

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1059

Introduced by

Legislative Council

(Government Organization Committee)

1 A BILL for an Act to amend and reenact sections 4-13.2-03 and 19-07-02 of the North Dakota
2 Century Code, relating to the poultry advisory board; and to repeal section 4-13.2-04 of the
3 North Dakota Century Code, relating to the poultry advisory board.

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

5 **SECTION 1. AMENDMENT.** Section 4-13.2-03 of the 1995 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **4-13.2-03. Purposes - Duties.** The commissioner of agriculture may ~~promulgate~~ adopt
8 rules ~~and regulations~~ pursuant to chapter 28-32 to effectuate the purposes of this chapter, and
9 the commissioner of agriculture, or the commissioner's designee, shall enforce ~~the provisions of~~
10 this chapter. ~~It is the duty of the~~ The commissioner of agriculture ~~to~~ shall:

- 11 1. Work toward improving poultry breeding and ~~to~~ cooperate with the board of animal
12 health in controlling and eradicating communicable diseases of poultry.
- 13 2. Act as the official state agency for North Dakota in cooperation with the bureau of
14 animal industry, United States department of agriculture, for the purpose of
15 furthering the objectives and supervising the state's participation in the national
16 poultry improvement plan.
- 17 3. Act as the state agency to cooperate with the United States department of
18 agriculture, to provide federal-state grading service for poultry and poultry products
19 offered for sale at the retail level, to supervise the federal-state poultry grading
20 service, and to enforce regulations at the retail level as to identification by grade of
21 all poultry sold.
- 22 4. Promote generally the welfare and improvement of the poultry industry and the
23 marketing of poultry and poultry products within the state through such means and

in such manner as may be deemed by the commissioner conducive to such improvement.

5. Enforce the licensing and bonding requirements provided by this chapter.

6. Administer the "Turkey Promotion Act", as provided in chapter 4-13.1, at the advice of the North Dakota turkey federation.

~~7. Consult with the advisory board as to the selection of the individual who would represent the poultry division in the department of agriculture if a change in personnel should be needed.~~

SECTION 2. AMENDMENT. Section 19-07-02 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

19-07-02. Rulemaking power. The commissioner of agriculture, ~~after consultation with the poultry advisory board,~~ may adopt appropriate rules pursuant to chapter 28-32 to establish registration of egg dealers and to establish standards for candling, grading, and inspecting eggs as to size, quality, purity, strength, holding requirements, transportation, labeling, and sanitation. The commissioner of agriculture must be guided in establishing ~~such~~ the standards by United States department of agriculture regulations governing the grading and inspecting of eggs ~~after consultation with the poultry advisory board.~~ The state department of health may adopt appropriate rules pursuant to chapter 28-32 to establish standards for proper labeling and temperature during the retail storage and sale of shell eggs.

SECTION 3. REPEAL. Section 4-13.2-04 of the 1995 Supplement to the North Dakota Century Code is repealed.