

HOUSE BILL NO. 1429

Introduced by

Representative Skarphol

Senator Nichols

1 A BILL for an Act relating to a forage legumes and grass board and restricted weed standards;
2 and to provide a penalty.

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

4 **SECTION 1. Forage legumes and grass board - Appointment - Chairman -**

5 **Meetings.** The governor shall appoint three forage legumes and grass growers, three forage
6 legumes and grass seed producers, and three forage legumes and grass processors to the
7 state forage legumes and grass board. The governor shall convene the initial meeting of the
8 board, at which time the board shall elect a chairman from its membership. The board shall
9 meet at least quarterly. The chairman shall set the date and time of each meeting and shall
10 provide at least ten days' notice of each meeting to all board members. The chairman shall call
11 a special meeting when requested to do so in writing by a majority of the board members.

12 **SECTION 2. Compensation - Board members.** Each member of the forage legumes
13 and grass board is entitled to receive compensation in the amount of eighty dollars per day
14 while attending meetings and performing duties directed by the board. Each member is entitled
15 to reimbursement for expenses as provided by law for other state officers while attending
16 meetings or performing duties directed by the board.

17 **SECTION 3. Forage legumes and grass board - Duties.** The board shall:

- 18 1. Establish standards for the testing and labeling of all forage legumes and grass
19 seed grown or sold in this state;
- 20 2. Contract with a public or private laboratory to provide testing and labeling services
21 according to the standards established under this section;
- 22 3. Determine the fees that may be paid to the laboratory for testing and labeling
23 services; and

- 1 4. Monitor the forage legumes and grass industry in this state to identify future
2 legislative needs.

3 **SECTION 4. Forage legumes and grass - Restricted noxious weed standards -**

4 **Penalty.**

5 A person is guilty of a class A misdemeanor if the person sells, offers for sale, exposes
6 for sale, or delivers under contract any forage legumes or grass seeds that contain restricted
7 noxious weed seed singly or collectively in excess of:

- 8 1. Seven seeds in fifty grams of agrostis species, poa species, rhodes grass,
9 bermuda grass, timothy, celery, and other agricultural or vegetable seeds of similar
10 size and weight within this group.
- 11 2. Seven seeds in each fifty grams of dallis grass, rye grass, fescue species, foxtail
12 millets, alfalfa, red clover, sweet clover, lespedeza, brome grass, brassica species,
13 carrot, onion, and other agricultural or vegetable seeds of similar size and weight
14 or mixtures within this group, or mixtures of this group with those in subsection 1.
- 15 3. Seven seeds in each fifty grams of alsike clover, white clover, and other
16 agricultural or vegetable seeds of similar size and weight, or mixtures of this group
17 with those in subsection 1 or 2.
- 18 4. Eight seeds in each one hundred fifty grams of proso millet, sudan grass, and
19 seeds of similar size and weight or mixtures of seeds within this group.
- 20 5. Forty-five seeds in each pound for all wheat grass species.
- 21 6. Four seeds in each five hundred grams of wheat, oats, rye, barley, buckwheat,
22 sorghums, vetches, field peas, and other seeds of a size and weight similar to or
23 greater than those within this group, or any mixtures within this group.
- 24 7. One percent by weight of all weed seeds, inclusive restricted noxious weed seeds,
25 provided that three percent of cheat, chess, or downy brome is allowed in grass
26 seed in which these weeds are found.

27 **SECTION 5. PROPOSED LEGISLATION FOR FIFTY-NINTH LEGISLATIVE**

28 **ASSEMBLY.** The board shall develop and introduce for consideration by the fifty-ninth
29 legislative assembly recommended legislation to establish an assessment structure to be
30 imposed on forage legumes and grass producers, forage legumes and grass seed producers,
31 and forage legumes and grass processors. The assessment must be sufficient in amount to

Fifty-eighth
Legislative Assembly

- 1 fully fund the board's staffing needs, accommodations, compensation, and all other activities
- 2 after June 30, 2005.