

CHAPTER 4-05.1

AGRICULTURAL EXPERIMENT STATION AND AGRICULTURAL RESEARCH

4-05.1-01. Definitions.

In this chapter, unless the context otherwise requires:

1. "Agricultural experiment station" means the North Dakota state university main research center, the Dickinson research extension center, the Williston research extension center, the Langdon research extension center, the central grasslands research extension center, the Carrington research extension center, the Hettinger research extension center, the north central research extension center, the agronomy seed farm, and any other department or agency designated by the state board of higher education.
2. "Center director" means an administrator in charge of a research or research extension center.
3. "Station director" means the administrator of the agricultural experiment station.

4-05.1-02. Agricultural experiment station.

The state board of agricultural research and education 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.

4-05.1-03. Center directors - Research and research extension centers - Records and information.

The research and research extension centers of the agricultural experiment station are under the jurisdiction of the station director. Each research or research extension center must be administered by a center director who shall report to the station director. Each research or research extension center shall keep detailed records of all research activities and publish and disseminate research results and information for the benefit of this state.

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. 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.

4-05.1-05. North Dakota state university main research center position adjustments - Budget section report.

The North Dakota state university main research center must be located on the campus of North Dakota state university of agriculture and applied science. The center is the administrative location of the agricultural experiment station. The center shall conduct research and coordinate all research activities of the agricultural experiment station. The research must have, as a purpose, the development and dissemination of technology important to the production and utilization of food, feed, fiber, and fuel from crop and livestock enterprises. The research must provide for an enhancement of the quality of life, sustainability of production, and protection of the environment. Subject to the availability of funds, the station director may adjust or increase full-time equivalent positions in order to carry out activities to accomplish the mission of the agricultural experiment station. All full or partial positions must be separate from North Dakota

state university. Annually, the station director shall report to the office of management and budget and to the budget section any adjustments or increases made pursuant to this section. The center may conduct baseline research, including production and processing in conjunction with the research and extension centers of the state, regarding industrial hemp and other alternative industrial use crops. The center may collect feral hemp seed stock and develop appropriate adapted strains of industrial hemp which contain less than three-tenths of one percent tetrahydrocannabinol in the dried flowering tops. The agriculture commissioner shall monitor the collection of feral hemp seed stock and industrial hemp strain development and shall certify appropriate stocks for licensed commercial cultivation.

4-05.1-06. Dickinson research extension center.

The Dickinson research extension center must be located at or near Dickinson in Stark County. The center shall conduct research on increasing the carrying capacity of native rangeland, with emphasis on conservation and preservation for future generations. The center shall conduct research on grass production to determine how to best compensate for the vagaries of the weather as it influences forage production in the agriculture of western North Dakota. The center shall conduct research at the ranch location in Dunn County with beef cattle and swine breeding, feeding, management, and disease control for the benefit of livestock producers of western North Dakota and the entire state. The center shall conduct research designed to increase productivity of all agricultural products of the soil by maintaining or improving the soil resource base in the agricultural region of southwestern North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seed stock; and development of profitable cropping systems that achieve the necessary balance between profitability and conservation of all natural resources.

4-05.1-07. Williston research extension center.

The Williston research extension center must be located at or near Williston in Williams County. The center shall conduct research designed to increase productivity of all agricultural products of the soil while maintaining or improving the soil resource base in the agricultural region of northwestern North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seed stocks; and development of profitable cropping systems that achieve the necessary balance between profitability and conservation of all natural resources.

4-05.1-07.1. Grant funds - Acceptance - Use.

Repealed by S.L. 1997, ch. 57, § 13.

4-05.1-08. Langdon research extension center.

The Langdon research extension center must be located at or near Langdon in Cavalier County. The center shall conduct research designed to increase productivity of all agricultural products of the soil while maintaining or improving the soil resource base in the agricultural region of northeastern North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seed stocks; and development of profitable cropping systems that achieve the necessary balance between profitability and conservation of all natural resources.

4-05.1-09. Central grasslands research extension center.

The central grasslands research extension center must be located within an area bounded by the Missouri River on the west and the James River on the east. The center shall conduct research designed to fulfill needs within an area bounded by the Missouri River on the west and the James River on the east. Research objectives must be to increase the range-carrying capacity of native range, with emphasis on conservation and preservation for future generations; stabilization of grass production to discover how to best compensate for the vagaries of the weather and precipitation as it influences forage production in agriculture; identification of the impact of different management systems upon beef production in the central

region of the state; and exploration of increased use of crop residues and byproducts for the maintenance of the cowherd.

4-05.1-10. Carrington research extension center.

The Carrington research extension center must be located at or near Carrington in Foster County. The center shall conduct research designed to determine the potential of irrigated agriculture in the region proposed for irrigation development in the state which must be related to both crop and livestock production. The center shall conduct research designed to increase productivity of all agricultural products of the soil while maintaining or improving the soil resource base in the agricultural region of east central North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seed stocks; and development of profitable cropping and integrated crop and livestock systems that achieve the necessary balance between profitability and conservation of all natural resources.

4-05.1-11. Hettinger research extension center.

The Hettinger research extension center must be located at or near Hettinger in Adams County. The center shall develop the best available technology in breeding, feeding, management, and disease control pertinent to the production of sheep in the state. The center shall conduct research designed to increase productivity of all agricultural products of the soil while maintaining or improving the soil resource base in southwestern North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seed stocks; and development of profitable cropping systems that achieve the necessary balance between profitability and conservation of all natural resources.

4-05.1-12. North central research extension center.

The north central research extension center must be located at or near Minot in Ward County. The center shall conduct research designed to increase productivity of all agricultural products of the soil while maintaining or improving the soil resource base in the agricultural region of north central North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seed stocks; and development of profitable cropping systems which achieve the necessary balance between profitability and conservation of all natural resources.

4-05.1-13. Board of visitors - Members - Inspection - Expenses - Duties.

Repealed by S.L. 1997, ch. 57, § 13.

4-05.1-14. Mandan experiment station.

Repealed by S.L. 1995, ch. 54, § 44.

4-05.1-15. Agronomy seed farm - Investment of reserve income fund.

The state treasurer, at the direction of the center director of the agronomy seed farm with the approval of the station director, shall provide for the investment of available moneys in the agronomy seed farm reserve income fund. The state treasurer shall credit the investment income to the agronomy seed farm reserve income fund. The moneys in the fund may be spent only within the limits of legislative appropriation.

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;

- e. The five persons appointed to the agricultural consultation board by the extension service's multicounty program units;
 - f. The agriculture commissioner, who serves in an ex officio nonvoting capacity;
 - g. The director of the North Dakota state university extension service, who serves in an ex officio nonvoting capacity; and
 - h. Two members of the legislative assembly appointed by the chairman of the legislative management. 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.
 3. At the completion of each initial term, the term of office for each member is four years, beginning on July first. An individual may be reappointed to a second four-year term.
 4.
 - a. At least ninety days before the term of 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. 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 term of 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. 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.

4-05.1-17. Compensation of board members - Expenses.

Each appointed member of the state board of agricultural research and education is entitled to receive one hundred thirty-five dollars per day as compensation for the time actually spent devoted to the duties of office and is entitled to receive necessary expenses in the same manner and amounts as state officials for attending meetings and performing other functions of office.

4-05.1-18. State board of agricultural research and education - Chairman - Meetings.

The state board of agricultural research and education annually shall elect one of its members to serve as chairman. The board shall meet at the times and locations designated by the chairman in consultation with the vice president of agricultural affairs at North Dakota state university.

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 associated with the agricultural experiment station and the North Dakota state university extension service. The state 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 the strategies developed under subsections 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 budget for the operations of these entities;
6. Develop a biennial budget request based on its prioritized needs list and submit that request to the president of North Dakota state university and the state board of higher education, and forward its prioritized needs list and request without modification to the office of management and budget and the appropriations committees of the legislative assembly;
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;
8. Annually evaluate the results of research and extension activities and expenditures and report the findings to the legislative management 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. Present a status report to the budget section of the legislative management.

4-05.1-20. Agricultural research fund - Continuing appropriation.

The agricultural research fund is a special fund in the state treasury. The moneys in the fund must be expended for purposes of agricultural research. Any interest earned by the fund is appropriated to the state board of agricultural research and education.

4-05.1-21. State board of agricultural research and education - Apportionment of research funds.

1. The state board of agricultural research and education may use up to ten percent of the proceeds of the agricultural research fund, not to exceed fifty thousand dollars, for administrative expenses and annually shall apportion the remaining proceeds of the agricultural research fund as follows:
 - a. Seventy percent to research activities affecting North Dakota agricultural commodities that account for at least two percent of the gross sales of all agricultural commodities grown or produced in the state. The percentage of the dollars available for each agricultural commodity under this section may not exceed the percentage that the gross sales of the agricultural commodity bear to the North Dakota gross sales of all agricultural commodities grown or produced during the previous year, as determined by the agricultural statistics service;
 - b. Eighteen percent to research activities affecting North Dakota animal agriculture; and
 - c. Twelve percent to research activities affecting new and emerging crops in North Dakota.
2. The state board of agricultural research and education shall solicit proposals for research from the public and private sectors and shall appoint committees to review the proposals and award the agricultural research grants on a competitive basis. Each committee must consist of a majority of agricultural producers selected in consultation with the agricultural commodity groups representing commodities that are the subjects of the proposed research and may include researchers and other individuals knowledgeable about the proposed area of research. Whenever possible, the committees shall require that a grant recipient commit matching funds.

3. The state board of agricultural research and education shall develop policies regarding the award of research grants, including requirements for matching funds, cooperation with other in-state and out-of-state researchers, and coordination with other in-state and out-of-state proposed or ongoing research projects.