

PROVISIONS OF THE NORTH DAKOTA CENTURY CODE WHICH RELATE TO AGRICULTURE - BACKGROUND MEMORANDUM

Section 1 of 2015 House Bill No. 1028 ([appendix](#)) directs the Legislative Council to continue its study of North Dakota Century Code provisions that relate to agriculture for the purpose of recommending changes to laws that are found to be irrelevant, inconsistent, illogically arranged, or unclear in their intent and direction.

NORTH DAKOTA CENTURY CODE CHAPTERS THAT HAVE BEEN REWRITTEN SINCE THE 2007-08 INTERIM

Original New Chapter Chapter

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| 4-09. | 4.1-52. | State Seed Department. |
| 4-09.1. | 4.1-52. | Inspections and Grading of Agricultural Commodities. |
| 4-10. | 4.1-57. | Inspection and Grading of Potatoes and Other Produce. |
| 4-10.1. | 4.1-10. | Potato Industry Promotion Act. |
| 4-10.2. | 4.1-09. | Oilseed Industry Promotion. |
| 4-10.3. | 4.1-06. | Dry Bean Industry Promotion. |
| 4-10.4. | 4.1-02. | Barley. |
| 4-10.5. | 4.1-11. | Soybean Council. |
| 4-10.6. | 4.1-04. | Corn Industry Promotion. |
| 4-10.7. | 4.1-07. | Dry Pea and Lentil Council. |
| 4-11. | 4.1-57. | Regulation of Wholesale Potato Dealers. |
| 4-12.1. | 4.1-08. | Honey Promotion Act. |
| 4-12.2. | 4.1-16. | Beekeeping. |
| 4-13.1. | 4.1-12. | Turkey Promotion Act. |
| 4-18.1. | 4.1-26. | Milk Marketing Board. |
| 4-25. | 4.1-53. | Seed Sales Regulations. |
| 4-26. | 4.1-56. | Seed Potato Control Areas. |
| 4-27. | 4.1-05. | Dairy Promotion Commission. |
| 4-28. | 4.1-13. | North Dakota State Wheat Commission. |
| 4-34. | 4.1-03. | Beef Promotion Act. |
| 4-39. | 4.1-17. | Cultivated Ginseng. |
| 4-42. | 4.1-53. | Seeds and Crops Inspection and Analysis. |
| 36-04. | 4.1-83. | Livestock Dealers. |
| 36-09. | 4.1-73. | Brands and Marks. |
| 36-13. | 4.1-75. | Estrays. |
| 36-22. | 4.1-75. | Estray Inspection. |
| 63-01.1. | 4.1-47. | Noxious Weed Control. |

NORTH DAKOTA CENTURY CODE CHAPTERS RELATING TO AGRICULTURE WHICH REMAIN TO BE CONSIDERED FOR REVISION

Title 4

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| 4-01. | Agriculture Commissioner. |
| 4-02. | Agricultural Fair Associations. |
| 4-02.1. | State Fair Association. |
| 4-05.1. | Agricultural Experiment Station and Agricultural Research. |
| 4-08. | County Agent. |
| 4-11.1. | Potato Production Contracts. |
| 4-13.2. | Poultry Division. |
| 4-14. | Unfair Discrimination in Purchase of Farm Products. |
| 4-14.1. | Agriculturally Derived Fuel Tax Fund. |
| 4-14.2. | Northern Crops Institute. |
| 4-16. | Eradication of Gophers, Rabbits, and Crows. |
| 4-19. | Forestry and Tree Distribution. |
| 4-21. | Tree Bounty (Repealed 2015). |
| 4-21.1. | Nurseries and Nursery Stock. |

- 4-21.2. Trees for North Dakota Program.
- 4-22. Soil Conservation Districts Law.
- 4-23. North Dakota Agricultural Conservation and Adjustment Law.
- 4-24. Miscellaneous.
- 4-30. Dairy Products Regulations.
- 4-32. Interstate Pest Control Compact.
- 4-33. Plant Pests.
- 4-35. Pesticide Act.
- 4-35.1. Chemigation Regulation.
- 4-35.2. Pesticide and Pesticide Container Disposal.
- 4-36. Agricultural Development Act.
- 4-37. Agriculture in the Classroom.
- 4-40. Crop Protection Products.
- 4-41. Industrial Hemp.
- 4-43. Meatpacking Plant Assistance.

Title 36

- 36-01. State Board of Animal Health.
- 36-05. Livestock Auction Markets.
- 36-05.1. Satellite Video Livestock Auction Markets.
- 36-06. Purchase of Livestock by Packing Plants.
- 36-07. Rendering Plants.
- 36-08. Cooperative Grazing Associations.
- 36-11. Trespass of Livestock.
- 36-12. Herding and Driving.
- 36-14. Contagious and Infectious Diseases Generally.
- 36-14.1. Hog Cholera.
- 36-15. Bovine Tuberculosis and Brucellosis.
- 36-21. General Provisions.
- 36-21.1. Humane Treatment of Animals.
- 36-22. Estray Inspection.
- 36-24. Meat Inspection.
- 36-25. Farmed Elk.
- 36-26. Feral Swine.

Title 60

- 60-01. Deposits - General Provisions.
- 60-02. Grain and Seed Warehouses.
- 60-02.1. Grain Buyers.
- 60-03. Hay Buyers.
- 60-04. Insolvent Grain Warehousemen.
- 60-05. Uniform Accounting for Public Elevators and Warehouses.
- 60-06. Public Warehouses on Railroad Right of Way.
- 60-10. Credit-Sale Contract Indemnity.

Title 63

- 63-05. Cutting Weeds and Grasses on Highways.

AGRICULTURALLY RELATED ISSUES IN OTHER NORTH DAKOTA CENTURY CODE TITLES

Title 6

- 6-09.8. Beginning Farmer Loan Guarantee Program.
- 6-09.9. Family Farm Survival Act.
- 6-09.10. Assistance for Financially Distressed Farmers and Small Business Persons.
- 6-09.11. Financial Assistance for Family Farmers.
- 6-09.13. Agriculture Partnership in Assisting Community Expansion.

Title 10

10-06.1. Corporate or Limited Liability Company Farming.

Title 19

19-05.1. Food Donated to Charity.
 19-06.1. Honey.
 19-07. Eggs.
 19-13.1. North Dakota Commercial Feed Law.
 19-14. Livestock Medicine.
 19-17. Flour and Bread Standards.
 19-18. Pesticide Registration.
 19-20.1. Fertilizer and Soil Conditioner Law.
 19-20.2. Anhydrous Ammonia Facilities.
 19-21. Labeling of Hazardous Substances.
 19-22. Labeling of Potatoes as to Grade.
 19-22.1. Sale of Artificially Colored Potatoes.

Title 35

35-05. Crop Mortgages.
 35-06. Pledge.
 35-17. Agister's Lien.
 35-30. Agricultural Processor's Lien.
 35-31. Agricultural Supplier's Lien.

Title 42

42-04. Agricultural Operations as Nuisances.

Title 43

43-36. Professional Soil Classifiers (interim committee rewrite bill 2015 Senate Bill No. 2026 failed to pass)

Title 54

54-18. North Dakota Mill and Elevator.

NORTH DAKOTA CENTURY CODE CHAPTERS THAT WILL BE ADDRESSED FIRST DURING THE 2015-16 INTERIM

4-08. County Agent.
 4-13.2. Poultry Division.
 4-14.1. Agriculturally Derived Fuel Tax Fund.
 4-14.2. Northern Crops Institute.
 4-30. Dairy Products Regulations.
 4-32. Interstate Pest Control Compact.
 4-41. Industrial Hemp.
 19-07. Eggs.
 36-21. General Provisions (on livestock).
 36-24. Meat Inspection.

ARTICULATION AND REFLECTION OF SUBSTANTIVE CHANGES

The directive assigned to the committee is to study those provisions of the North Dakota Century Code that relate to agriculture, for the purpose of recommending changes to laws that are irrelevant, inconsistent, illogically arranged, or unclear in their intent and direction. The directive does not authorize a substantive revision of agricultural policy. Nevertheless, the committee may find it necessary at times to recommend substantive changes to accomplish the stated directive. For historical purposes, as well as interpretive purposes, the committee should ensure that its intent regarding any substantive changes is articulated clearly and reflected accurately in the committee's records.

ATTACH:1