

CHAPTER 4.1-54 SEED ARBITRATION BOARD

4.1-54-01. Seed arbitration board - Membership.

The seed arbitration board consists of the following members:

1. The agriculture commissioner;
2. The seed commissioner;
3. The director of the North Dakota state university extension service;
4. The director of the North Dakota agricultural experiment station;
5. The chairman of the seed trade division of the North Dakota agriculture association;
and
6. A producer appointed by the agriculture commissioner.

4.1-54-02. Seed arbitration board - Compensation.

The chairman of the seed division of the North Dakota agriculture association and the producer are entitled to receive compensation in the amount of one hundred thirty-five dollars per day plus reimbursement for expenses as provided by law for state officials, if the individual is attending meetings or performing duties directed by the board. The compensation and reimbursement for expenses required by this section must be paid by the agriculture commissioner.

4.1-54-03. Seed arbitration board - Rules of operation and procedure.

The seed arbitration board shall adopt rules of operation and procedure for arbitration hearings, including a formula for reimbursement by the parties of the expenses of the arbitration process.

4.1-54-04. Seed arbitration board - Petition - Hearing - Recommendation.

1. A seed labeler, seed dealer, or seed customer may file with the agriculture commissioner a petition for a hearing to settle a dispute involving a seed transaction.
2. The agriculture commissioner shall forward the petition to the seed arbitration board.
3. The seed arbitration board shall hold a hearing and within thirty days issue a nonbinding recommendation for a resolution of the dispute.

4.1-54-05. Seed arbitration board - Hearing - Use of evidence.

Any evidence and testimony presented at a seed arbitration hearing and any findings or recommendations by the seed arbitration board are admissible in any subsequent proceeding.