

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

400T0200

HOUSE BILL NO. 1037

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Agriculture

1 FOR AN ACT ENTITLED, An Act to revise the purpose of the agriculture mediation program.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 54-13-2 be amended to read as follows:

4 54-13-2. The Department of Agriculture shall administer an agriculture mediation program
5 to ~~provide~~:

6 (1) Provide assistance to borrowers and creditors who seek to use mediation as a method
7 for resolving loan disputes; and

8 (2) Provide mediation to persons or organizations seeking to mediate disputes with
9 federal land management agencies concerning decisions made by those federal
10 agencies.

11 The secretary of the Department of Agriculture shall ~~adopt~~ promulgate rules pursuant to
12 chapter 1-26 necessary ~~to carry out the general purposes of this chapter for mediation~~, including
13 the establishment of fees, training requirements for mediators and ag finance counselors and
14 their certification, mediation request forms, and any other mediation procedures as may be
15 necessary for the prompt and expeditious ~~implementation of this chapter~~ mediation of



1 agriculture related disputes, including the receipt of funds pursuant to the Agricultural Credit
2 Act of 1987.

3 The agriculture mediation program may not, as a condition to mediation, require that the
4 borrower of any creditor waive any respective legal or equitable remedies or rights.