

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO.

Introduced by

Senator Potter

1 A BILL for an Act to amend and reenact sections 4-24-10, 4-30-03.9, and subsection 1 of
2 section 54-07-02.1 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 the
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 North Dakota Century Code is
7 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 dry pea and lentil council, the North Dakota barley
12 council, the North Dakota soybean council, the North Dakota corn utilization council, the North
13 Dakota beekeepers association, the North Dakota turkey federation, ~~the North Dakota milk~~
14 ~~marketing board~~, the North Dakota dairy promotion commission, the North Dakota state wheat
15 commission, and the North Dakota beef commission must file a uniform report at a public
16 hearing before the standing agriculture committee of each house of the legislative assembly.
17 The presiding officer of each house of the legislative assembly may direct that the reports be
18 filed with some other standing committee of that house. Each report must contain a summary
19 of the activities of the commodity group during the current biennium, a single-page uniform
20 statement of revenues and expenditures for the next biennium. Each report, except the reports
21 of the North Dakota beekeepers association and the North Dakota turkey federation, must also
22 include a state auditor's report on the commodity group's single-page uniform statement of
23 revenues and expenditures for the previous two fiscal years.

1 **SECTION 2. AMENDMENT.** Section 4-30-03.9 of the North Dakota Century Code is
2 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 marketing board~~, or in any court proceeding in which the department or the commissioner
14 is a party. This chapter does not prevent the use of information procured by the department or
15 the commissioner in the compiling or dissemination of general statistical data containing
16 information procured from a number of licensees and compiled in a manner so as not to reveal
17 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 North Dakota
22 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, 15-39.1-05.1, 15.1-01-01, 15.1-13-02, 20.1-02-23, 23-01-02,
25 23-25-02, 36-01-01, 37-18.1-01, 50-06-05.6, 50-06.1-16, 54-34.3-10, 54-54-02,
26 55-01-01, 55-06-01, 61-02-04, and 61-28-03, all members of the following boards
27 and commissions must, subject to the limitations of this section, be considered to
28 have resigned from such boards and commissions effective January first of the first
29 year of each four-year term of the governor:
- 30 a. The aeronautics commission.
 - 31 b. ~~The milk marketing board.~~

