

WEEDS

CHAPTER 413

H. B. No. 695

(Vinje, Magnuson, Fossum, Anderson of McHenry,
(Alme, Loftesnes, Davis)

LEAFY SPURGE AND PERENNIAL PEPPER GRASS

AN ACT

To create and enact section 63-0117 of the North Dakota Revised Code of 1943, relating to the establishment of emergency areas for the control of leafy spurge and perennial pepper grass, and declaring an emergency.

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

§ 1.) Section 63-0117 of the North Dakota Revised Code of 1943 is hereby created and enacted to read as follows:

63-0117. Establishment of Leafy Spurge and Perennial Pepper Grass Emergency Areas; Control of Leafy Spurge and Perennial Pepper Grass; Assessment for Failure.) The county commissioners of any county in this state upon determining that any area in the county has a prevalence of leafy spurge and perennial pepper grass may declare such area to be an emergency leafy spurge and perennial pepper grass area. Upon declaring an emergency area the county commissioners shall give notice to the owner, lessee or occupant of any land, highway right-of-way, public utility right-of-way or game refuge in the emergency area that such land, or a part thereof, has been declared to be within a leafy spurge and perennial pepper grass emergency area and that such owner, lessee or occupant is required to immediately take action to "control" the leafy spurge and perennial pepper grass on such land on or before a date specified in such notice, which shall not be less than five days from the date the notice is received by the owner, lessee or occupant. Such notice shall be given by the county commissioners in the same manner as notice is given in section 63-0208 of the 1957 Supplement to the North Dakota Revised Code of 1943. If after giving such notice the owner, lessee or occupant of any land, highway right-of-way, public utility right-of-way or game refuge in an emergency area refuses or neglects to "control" the leafy spurge and perennial pepper grass on such land within the date specified in the notice, the board of county commissioners or their employees

shall enter upon such land and cause the leafy spurge and perennial pepper grass to be "controlled", and shall assess to each lot or parcel of land other than land owned by the state or a political subdivision, the cost of controlling such leafy spurge and perennial pepper grass, which shall be the actual cost not to exceed three hundred and twenty dollars (\$320) per quarter section in any one year.

§ 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 March 17, 1959.