

**HOUSE BILL NO. 1147**

Introduced by

Representative Bernstein

1 A BILL for an Act to amend and reenact sections 4-24-10, 4-30-03.9, and subsection 1 of  
2 section 54-07-01.2 of the North Dakota Century Code, relating to references to the milk  
3 marketing board; and to repeal chapter 4-18.1 of the North Dakota Century Code, relating to  
4 elimination of the milk marketing board.

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

6 **SECTION 1. AMENDMENT.** Section 4-24-10 of the 1997 Supplement to the North  
7 Dakota Century Code is amended and reenacted as follows:

8 **4-24-10. Agricultural commodity promotion groups to report to legislative**  
9 **assembly - Report contents.** Between the first and tenth legislative day of each regular  
10 legislative session, the North Dakota potato council, the North Dakota oilseed council, the North  
11 Dakota dry bean council, the North Dakota barley council, the North Dakota soybean council,  
12 the North Dakota corn utilization council, the North Dakota beekeepers association, the North  
13 Dakota turkey federation, ~~the North Dakota milk stabilization board,~~ the North Dakota dairy  
14 promotion commission, the North Dakota state wheat commission, and the North Dakota beef  
15 commission must file a uniform report at a public hearing before the standing agriculture  
16 committee of each house of the legislative assembly. The presiding officer of each house of the  
17 legislative assembly may direct that the reports be filed with some other standing committee of  
18 that house. Each report must contain a summary of the activities of the commodity group  
19 during the current biennium, a single-page uniform statement of revenues and expenditures for  
20 the next biennium. Each report, except the reports of the North Dakota beekeepers association  
21 and the North Dakota turkey federation, must also include a state auditor's report on the  
22 commodity group's single-page uniform statement of revenues and expenditures for the  
23 previous two fiscal years.

1           **SECTION 2. AMENDMENT.** Section 4-30-03.9 of the 1997 Supplement to the North  
2 Dakota Century Code is amended and reenacted as follows:

3           **4-30-03.9. Entry, inspection, and investigation.** Authorized representatives of the  
4 department may enter, at reasonable hours, places of business where a licensee or license  
5 applicant maintains books, papers, accounts, records, or other documents related to the  
6 production, storage, processing, manufacturing, or sale of dairy products. The commissioner  
7 may subpoena, and the commissioner's authorized representative may inspect, audit, and  
8 make copies of relevant books, papers, records, accounts, or other documents of persons  
9 doing business with licensees. Any information gained by the department or by the  
10 commissioner under this section is confidential and may be used only for the administration of  
11 this chapter, but the department or the commissioner may divulge the information when  
12 testifying in any departmental administrative hearing, ~~in a duly noticed proceeding before the~~  
13 ~~milk stabilization board~~, or in any court proceeding in which the department or the  
14 commissioner is a party. This chapter does not prevent the use of information procured by the  
15 department or the commissioner in the compiling or dissemination of general statistical data  
16 containing information procured from a number of licensees and compiled in a manner so as  
17 not to reveal individual information for any licensee or license applicant.

18           The commissioner may also subpoena and take the testimony under oath of persons  
19 believed by the commissioner to have information needed by the commissioner in administering  
20 and enforcing this chapter.

21           **SECTION 3. AMENDMENT.** Subsection 1 of section 54-07-01.2 of the 1997  
22 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- 23           1. Notwithstanding sections 2-05-01, ~~4-18.1-04~~, 4-27-04, 6-01-03, 6-09-02.1,  
24           12-55.1-02, 12-59-01, 15-21-17, 15-38-17, 15-39.1-05.1, 15-65-02, 20.1-02-23,  
25           23-01-02, 23-25-02, 36-01-01, 37-18.1-01, 50-06-05.6, 50-06.1-16, 54-34.3-10,  
26           54-54-02, 55-01-01, 55-06-01, 61-02-04, and 61-28-03, all members of the  
27           following boards and commissions must, subject to the limitations of this section,  
28           be considered to have resigned from such boards and commissions effective  
29           January first of the first year of each four-year term of the governor:
- 30           a. The aeronautics commission.
  - 31           b. ~~The milk marketing board.~~

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- 1           e. The dairy promotion commission.
- 2           ~~e.~~ c. The state banking board.
- 3           ~~e.~~ d. The state credit union board.
- 4           ~~f.~~ e. The advisory board of directors to the Bank of North Dakota.
- 5           ~~g.~~ f. The pardon advisory board.
- 6           ~~h.~~ g. The state parole board.
- 7           ~~i.~~ h. The state board of public school education.
- 8           ~~j.~~ i. The education standards and practices board and the administrator's
- 9                                   professional practices board.
- 10          ~~k.~~ j. The board of trustees for the teachers' fund for retirement.
- 11          ~~l.~~ k. The educational telecommunications council.
- 12          ~~m.~~ l. The state game and fish advisory board.
- 13          ~~n.~~ m. The health council.
- 14          ~~o.~~ n. The air pollution control advisory council.
- 15          ~~p.~~ o. The board of animal health.
- 16          ~~q.~~ p. The administrative committee on veterans' affairs.
- 17          ~~r.~~ q. The committee on aging.
- 18          ~~s.~~ r. The committee on employment of people with disabilities.
- 19          ~~t.~~ s. The commission on the status of women.
- 20          ~~u.~~ t. The North Dakota council on the arts.
- 21          ~~v.~~ u. The state historical board.
- 22          ~~w.~~ v. The Yellowstone-Missouri-Fort Union commission.
- 23          ~~x.~~ w. The state water commission.
- 24          ~~y.~~ x. The state water pollution control board.
- 25          **SECTION 4. REPEAL.** Chapter 4-18.1 of the North Dakota Century Code is repealed.