

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2280

Page 1, line 1, replace "eighteen" with "seventeen"

Page 1, line 3, remove the first comma

Page 1, line 4, replace "61-01.1-04.1" with "63-01.1-04.1" and replace "61-03.1-05" with "63-01.1-05"

Page 1, line 7, remove the second "and"

Page 1, line 8, after "boards" insert "; to provide for reports to the legislative council; and to provide a penalty"

Page 5, line 1, replace "Forward" with "Except as otherwise provided, forward"

Page 14, line 20, overstrike "state" and insert immediately thereafter "landowner assistance"

Page 22, after line 25, insert:

**"SECTION 28.** A new section to chapter 63-01.1 of the North Dakota Century Code is created and enacted as follows:

**Investigation by agriculture commissioner - Conflict of interest.** If an individual who provided written notice of an alleged failure to eradicate or control noxious weeds believes that the matter has not been addressed satisfactorily by the weed board within twenty-one days from the date of the complaint, the individual may provide written notification to the local governing authority. If the individual who provided notice of an alleged failure to eradicate or control noxious weeds believes that the matter has not been addressed satisfactorily by the local governing authority within twenty-one days from the date of the notice to the local governing authority, the individual may provide written notification to the agriculture commissioner. Upon receiving such notification, the agriculture commissioner shall investigate the matter. If the commissioner determines that a weed board has not addressed the matter satisfactorily within the twenty-one day period, the commissioner may act to enforce this chapter. A weed board may request that the agriculture commissioner investigate any complaint received by the board if the board determines that its ability to enforce this chapter is compromised because of a conflict of interest."

Page 22, line 28, after the underscored boldfaced period insert:

"1."

Page 22, line 30, after "pests" insert "on public lands within the county and to cooperate with landowners for the purpose of controlling or eradicating pests on private land within the county"

Page 23, remove lines 1 through 6

Page 23, line 13, after "efforts" insert "under this section"

Page 23, line 17, after "pests" insert "under section 29 of this Act"

Page 23, line 18, replace "land users" with "landowners"

Page 23, line 24, remove "Take enforcement action when necessary."

Page 23, line 25, remove "6."

Page 23, line 27, replace "7." with "6."

Page 23, line 28, replace "8." with "7."

Page 23, remove lines 30 and 31

Page 24, remove lines 1 through 28

Page 25, line 7, after the underscored boldfaced period insert:

"1."

Page 25, line 9, after "pests" insert "on land within the corporate boundaries of the city and to cooperate with landowners for the purpose of controlling or eradicating pests on private land within the city"

Page 25, remove lines 10 through 15

Page 25, line 22, after "efforts" insert "under this section"

Page 25, line 26, after "pests" insert "under section 32 of this Act"

Page 25, line 27, replace "land users" with "landowners"

Page 26, line 2, remove "Take enforcement action when necessary."

Page 26, line 3, remove "6."

Page 26, line 5, replace "7." with "6."

Page 26, line 6, replace "8." with "7."

Page 26, remove lines 8 through 31

Page 27, remove lines 1 through 5

Page 28, line 26, remove "a."

Page 28, line 30, remove "b. All penalties" and overstrike "collected pursuant to this section for failure or refusal to"

Page 28, line 31, overstrike "control", remove "or eradicate", and overstrike "pests"

Page 29, line 1, overstrike "must be credited to the weed control", remove "and eradication", and overstrike "fund in the political"

Page 29, line 2, overstrike "subdivision in which the penalty originated but dedicated for use"

Page 29, line 3, remove "in the", overstrike "control", remove "or eradication of", and overstrike "pests." and insert immediately thereafter:

"4."

Page 29, line 6, replace "4." with "5."

Page 29, line 8, after "the" insert "governing body of the" and remove "council"

Page 29, after line 8, insert:

**"SECTION 37. AGRICULTURE COMMISSIONER - REPORTS TO LEGISLATIVE COUNCIL.** In November 2005 and June 2006, the agriculture commissioner shall report to the legislative council all notifications and requests for assistance under section 28 of this Act. The reports must include the commissioner's response to each notification and request."

Re-number accordingly