

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2085**

Introduced by

Agriculture Committee

(At the request of the Agriculture Commissioner)

1 A BILL for an Act to create and enact subdivision c to subsection 1 of section 4.1-47-31 of the
2 North Dakota Century Code, relating to the penalty for selling noxious weeds; to amend and
3 reenact section 4.1-47-02 of the North Dakota Century Code, relating to the control and sale of
4 noxious weeds; to provide a penalty; and to allow the agriculture commissioner to use
5 environment and rangeland protection funds for invasive species control.

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

7 **SECTION 1. AMENDMENT.** Section 4.1-47-02 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **4.1-47-02. Control of noxious weeds –Responsibility.**

10 1. Each person shall do all things necessary and proper to control the spread of noxious
11 weeds.

12 2. No person may distribute, sell, or offer for sale within this state a noxious weed.

13 **SECTION 2.** Subdivision c to subsection 1 of section 4.1-47-31 of the North Dakota Century
14 Code is created and enacted as follows:

15 c. A person who violates subsection 2 of section 4.1-47-02 is subject to a civil
16 penalty not to exceed one hundred dollars for each violation.

17 **SECTION 3. ENVIRONMENT AND RANGELAND PROTECTION FUND - INVASIVE**

18 **SPECIES CONTROL.** The agriculture commissioner may use up to \$50,000 of the amount
19 available to the commissioner from legislative appropriation for the biennium beginning July 1,
20 2011, and ending June 30, 2013, from environment and rangeland protection funds for the
21 purpose of controlling invasive species as provided by section 4.1-47-33.