

Good morning Chairman Klein and members of the Industry, Business and Labor Committee. My name is Julie Wagendorf and I serve as the Director of Food and Lodging for the North Dakota Department of Health. I am here to provide testimony in opposition of House Bill 1386 relating to the prohibition of government limitations on hours of business and capacity.

The amendments to House Bill 1386 bring into question whether the new section in law, if enacted, will impact the Department's authority over licensed food establishments operating in accordance with food code requirements under North Dakota Administrative Code 33-33-4.1.

In an event where an imminent health hazard may exist in a licensed food establishment because of an emergency, such as a fire, flood, extended interruption of electrical or water service, sewage backup, onset of a foodborne illness outbreak or other circumstance that may endanger public health, the food code offers safety measures including ceasing operations and summarily suspending a license to operate in accordance with law.

I appreciate your time in listening to my testimony and ask the committee to consider whether House Bill 1386 , if enacted, could potentially introduce unintended consequences in limiting the Department from taking action to promote public health and safety under existing license and inspection procedures.

This concludes my testimony. I am happy to answer any questions you may have.