

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1101
(Agriculture Committee)
(At the request of the Agriculture Commissioner)

AN ACT to amend and reenact sections 36-01-08 and 36-01-33 of the North Dakota Century Code, relating to the fee collection for the cost of each brucellosis tag, each identification tag, and each health book the commissioner distributes.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 36-01-08 of the North Dakota Century Code is amended and reenacted as follows:

36-01-08. Duties - Rules - ~~Fees - Continuing appropriation.~~

The board shall protect the health of the domestic animals and nontraditional livestock of this state, shall determine and employ the most efficient and practical means for the prevention, suppression, control, and eradication of dangerous, contagious, and infectious diseases among the domestic animals and nontraditional livestock of this state, and shall prevent the escape and release of an animal injurious to or competitive with agriculture, horticulture, forestry, wild animals, and other natural resource interests. For the purpose of preventing the escape and release of an animal injurious to or competitive with agriculture, horticulture, forestry, wild animals, and other natural resource interests, the board may, by rule, quarantine any such animal, cause any such animal to be killed, regulate or prohibit the arrival in or departure from this state of any such animal, and at the cost of the owner thereof, the board may detain any animal found to be in violation of any rule or prohibition. Any matter relating to the health and welfare of domestic animals and nontraditional livestock and not specifically assigned by statute to another entity is deemed to be within the authority of the board. The board may make rules to carry into effect the purposes of this chapter and other duties prescribed in this title. ~~The commissioner shall collect fees for the actual direct cost of providing each brucellosis tag, each identification tag, and each health book the commissioner distributes. The fees collected by the commissioner must be deposited in the agriculture commissioner's operating fund and are appropriated on a continuing basis to the state board of animal health to be used to enforce this chapter.~~

SECTION 2. AMENDMENT. Section 36-01-33 of the North Dakota Century Code is amended and reenacted as follows:

36-01-33. State board of animal health - Certification of livestock - Fees - Agriculture commissioner - Continuing appropriation.

1. a. At the request of a livestock producer, the board shall provide inspection and verification services for the purpose of certifying that livestock have been or are being raised according to standards and protocols articulated by the producer.
- b. At the request of a livestock processor, the board shall provide inspection and verification services for the purpose of certifying that the meat products and manner of processing meet or exceed standards, descriptions, or specifications articulated by the processor.
- c. The board shall determine the nature and scope of the inspection and verification services necessary to provide the certification requested under this subsection.
2. The board may establish and charge fees for the requested services. The board shall forward all moneys received under ~~this section~~ subsections 1 and 2 of this section to the state treasurer for deposit in the ~~agriculture~~ commissioner's operating fund.

3. The commissioner may collect fees for the cost of each brucellosis tag, each identification tag, and each health book the commissioner distributes. The fees collected by the commissioner under this subsection must be deposited in the commissioner's operating fund and are appropriated on a continuing basis to the board to be used to enforce this chapter.

Dennis E. Johnson
Speaker of the House

Paul Schmitt
President of the Senate

Buell T. Reut
Chief Clerk of the House

Michael Meyer
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1101.

House Vote: Yeas 89 Nays 0 Absent 5

Senate Vote: Yeas 45 Nays 0 Absent 2

Buell T. Reut
Chief Clerk of the House

Received by the Governor at 10:55 AM on March 14, 2023.

Approved at 7:40 P.M. on March 14, 2023.

Doug Burgin
Governor

Filed in this office this 15th day of March, 2023,
at 2:58 o'clock P. M.

Michael Howe
Secretary of State