

**SENATE BILL NO.**

Introduced by

Senator Potter

1 A BILL for an Act to amend and reenact sections 4-24-10 and 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 the  
4 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.~~

