annual~~
4. Receive budget development updates from the president of North Dakota state university and upon completion review and approve the biennial budget for the operations of these entities;
6. ~~Develop a biennial budget request and submit that request to the president of North Dakota state university and the state board of higher education;~~
7. ~~Maximize the use of existing financial resources, equipment, and facilities to generate the greatest economic benefit from research and extension efforts and to promote efficiency the agricultural experiment station and the North Dakota state university extension service;~~
8. 5. Annually evaluate the results of research and extension activities and expenditures and ~~report~~ provide the findings to the budget section of the legislative council and the state board of higher education;

REPORT OF STANDING COMMITTEE (410)
February 19, 2003 8:25 a.m.

Module No: HR-32-3218
Carrier: Skarphol
Insert LC: 30314.0207 Title: .0300

- 9: ~~Advise the president of North Dakota state university regarding the recruitment, selection, and performance of the vice president of agricultural affairs, the extension service director, and the station director; and~~
10. 6. ~~Present a status report~~ Annually provide to the budget section of the legislative council a five-year plan that addresses the future of agriculture in this state and the role of the agricultural experiment station in that vision."

Renumber accordingly

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Dennis Halliwell
Operator's Signature

10/3/03
Date

2003 TESTIMONY

HB 1389

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10/3/03
Date

Testimony on HB1389**Dennis Miller, President****North Dakota Crop Improvement and Seed Association****9467 63 St NE****Lawton, ND 58345****701-644-2611****djmiller@polarcomm.com****Chm Svedjan and members of the House Appropriations Committee**

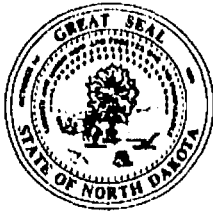
My name is Dennis Miller and I serve as President of the North Dakota Crop Improvement and Seed Association. As a board, we oversee the seed increase program of public crop varieties developed by NDSU and collect and distribute checkoff fees that these new varieties generate. We work closely with the Plant Science Department at NDSU, the ND Agricultural Experiment Stations and the NDSU Extension Service.

The NDCISA opposes the proposed changes to the SBARE committee that HB 1389 would accomplish. NDCISA feels SBARE currently provides the grassroots input into research that is necessary to keep research at NDSU on the cutting edge. NDCISA asks that the House Appropriations Committee maintains SBARE in it's original purpose.

Thank you**Dennis Miller**

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Dennis Miller
Operator's Signature**10/3/03**
Date



NORTH DAKOTA
STATE BOARD OF AGRICULTURAL RESEARCH AND EDUCATION

January 28, 2003

Chairman Svedjan and members of the House Appropriations Committee:

My name is Jerry Doan and I am a fourth generation farmer rancher from McKenzie, North Dakota. I am also the chair of the State Board of Agricultural Research and Education.

I think it is a fair question for the Legislature to ask – is SBARE and the process working? To answer that question, we must review the history of SBARE.

In 1973, the Consultation Board was established to be an advisory board to the State Board of Higher Education regarding agricultural research. The board was formed based on a feeling that producer input was not being heard at NDSU. In 1994, it was decided that the Consultation Board was not being listened to and a task force was set up to make changes to the board. I served on that task force and the recommendation was to change and make the board advisory to the NDSU President rather than to the SBHE. This Consultation Board continued until 1997. I also served on that Consultation Board and can tell you, an advisory board is not very effective.

In 1997, the Legislature, in union with the Ag Coalition, set up the State Board of Agricultural Research, allowing the ten producers which represent agriculture to have authority in the priority-setting process. In the 1999 session, Extension was added to the law to allow for a more integrated program to serve agriculture, making it the State Board of Agricultural Research and Education.

SBARE has served agriculture well – bringing a producer's perspective to the research and extension agenda. We have always considered it to be a team effort, involving the scientific expertise of NDSU and the producer's wishes – developing a better program for North Dakota.

SBARE has worked hard to implement the Agricultural Research Fund (gas tax research fund), involving our producers on granting committees and funding more than 236 research projects to date. This has become a model research fund, talked about nationally.

SBARE has also worked hard on many goals, including the Animal Nutrition and Physiology Center at NDSU, the Molecular Marker Lab (which has been instrumental in helping find scab resistant varieties), and increasing the core operating dollars per researcher from \$2200 to \$6600. These accomplishments, along with many other ideas, such as our vision for increased economic activity within the beef industry, called BeefLine, have allowed SBARE to have an impact on North Dakota agriculture. Probably one of the most important issues SBARE has helped with is simply the communication between department chairs, research extension center directors, and producers. This alone has helped utilize tax dollars more effectively.

North Dakota State University • 314 Morrill Hall • Box 5562 • Fargo, North Dakota 58105-5562
Phone 701-231-7656 • Fax 701-231-7566 • Internet SBARE@ndsuent.nodak.edu • Web site www.ag.ndsu.nodak.edu/sbare/

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Jerry Doan
Operator's Signature

10/3/03
Date

January 28, 2003

Page 2

The producers that serve on SBARE have one goal in mind, and that is to help North Dakota producers prosper. We appreciate dialogue about how to do that better.

We applaud the Legislature for adding two members of your body for input and feedback – improving the process. Senator Randy Christmann and Representative Phil Mueller will be very helpful in this process. We do not feel it will serve agriculture at all to tear the SBARE process apart.

We look forward to working with the Legislature for the betterment of agriculture in North Dakota.

Respectfully,



Jerry Doan, Chair
State Board of Agricultural Research and Education

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**Testimony of Jim Burbidge
House Bill 1389
January 28, 2003
4:00 p.m.
House Appropriations Committee
Roughrider Room**

Chairman Svedjan and members of the House Appropriations Committee, my name is Jim Burbidge and I am a grain farmer from Mohall, North Dakota. I am one of the seven board members who serve on the North Dakota Wheat Commission. I am here today to provide testimony on House Bill 1389, which relates to the budget for North Dakota State University's agricultural experiment station and extension service. In particular, I am here to oppose the language which changes the role of the State Board of Agricultural Research and Education (SBARE) from establishing and prioritizing these important research and extension budgets to that of providing advice only.

Continual wheat research with producer involvement and an emphasis on long term results is vital to our industry and to our state's economy since wheat is the single largest commodity in terms of economic activity. North Dakota wheat growers have benefited from priority research projects and enhancements to the agricultural experiment station and research and extension centers since SBARE was established in 1997. Many of these research projects have been funded jointly through SBARE's wheat granting committee and the North Dakota Wheat Commission and this comprehensive and ongoing research is being conducted at NDSU and its branch stations. These ongoing research efforts have enhanced the quantity and quality of spring wheat and durum production across North Dakota.

Since 1998, SBARE allocations to the wheat granting committee and from the SBARE agricultural research fund have ranged between \$143,000 and \$200,000 each year. During that same time the North Dakota Wheat Commission has spent nearly \$113,000 in matching contributions. The result has been successful projects that not only benefit the state's wheat industry but the entire state's economy.

In conclusion, the North Dakota Wheat Commission opposes HB 1389 because we believe the current structure and additional emphasis on agricultural research of SBARE works very well. The current SBARE system allows wheat producers to work with North Dakota State University researchers and extension professionals to direct research and extension efforts that have a positive economic impact on all producers. In fact, these research efforts have led to the development of the first truly scab tolerant hard red spring wheat variety-Alsen. Most importantly, key input and decision making, stays with those most affected by the problem and its final outcome, the producers. I would be happy to answer any questions any of you may have. Thank you for your consideration.

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Deanna M. H. Smith
Operator's Signature

10/3/03
Date

State Board of Agricultural Research and Education Highlights: 2001-2003

Planning and vision for the future has changed for the N.D. Agricultural Experiment Station and the NDSU Extension Service. The State Board of Agricultural Research and Education is moving the Experiment Station and Extension Service to do more long-range planning.

SBARE has three "program area" subcommittees. Each committee is assigned to evaluate the needs of the producers and develop strategies to resolve the issues through research and extension programs.

The following are areas or ideas that SBARE has implemented to help North Dakota producers.

Crops Subcommittee

- molecular marker lab (allows for the screening of hundreds of genetic lines in varietal development and disease resistance)
- developed GMO protocol for research
- market analysis for GMO products
- new varietal releases:

1998

Belzer Durum
Jud Oat
Jim Soybean
Daksoy Soybean
Ransom HRWW
Frontier Pinto Bean

Not distributed to CCIA

Argent HWSW
Norpro Soybean (Tofu type)

Spring 1999

Maier Durum
Mountrail Durum
Parshall HRSW
Reeder HRSW
Cathay Flax
Pembina Flax

Spring 2000

Alsen HRSW
Lebsock Durum
Plaza Durum
Ebeltoft Oat
Youngs Oat
Barnes Soybean

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Spring 2001

Drummond Barley
Killdeer Oat
Sargent Soybean
Walsh Soybean

Fall 2001

Jerry HRWW

Spring 2002

Pierce Durum
Dilse Durum
HiFi Oat
Morton Oat
York Flax

Not distributed to CCIA

Nornatto Soybean (natto type)
Nannonatto Soybean (natto type)
RG200RR Soybean (RR type)

- Capital enhancements at research extension centers including land, building, equipment and technology
- increased core operating dollars for researchers (from \$2200/sy to \$6600/sy)
- development of western North Dakota malting and feed barley
- cereal disease forecasting
- surveyed North Dakota producers regarding needs
- support of emerging and alternative crops
- cropping systems and rotational studies
- integrated pest management systems
- irrigated high-value crop production

Livestock Subcommittee

- Beefline (long-term vision and goals for beef research and extension)
- Animal Nutrition and Physiology Center
- establishment of North American Bison Center
- Southwest Feeder project at Hettinger
- Carrington feedmill and feedlot project
- co-product feed research
- agricultural waste management
- ending the bison research program
- Nutrition and Pregnancy Center
- livestock production systems
- Dairy Diagnostic Team Program

Engagement Subcommittee

- Extension rural leadership development program
- support for programs and technology for Extension Service to get research to producers
- State Soil Conservation Committee and SSCC Leadership and Environmental Law education and district grants

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Other areas SBARE has addressed include

- Langdon Learning Center
- Dickinson Research Extension Center
- recommendation for ending the fish farm program at Carrington Research Extension Center
- flexibility within the ag budget to respond to current issues
- improved communication between ag producers, NDSU faculty and administrators, and legislators

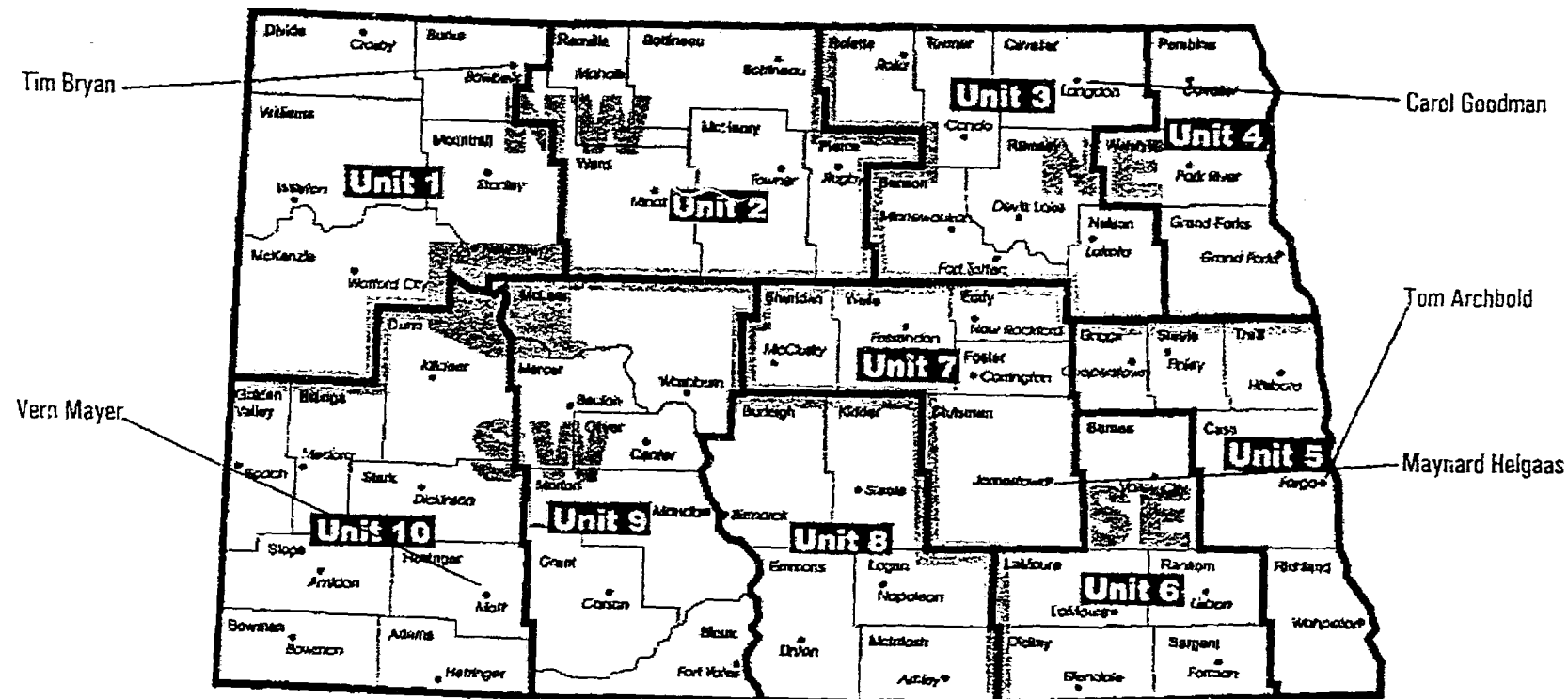
SBARE oversees the Agricultural Gas Tax Research Fund. This program has resulted in funding for approximately 225 research projects exploring new or niche ideas in agriculture since the first awards were made. Over 100 producers participate on committees in the ARF granting process.

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Operator's Signature

10/3/03
Date

State Board of Agricultural Research and Education - Representation



Appointed by Ag Coalition
 Jerry Doan, McKenzie
 Neal Fisher, Bismarck
 Edmund Goerger, Wyndmere
 Jody Hauge, Leith
 Burdell Johnson, Tuttle

Appointed by Multicounty Program Unit
 Tom Archbold, Fargo
 Tim Bryan, Bowbells
 Carol Goodman, Langdon
 Maynard Helgaas, Jamestown
 Vernon Mayer, Regent

Other Members
 Sharon Anderson, Extension Service
 Joseph Chapman, NDSU President
 Ken Grafton, Experiment Station
 Patricia Jensen, NDSU VP
 Roger Johnson, Ag Commissioner
 Two legislators appointed by Legislative Council

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Operator's Signature Donna Schuchman Date 10/3/03

president and vice-president, judges of the supreme and district courts, members of the legislative assembly and for amendments to the Constitution or proposition submitted by the legislative assembly: *provided*, that the County Auditor shall make a separate certified abstract of the votes cast for persons for electors of president and vice-president of the United States. He shall send up such separate abstract and endorse it: "Presidential Election Returns" and without delay transmit it to the Secretary of State by registered mail. It is also hereby made the duty of the County Auditor to file with the Secretary of State, at the same time as he transmits the certified abstract of the votes cast in his county, a certificate showing the names and addresses of the persons who were elected to the various county offices in his county.

§ 2. AMENDMENT.] That Section 1015 of the Compiled Laws of 1913 be and is hereby amended to read as follows:

§ 1015. STATE CANVASSING BOARD, MEETING OF.] For the purpose of canvassing and ascertaining the result of such election, the State Board of Canvassers shall meet at the office of the Secretary of State on the first Tuesday in December next after a general election and within thirty days after a special election, and the Secretary of State shall notify the other members of the board of the same.

Approved, February 20, 1915.

1915
Session laws
Ch. 152
A. ch. 104, 10
Sp. 2-23
See ch.

EMERGENCY COMMISSION

CHAPTER 152.

[H. B. No. 210--Smith of Wash.]

POWERS OF EMERGENCY COMMISSION.

AN ACT Relating to an Emergency Board, and to Repeal Sections 1821, 1823 and 1824 of the Compiled Laws of 1913.

Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. EMERGENCY COMMISSION.] An Emergency Commission consisting of the Governor, the Secretary of State, and the State Auditor is hereby established which shall exercise the powers and perform the duties hereinafter specified. The Governor shall be chairman of the board, and the Secretary of State the secretary. The Emergency Commission shall meet upon the call of the chairman thereof. The proceedings of the Emergency Commission shall be entered in a record book, or a minute book and no order of the Emergency Commission shall be valid unless so entered.

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10/3/03
Date

§ 2. Whenever it shall be made to appear to the Emergency Commission by an itemized, verified petition of any board of control, board of regents, commission or officer authorized to expend public funds that an emergency exists, the Emergency Commission shall assume that an emergency exists demanding such action and may order money transferred from one fund to another fund belonging to or appropriated for the same institution or board or the same state enterprise, or in an extremity to authorize money to be drawn from the state treasury to meet the emergency until such time as the legislative assembly can make appropriation available therefor. An endorsement by the Emergency Commission of the itemized petition of a board of control, board of regents, commission or person heretofore mentioned shall be sufficient authority for the forming of any of the acts hereby delegated to the Emergency Commission; *provided*, however, the term emergency shall be limited to calamities or unforeseen happenings subsequent to the time of the making of appropriations to be effected by such transfer and which were clearly not within the contemplation of the legislative assembly and the Governor at the time of making such appropriation. And in no event shall it be within the authority of the Emergency Commission to increase the amounts to be expended for any specific purpose by more than ten per cent., and this shall only be done to meet a deficiency arising in an attempt to carry out the purpose of the appropriation.

§ 3. It shall be the duty of the chairman of any board of control, board of regents, or other board or officer, authorized by the Emergency Commission to make extraordinary expenditures or use of funds transferred or made available through an order of the Emergency Commission, to make an itemized report to the Governor under oath, within two weeks after the close of each month during which any money shall have been expended or liability incurred pursuant to the order of the Emergency Commission showing the amount of money expended and for what purpose and showing what contracts have been made involving the expenditure of money in the future. The time covered by such report shall be the calendar month next preceding the date of said report.

§ 4. It shall be unlawful for any board of control, board of regents, commissioners, directors or other officers having the control or management of any public institution or institutions of the state or any state activity or enterprise or having in any manner whatsoever the responsibility of disbursing or expending any money appropriated by the state, either directly or indirectly, or in any manner whatsoever to expend or agree or contract to expend in connection therewith any amount in excess of the sum appropriated therefor, or to use an amount appropriated for any specific purpose or fund or for any other purpose without first having secured from the Emergency Commission an order duly made and entered, authorizing such use of such fund.

§ 5. This Act shall not be construed as a legislative construction that any existing law gives to said Emergency Commission any broader or different powers than are herein declared. *Provided*, that all acts of the present and prior Emergency Commissions of this state authorizing the transference of money appropriated for one purpose to another purpose or from one fund to another fund are hereby validated and legalized.

§ 6. Any officers mentioned in this Act who shall fail to make the report specified in Section 3 of this Act or who shall in any report made to the Governor willfully make a misrepresentation or misstatement of the facts regarding such expenditures or other facts embodied in the report shall be guilty of a misdemeanor.

§ 7. REPEAL. Sections 1821, 1823 and 1824 of the Compiled Laws of 1913 are hereby repealed, and all other Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

Approved, March 13, 1915.

EMINENT DOMAIN

CHAPTER 153.

[H. B. No. 203—Haroldson.]

RIGHT OF EMINENT DOMAIN TO ELECTRIC LIGHT PLANTS.

AN ACT to Amend and Re-enact Section 8203 of the Compiled Laws of North Dakota for 1913, Relating to the Eminent Domain.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 8203 of the Compiled Laws of North Dakota for 1913, be and the same is hereby amended to read as follows:

§ 8203. EXERCISED FOR WHAT PUBLIC USES.] Subject to the provisions of this Chapter, the right of eminent domain may be exercised in behalf of the following public uses:

1. All public uses authorized by the government of the United States.
2. Public buildings and grounds for the use of the state and all other public uses authorized by the legislative assembly of this state.
3. Public buildings and grounds for the use of any county, incorporated city, village, town or school; canals, aqueducts, flumes, ditches or pipes for conducting water for the use of the inhabitants of any county, incorporated city, village or town; or for draining any county, incorporated city, village or town; raising the banks of streams, removing obstructions therefrom and widening, deepening or straightening their channels; roads, streets and alleys