

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE BILL NO. 2085
(Agriculture Committee)
(At the request of the Agriculture Commissioner)

AN ACT to create and enact subdivision c to subsection 1 of section 4.1-47-31 of the North Dakota Century Code, relating to the penalty for selling noxious weeds; to amend and reenact section 4.1-47-02 of the North Dakota Century Code, relating to the control and sale of noxious weeds; to provide a penalty; and to allow the agriculture commissioner to use environment and rangeland protection funds for invasive species control.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4.1-47-02 of the North Dakota Century Code is amended and reenacted as follows:

4.1-47-02. Control of noxious weeds ~~–Responsibility.~~

1. Each person shall do all things necessary and proper to control the spread of noxious weeds.
2. No person may distribute, sell, or offer for sale within this state a noxious weed.

SECTION 2. Subdivision c to subsection 1 of section 4.1-47-31 of the North Dakota Century Code is created and enacted as follows:

- c. A person who violates subsection 2 of section 4.1-47-02 is subject to a civil penalty not to exceed one hundred dollars for each violation.

SECTION 3. ENVIRONMENT AND RANGELAND PROTECTION FUND - INVASIVE SPECIES CONTROL. The agriculture commissioner may use up to \$50,000 of the amount available to the commissioner from legislative appropriation for the biennium beginning July 1, 2011, and ending June 30, 2013, from environment and rangeland protection funds for the purpose of controlling invasive species as provided by section 4.1-47-33.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2085.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 90 Nays 1 Absent 3

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State