

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1256

Introduced by

Representatives Monson, D. Johnson, Nichols

Senators Heitkamp, Sand, Thane

1 A BILL for an Act to amend and reenact section 63-01.1-12.2 of the North Dakota Century
2 Code, relating to noxious weed certification.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 63-01.1-12.2 of the North Dakota Century Code
5 is amended and reenacted as follows:

6 **63-01.1-12.2. Noxious weed certification - Gravel and sand pits and hay land.**

- 7 1. The commissioner, after consultation with the North Dakota state university
8 extension service, may adopt rules for certifying that gravel, scoria, or sand
9 surface mining operations and land producing hay for sale or for resale are not
10 contaminated with noxious weeds. The rules must identify the extent noxious
11 weeds are allowed with certification.
- 12 2. The county weed board, after consultation with the North Dakota state university
13 extension service, may certify gravel, scoria, or sand surface mining operations
14 and land producing hay for sale or for resale as not contaminated with noxious
15 weeds.
- 16 3. The commissioner shall adopt a schedule of fees that county weed boards and the
17 North Dakota state university extension service may charge for inspecting, testing,
18 analyzing, and certifying gravel, scoria, or sand surface mining operations and hay
19 land.
- 20 4. Certification of gravel, scoria, or sand surface mining operations or hay land is not
21 a warranty of any kind as to the quality of the gravel, sand, or hay produced from
22 an inspected and certified location. The only representation made is that land from
23 which sand and gravel is surface mined or land producing hay for sale or resale

- 1 has been inspected for contamination by noxious weeds under rules adopted by
- 2 the commissioner.