

PROVISIONS OF THE NORTH DAKOTA CENTURY CODE WHICH RELATE TO AGRICULTURE - BACKGROUND MEMORANDUM

House Concurrent Resolution No. 3001 (2009) (attached as an [appendix](#)) directs the Legislative Management to continue its study of North Dakota Century Code provisions that relate to agriculture and to recommend changes to laws that are found to be irrelevant, duplicative, inconsistent, illogically arranged, or unclear in their intent and direction.

This is the second part of an effort that began during the 2007-08 interim. At that time, working under the directive of Senate Bill No. 2139 (2007), the Legislative Management proposed a rewrite of the laws pertaining to the various agricultural commodity groups and the noxious weed laws. In 2009 the Legislative Assembly accepted the proposed bills and enacted the following new chapters:

- 4.1-02. Barley Council.
- 4.1-03. Beef Commission.
- 4.1-04. Corn Utilization Council.
- 4.1-05. Dairy Promotion Commission.
- 4.1-06. Dry Bean Council.
- 4.1-07. Dry Pea and Lentil Council.
- 4.1-08. Honey Assessments.
- 4.1-09. Oilseed Council.
- 4.1-10. Potato Council.
- 4.1-11. Soybean Council.
- 4.1-12. Turkey Promotion.
- 4.1-13. Wheat Commission.
- 4.1-47. Noxious Weed Control.

REMAINING CHAPTERS RELATING TO AGRICULTURE

Title 4

- 4-01. Agriculture Commissioner.
- 4-02. Agricultural Fair Associations.
- 4-02.1. State Fair Association.
- 4-05.1. Agricultural Experiment Station and Agricultural Research.
- 4-08. County Agent.
- 4-09. State Seed Department.
- 4-09.1. Inspections and Grading of Agricultural Commodities.
- 4-10. Inspection and Grading of Potatoes and Other Produce.
- 4-11. Regulation of Wholesale Potato Dealers.
- 4-11.1. Potato Production Contracts.
- 4-12.2. Beekeeping.
- 4-13.2. Poultry Division.
- 4-14. Unfair Discrimination in Purchase of Farm Products.
- 4-14.1. Agriculturally Derived Fuel Tax Fund.
- 4-14.2. Northern Crops Institute.
- 4-16. Eradication of Gophers, Rabbits, and Crows.
- 4-18.1. Milk Marketing Board.
- 4-19. Forestry and Tree Distribution.
- 4-21. Tree Bounty.

- 4-21.1. Nurseries and Nursery Stock.
- 4-21.2. Trees for North Dakota Program.
- 4-22. Soil Conservation Districts Law.
- 4-23. Agricultural Conservation and Adjustment Law.
- 4-24. Miscellaneous.
- 4-25. Seed Sales Regulations.
- 4-26. Seed Potato Act.
- 4-30. Dairy Products Regulations.
- 4-32. Interstate Pest Control Compact.
- 4-33. Plant Pests.
- 4-35. Pesticide Act.
- 4-35.1. Chemigation Regulation.
- 4-35.2. Pesticide and Pesticide Container Disposal.
- 4-36. Agricultural Development Act.
- 4-37. Agriculture in the Classroom.
- 4-39. Cultivated Ginseng.
- 4-40. Crop Protection Products.
- 4-41. Industrial Hemp.
- 4-42. Seeds and Crops Inspection and Analysis.
- 4-43. Meatpacking Plant Assistance.

Title 36

- 36-01. State Board of Animal Health.
- 36-04. Livestock Dealers.
- 36-05. Livestock Auction Markets.
- 36-05.1. Satellite Video Livestock Auction Markets.
- 36-06. Purchase of Livestock by Packing Plants.
- 36-07. Rendering Plants.
- 36-08. Cooperative Grazing Associations.
- 36-09. Brands and Marks.
- 36-11. Trespass of Livestock.
- 36-12. Herding and Driving.
- 36-13. Estrays.
- 36-14. Contagious and Infectious Diseases Generally.
- 36-14.1. Hog Cholera.
- 36-15. Bovine Tuberculosis and Brucellosis.
- 36-21. General Provisions.
- 36-21.1. Humane Treatment of Animals.
- 36-22. Estray Inspection.
- 36-24. Meat Inspection.
- 36-25. Farmed Elk.
- 36-26. Feral Swine.

Title 60

- 60-01. Deposits - General Provisions.
- 60-02. Grain and Seed Warehouses.
- 60-02.1. Grain Buyers.
- 60-03. Hay Buyers.
- 60-04. Insolvent Grain Warehousemen.
- 60-05. Uniform Accounting for Public Elevators and Warehouses.
- 60-06. Public Warehouses on Railroad Right of Way.
- 60-10. Credit-Sale Contract Indemnity.

Title 63

- 63-05. Cutting Weeds and Grasses on Highways.

**AGRICULTURALLY RELATED
ISSUES IN OTHER TITLES**

Title 6

- 6-09.8. Beginning Farmer Loan Guarantee Program.
 6-09.9. Family Farm Survival Act.
 6-09.10. Credit Review Board and Agricultural Mediation.
 6-09.11. Financial Assistance for Family Farmers.
 6-09.13. Agriculture Partnership in Assisting Community Expansion.

Title 10

- 10-06.1. Corporate or Limited Liability Company Farming.

Title 19

- 19-05.1. Food Donated to Charity.
 19-06.1. Honey.
 19-07. Eggs.
 19-13.1. North Dakota Commercial Feed Law.
 19-14. Livestock Medicine.
 19-17. Flour and Bread Standards.
 19-18. Pesticide Registration.
 19-20.1. Fertilizer and Soil Conditioner Law.
 19-20.2. Anhydrous Ammonia Facilities.
 19-21. Labeling of Hazardous Substances.
 19-22. Labeling of Potatoes as to Grade.
 19-22.1. Sale of Artificially Colored Potatoes.

Title 35

- 35-05. Crop Mortgages.
 35-06. Pledge.
 35-17. Agister's Lien.
 35-30. Agricultural Processor's Lien.
 35-31. Agricultural Supplier's Lien.

Title 42

- 42-04. Agricultural Operations as Nuisances.

Title 54

- 54-18. North Dakota Mill and Elevator Association.

**ARTICULATION AND REFLECTION OF
SUBSTANTIVE CHANGES**

The directive assigned to the committee is to continue its study of North Dakota Century Code provisions that relate to agriculture for the purpose of recommending changes to laws that are irrelevant, inconsistent, illogically arranged, or unclear in their intent and direction. The directive does not authorize a substantive revision of agricultural policy.

The committee may nevertheless find it necessary at times to recommend substantive changes to accomplish the stated directive. For historical purposes, as well as interpretive purposes, the committee should ensure that its intent regarding any substantive changes is articulated clearly and reflected accurately in the committee's records.

ATTACH:1