

# AGRICULTURE

## CHAPTER 99

S. B. No. 110  
(Fiedler)

### AGRICULTURAL FAIR ELECTION

#### AN ACT

To amend and reenact section 4-02-30 of the North Dakota Century Code, relating to the submission to a vote of the people of the county the question of levying a tax in aid of an agricultural fair.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. **Amendment.)** Section 4-02-30 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**4-02-30. Tax Provided For To Be Submitted to Vote.)**

Whenever the board of county commissioners shall have voted and ordered a tax levied in aid of an agricultural fair, at the next general election the question of continuing the annual levy and collection of the tax shall be submitted to a vote of the people of the county. The county auditor shall certify and give notice of the submission of the question as in such cases provided by law. The ballots to be used at the election shall be in the following form:

	Yes	<input type="checkbox"/>
For tax in aid of county fair	No	<input type="checkbox"/>

If a majority of the ballots heretofore or hereafter cast on the question at any such election is in favor of continuing such tax, the board of county commissioners shall continue the annual levy hereof as long as the provisions of section 4-02-29 are complied with and until otherwise directed as herein provided.

Whenever a petition addressed to such board, asking the discontinuance of such tax and containing the signatures of the qualified electors of the county in a number equal to twenty percent of the total vote cast in the county at the last preceding general election, is filed in the office of the county auditor, the board shall submit to the electors of the

county at the next succeeding general election the question of whether or not the levying of such tax shall be continued. The ballot shall be in the following form:

Shall the board of county commissioners  
continue the annual levy of a tax in aid  
of county fair?

Yes ☐

No ☐

If a majority of all the ballots cast at such election is in favor of discontinuing the tax, the board of county commissioners shall not thereafter levy any tax under this chapter until the question of resuming such annual levy and collection of the tax is submitted to a vote of the people of the county. The ballots to be used at such election shall be in the following form:

Shall the board of county commissioners  
resume the annual levy of a tax in aid of  
a county fair?

Yes ☐

No ☐

If a majority of all of the ballots cast at such election is in favor of resuming the tax, the board of county commissioners shall resume the annual levy thereof as long as the provisions of section 4-02-29 are complied with and until otherwise directed as herein provided.

Before every such election, the county auditor shall certify and give notice of the submission of the question as in such cases provided by law.

Approved February 28, 1961.

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## CHAPTER 100

H. B. No. 554

(Johnson, Saugstad, Anderson of McHenry, Winge, Tescher)

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### COUNTY AGENTS, TRANSPORTATION EXPENSES

#### AN ACT

To amend and reenact section 4-08-10 of the North Dakota Century Code, relating to transportation expenses of county agents, and declaring an emergency.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 4-08-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**4-08-10. County Agent to Submit Monthly Account of Expenditures.)** An accurate itemized account of all expenditures incurred by the county agent in the regular conduct of his duties shall be submitted monthly by him to the extension division of the North Dakota State University of Agriculture and Applied Science for examination and audit. Where charges are made by a county agent for money expended in the performance of official duties, all items of one dollar or more so expended and charged for shall be covered by a sub-voucher or receipt which shall be signed by the person to whom the money was paid. The sub-voucher or receipt shall show at what place, on what date, and for what, the money expended was paid. The sub-vouchers or receipts shall be forwarded with the bill, claim, account, or demand against the county. Where charges are made for transportation expenses they shall not exceed the amounts provided by section 11-10-15 of this code, and shall be in itemized form showing the mileage traveled, the days when and how traveled, and the purpose thereof, verified by his affidavit. Such account shall be transmitted and recommended for payment by the extension division of the North Dakota State University of Agriculture and Applied Science which shall audit the same and which may approve or disallow any expense item therein. The extension division of the North Dakota State University of Agriculture and Applied Science shall be under the control, and subject to the supervision, of the state board of higher education.

**§ 2. Emergency.)** This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved February 2, 1961.

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## CHAPTER 101

H. B. No. 796

(Reimers, Scott, Baldwin)

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### LABELING REQUIREMENTS FOR AGRICULTURAL SEED

#### AN ACT

To amend and reenact subsection 1 of section 4-09-10 of the North Dakota Century Code, relating to labeling requirements for agricultural seed.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Subsection 1 of section 4-09-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. a. In seeds of wheat, durum, barley, oats, rye and flax the commonly accepted name of the kind and variety of each agricultural seed component in excess of five percent of the whole and the percentage by weight of each. If the variety is unknown that fact shall be stated.
- b. In all other seeds not named in subsection 1a of this section the commonly accepted name of the kind or the kind and variety of each agricultural seed component in excess of five percent of the whole and the percentage of weight of each.

When more than ten percent of the whole consists of an aggregate of agricultural seed components, each present in an amount not exceeding five percent of the whole, each component in excess of one percent of the whole shall be named together with the percentage by weight of each. All components shall be listed in the order of their predominance. Where more than one component is named, the word "mixture," or the word "mixed," shall be shown conspicuously on the label;

Approved March 7, 1961.

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## CHAPTER 102

S. B. No. 136  
(Kee, Hernet)

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### LICENSING AND BONDING OF PURCHASERS AND PROCESSORS OF DAIRY PRODUCTS

#### AN ACT

To create and enact section 4-18-02.1 and to amend and reenact section 4-18-02 of the North Dakota Century Code, relating to the licensing and bonding of purchasers and processors of dairy products.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1.) Section 4-18-02.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

**4-18-02.1. Bonding of Purchasers and Processors of Dairy Products.)** After the effective date of this section, each applicant for a license under the provisions of section 4-18-02 shall file with his application a bond issued by a surety company authorized to do business in this state. Such bond shall be in an amount equal to the average weekly cost of dairy products



purchased during the previous year, or such other amount as the dairy commissioner shall determine necessary to reasonably protect persons selling dairy products to such applicant. The dairy department shall be named as obligee in each such bond, but the bond shall be held for the purpose of protecting, and for the benefit of, any person selling dairy products to applicant and the full and complete payment to the seller for all dairy products purchased by the licensee; provided, however, that the aggregate liability of the surety to all such persons shall in no event exceed the amount of such bond.

**§ 2. Amendment.)** Section 4-18-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**4-18-02. Licenses Required—Fees—Term.)** Every person, firm, or corporation owning or operating a creamery, cheese factory, renovating or process butter factory, ice cream factory, cream station, or dairy in this state, or operating a regular route for picking up cream or milk in this state for use in a creamery, cheese factory, renovating or process butter factory, ice cream factory, cream station, or dairy located without the state, before beginning business, shall obtain from the dairy commissioner a license for each and every creamery, cheese factory, renovating or process butter factory, ice cream factory, cream station, or dairy, and one license for all such milk or cream pick up routes owned or operated by said person, firm, or corporation. The license shall be good for one year. The fee for such license for a creamery, cheese factory, renovating or process butter factory, ice cream factory, milk or cream route, or cream station, as defined in this chapter, shall be ten dollars. The fee for such license for a dairy shall be two dollars.

Approved March 11, 1961.

## CHAPTER 103

H. B. No. 595

(Christensen of Ward, Hofstrand, Breum, Johnson, Loder)

## STATE SOIL CONSERVATION COMMITTEE, MEMBERSHIP

## AN ACT

To amend and reenact section 4-22-03 of the North Dakota Century Code, relating to membership on the state soil conservation committee.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. **Amendment.)** Section 4-22-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**4-22-03. State Soil Conservation Committee — Members — Compensation — Records and Seal.)** The "state soil conservation committee" shall be maintained as an agency of this state to perform the functions conferred upon it in this chapter. The committee shall be composed of ex officio members to consist of the governor, the commissioner of agriculture and labor, the director of the state extension service, and the president of the North Dakota association of soil conservation districts, and regular members to consist of four soil district supervisors. Such regular members first appointed shall be appointed by the present state soil conservation committee from a list of at least eight supervisors submitted by the state association of soil district supervisors. The term of appointment for the regular members shall be for two years each, except that in the first appointment of regular members two shall be appointed for two year terms, and two shall be appointed for one year terms. The governor may appoint a representative to serve in his stead at such meetings as he may be unable to attend. The members of the committee shall receive no compensation for serving on such committee other than their traveling expenses necessarily incurred in carrying out the duties prescribed for such committee under the terms of this chapter. The committee shall keep a record of its official actions, shall adopt a seal which shall be judicially noticed, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this chapter.

Approved February 17, 1961.