

# WEEDS

## CHAPTER 749

HOUSE BILL NO. 1286  
(O. Hanson, Tokach)

### NOXIOUS WEED CERTIFICATES

AN ACT to create and enact a new section to chapter 63-01.1 of the North Dakota Century Code, relating to certification of gravel and sand pits and hay as being not contaminated with noxious weeds.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. A new section to chapter 63-01.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

#### Noxious weed certification - Gravel and sand pits and hay.

1. The commissioner, after consultation with the cooperative extension service, shall adopt standards for certifying that gravel or sand surface mining operations and hay produced for resale are not contaminated with noxious weeds. The standards must identify the extent noxious weeds are allowed with certification.
2. The county weed board may, after consultation with the cooperative extension service, certify gravel or sand surface mining operations and hay produced for resale as not contaminated with noxious weeds.
3. The commissioner shall adopt a schedule of fees that county weed boards and the cooperative extension service may charge for inspecting, testing, analyzing, and certifying gravel or sand surface mining operations and hay.
4. Certification of gravel or sand surface mining operations or hay is not a warranty of any kind as to the quality of the gravel, sand, or hay inspected and certified, including merchantability, fitness for a particular purpose, or absence of contamination of any kind. The only representation made is that a gravel or sand surface mining operation or hay produced for resale has been inspected for contamination by noxious weeds under rules adopted by the commissioner.

Approved March 12, 1987  
Filed March 16, 1987