**2023 HOUSE AGRICULTURE**

**HB 1393**

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Agriculture Committee**
Room JW327C, State Capitol

HB 1393
2/9/2023

Relating to grain and seed warehouses, grain buyers, insolvent grain warehousemen, uniform accounting for public elevators and warehouses, and credit-dale contracts indemnity; to provide a penalty; and to provide a continuing appropriation.

Chairman Thomas call the meeting to order 8:44 AM

Members present: Chairman Thomas, Representative Beltz, Christy, Finley-DeVille, Fisher, Headland, Henderson, Kiefert, Olson, Prichard, Schreiber-Beck, Tveit, VanWinkle.

**Discussion Topics:**

- Offered bond.
- Deferred payments.
- Indemnity fund
- Suspended licenses.

**In favor:**
Representative Dennis Johnson, District 15, Devils Lake, (no written testimony)
Shawn Quissell, Grain and Livestock Division Director, ND Department of Agriculture, proposed amendment #20372, #20373
Stu Letcher, ND Grain Dealers Association (no written testimony)

Representative Schreiber-Beck moved to adopt the amendment, #20371, LC #23.0494.01001.
Representative Fisher seconded.

Roll call vote:

| Representatives | Vote |
|---|---|
| Representative Paul J. Thomas | Y |
| Representative Mike Beltz | Y |
| Representative Josh Christy | Y |
| Representative Lisa Finley-DeVille | Y |
| Representative Jay Fisher | Y |
| Representative Craig Headland | Y |
| Representative Donna Henderson | AB |
| Representative Dwight Kiefert | Y |
| Representative SuAnn Olson | Y |
| Representative Brandon Prichard | Y |
| Representative Cynthia Schreiber-Beck | Y |
| Representative Bill Tveit | Y |
| Representative Lori VanWinkle | Y |

Motion passed 12-0-1

Representative Schreiber-Beck moved a do pass as amended.
Representative Tveit seconded.

Roll call vote:

| Representatives | Vote |
|---|---|
| Representative Paul J. Thomas | Y |
| Representative Mike Beltz | Y |
| Representative Josh Christy | Y |
| Representative Lisa Finley-DeVille | Y |
| Representative Jay Fisher | Y |
| Representative Craig Headland | Y |
| Representative Donna Henderson | AB |
| Representative Dwight Kiefert | Y |
| Representative SuAnn Olson | Y |
| Representative Brandon Prichard | Y |
| Representative Cynthia Schreiber-Beck | Y |
| Representative Bill Tveit | Y |
| Representative Lori VanWinkle | Y |

Motion passed 12-0-1

Representative Schreiber-Beck will carry the bill.

Chairman Thomas adjourned the meeting 9:06 AM

*Diane Lillis, Committee Clerk*

Adopted by the House Agriculture Committee

2-9-23

February 9, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1393

Page 15, line 3, remove "may offer bond protection to"

Page 15, line 4, replace "producers" with "shall inform producers of bond protection"

Page 20, line 15, remove "Unless the warehouseman files proof of new or renewed"

Page 20, remove lines 16 through 19

Page 20, line 20, remove "the warehouse."

Page 20, line 20, remove "further"

Page 37, line 8, remove "may offer bond protection to"

Page 37, line 9, replace "producers" with "shall inform producers of bond protection"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1393: Agriculture Committee (Rep. Thomas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1393 was placed on the Sixth order on the calendar.

Page 15, line 3, remove "may offer bond protection to"

Page 15, line 4, replace "producers" with "shall inform producers of bond protection"

Page 20, line 15, remove "Unless the warehouseman files proof of new or renewed"

Page 20, remove lines 16 through 19

Page 20, line 20, remove "the warehouse."

Page 20, line 20, remove "further"

Page 37, line 8, remove "may offer bond protection to"

Page 37, line 9, replace "producers" with "shall inform producers of bond protection"

Renumber accordingly

**2023 SENATE AGRICULTURE AND VETERANS AFFAIRS**

**HB 1393**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Agriculture and Veterans Affairs Committee**
Fort Union Room, State Capitol

HB 1393
3/17/2023

A bill relating to grain and seed warehouses, grain buyers, insolvent grain warehousemen, uniform accounting for public elevators and warehouses, and credit-sale contracts indemnity from title 60; and relating to cross-references to repealed laws, relating to grain and seed warehouses, grain buyers, insolvent grain warehousemen, uniform accounting for public elevators and warehouses, and credit-sale contracts indemnity; to provide a penalty; and to provide a continuing appropriation.

9:30 AM Chairman Luick called the meeting to order. Members present: Chairman Luick, Vice Chairman Myrdal, Senator Lemm, Senator Hogan, Senator Weston, Senator Weber.

**Discussion Topics:**

- Grain buyers
- Bond protection
- Background check
- Roving grain buyers

9:30 AM Representative and Speaker of the House Dennis Johnson, District 15, Devils Lake, introduced HB 1393 and testified in favor. No written testimony.

9:37 AM Shaun Quissell, Grain and Livestock Division Director, North Dakota Department of Agriculture, testified on behalf of Doug Goehring, North Dakota Agriculture Commissioner, in favor of HB 1393. #25723

9:45 AM Stu Lecher, ND Grain Dealers Association, testified in support. No written testimony.

9:49 AM Chairman closed the hearing on HB 1393.

9:49 AM Senator Hogan moved to DO PASS HB 1393. Senator Lemm seconded the motion.

Roll call Vote:

| Senators | Vote |
|---|---|
| Senator Larry Luick | Y |
| Senator Janne Myrdal | Y |
| Senator Kathy Hogan | Y |
| Senator Randy D. Lemm | Y |
| Senator Mark F. Weber | Y |
| Senator Kent Weston | Y |

Vote: 6-0-0-DO PASS HB 1393. Senator Luick will carry the bill.

9:51 AM Chairman Luick closed the meeting.

*Brenda Cook, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1393, as engrossed: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1393 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**TESTIMONY**

**HB 1393**

23.0494.01001
Title.02000

Adopted by the Agriculture Committee

February 9, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1393

Page 15, line 3, remove "may offer bond protection to"

Page 15, line 4, replace the first "producers" with "shall inform producers of bond protection"

Page 20, line 15, remove "Unless the warehouseman files proof of new or renewed"

Page 20, remove lines 16 through 19

Page 20, line 20, remove "the warehouse."

Page 37, line 8, remove "may offer bond protection to"

Page 37, line 9, replace the first "producers" with "shall inform producers of bond protection"

Renumber accordingly

# PROPOSED AMENDMENTS TO HOUSE BILL NO. 1393

Page 15, line 3, replace "may offer bond protection to producers" with "shall inform producers of bond protection"

Page 20, line 15, remove "Unless the warehouseman files proof of new or renewed insurance before the existing policy ceases, the commissioner, without hearing, shall suspend immediately the warehouseman's license and the suspension may not be removed until a new policy has been filed and approved by the commissioner. If a license is suspended, the warehouseman shall give notice of the suspension to each receipt holder having grain stored in the warehouse."

Page 37, line 8, replace "may offer bond protection to producers" with "shall inform producers of bond protection"

Renumber accordingly

COMMISSIONER
DOUG GOEHRING

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**Testimony of Shaun Quissell**
**Grain And Livestock Division Director**
**House Agriculture**
**Room 327C**
**February 9, 2023**

Chairman Thomas and members of the House Agriculture Committee, I am Shaun Quissell, Grain and Livestock Division Director here on behalf of Agriculture Commissioner Doug Goehring. I am here today in support of HB 1393.

The first thing this bill does is shift all of title 60 's chapters on grain warehouses and buyers to title 4.1. Next, we had some minor word changes throughout the chapters, and I can walk through them, so the committee is aware of changes. Page 6, line one change from criminal background check to background. Page 10 line 8, added the bond discount language. Page 15, line 3 changed from shall offer bond protection to shall inform. Page 20, line 13 insurance notice from 60 days to 10 days and take out the suspension if no coverage. Page 33, line background change as in warehouse section. Page 35, line 15 added bond discount language. Page 37, line 8 changed from shall offer bond protection to shall inform.

Chairman Thomas and committee members, thank you for your time. I urge a do pass on HB 1393. I would be happy to answer any questions you may have.

COMMISSIONER
DOUG GOEHRING

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**Testimony of Shaun Quissell**
**Grain And Livestock Division Director**
**Senate Agriculture and Veteran Affairs**
**Fort Union**
**03/17/2023**

Chairman Luick and members of the Senate Agriculture and Veteran Affairs Committee, I am Shaun Quissell, Grain and Livestock Division Director here on behalf of Agriculture Commissioner Doug Goehring. I am here today in support of HB 1393.

The first thing this bill does is shift all of title 60 's chapters on grain warehouses and buyers to title 4.1. Next, we had some minor word changes throughout the chapters, and I can walk through them, so the committee is aware of changes. Page 6, line one change from criminal background check to background. Page 10 line 8, added the bond discount language. Page 15, line 3 changed from shall offer bond protection to shall inform. Page 20, line 13 insurance notice from 60 days to 10 days and take out the suspension if no coverage. Page 33, line background change as in warehouse section. Page 35, line 15 added bond discount language. Page 37, line 8 changed from shall offer bond protection to shall inform.

Chairman Luick and committee members, thank you for your time. I urge a do pass on HB 1393. I would be happy to answer any questions you may have.