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# AGRICULTURE

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## CHAPTER 41

S. B. No. 210

Introduced by Senators Young, Work and Peterson

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### AGRICULTURAL EXPERIMENT STATIONS RE-ESTABLISHED

An Act Re-establishing sub-experiment stations under the jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and validating any expenses incurred in operating such stations since the adoption of the North Dakota Revised Code of 1943; declaring an emergency.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. There is hereby re-established the following named sub-experiment stations of the North Dakota Agricultural College under the jurisdiction of the Director of the Agricultural Experiment Station: One at or near Edgeley in the county of LaMoure; one at or near Hettinger in the county of Adams and one at or near Langdon in the county of Cavalier.

§ 2. All of the expenditures incurred and paid in connection with the operation of the said sub-experiment stations enumerated herein since the adoption of the North Dakota Revised Code of 1943 are hereby in all things validated and approved.

§ 3. EMERGENCY.] The statutes establishing the sub-experiment stations herein enumerated having been inadvertently omitted from the North Dakota Revised Code of 1943, this act is hereby declared an emergency act and shall be in full force and effect from and after its passage and approval.

Approved March 12, 1945.

## CHAPTER 42

H. B. No. 76

Introduced by Representatives Levin, Halvorson,  
Maher and Saumur

ANNEXATION OF TERRITORY, SOIL CONSERVATION  
DISTRICTS

An Act To amend and re-enact Section 4-2214 of the North Dakota Revised Code of 1943 relating to inclusion of additional territory and annexation of territory to other existing soil conservation districts.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.] That Section 4-2214 of the North Dakota Revised Code of 1943 be amended and re-enacted to read as follows:

4-2214. PETITION TO INCLUDE ADDITIONAL TERRITORY WITHIN EXISTING DISTRICT.] Petitions to include additional territory within an existing district may be filed with the committee at any time, and the proceedings provided in connection with a petition to organize a district shall be observed in the case of a petition for such inclusion. Provided, however, that a portion of a district may upon petition of sixty per cent of the land occupiers in such portion, and without an election, be annexed to an adjoining district, and become a part of same upon filing such petition with the state soil conservation committee.

Approved February 13, 1945.

## CHAPTER 43

H. B. No. 139

Introduced by Committee on Appropriations

## BEEKEEPERS' LICENSE FEES; WHERE DEPOSITED

An Act To amend and re-enact Section 4-1205 of the North Dakota Revised Code of 1943, relating to Beekeeper's License Fees and transferring balance to General Fund.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.] That Section 4-1205 of the North Dakota Revised Code of 1943 be amended and reenacted to read as follows:

4-1205. COLLECTION OF BEEKEEPER'S LICENSE FEES; WHERE

DEPOSITED.] All fees collected by the commissioner of agriculture and labor for the issuance of license certificates shall be paid to the state treasurer and shall be deposited by him to the credit of the General Fund of the state.

§ 2. Any moneys now in the bee fund are hereby transferred to the State General Fund, after all bills charged to the bee fund prior to July 1, 1945, are paid.

Approved March 13, 1945.

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## CHAPTER 44

H. B. No. 203

Introduced by Representatives Schmalenberger,  
Schnell and Sticka.

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### DICKINSON AGRICULTURAL EXPERIMENT STATION; ADDITION

An Act Creating and establishing an addition to the Agricultural Experiment station at Dickinson, North Dakota and providing for the purchase of 632 acres, more or less, of Section 5, Township 139, Range 96 in Stark County, North Dakota or other suitable and adequate acreage selected by the State Board of Higher Education and providing for the use and management thereof; and making an appropriation therefor and declaring an Emergency.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. There is hereby created and established an addition to the Dickinson Agricultural Experiment Station located on Section 5, Township 139, Range 96, Stark County, North Dakota or other suitable and adequate acreage selected by the State Board of Higher Education under the supervision and control of the North Dakota Agricultural College at Fargo and under the supervision and direction of the Agricultural Experiment Station Director of said North Dakota Agricultural College.

§ 2. JURISDICTION.] The said enlarged Agricultural Experiment Station shall be under the jurisdiction of the State Board of Higher Education.

§ 3. FUNCTIONS.] The Agricultural Experiment Station, when enlarged as provided for in this Act, shall make experiments with livestock breeding, nutrition, management and diseases and shall conduct such other agricultural research as may further contribute to the benefit of the agricultural and livestock production of western North Dakota and the State of North Dakota in addition to the experiments now conducted under the provisions of Section 4-0503 of the North Dakota Revised Code of 1943.

§ 4. OFFICIAL IN CHARGE.] The superintendent of the present Dickinson Branch Station will have administrative power over the additional activities of the station and shall make an annual report to the Director of the North Dakota Agricultural Experiment Station on or before January 1st of each year, said report to be in such form as said Director may prescribe. The annual report of the official in charge shall be transmitted to the Governor by the Director of the North Dakota Agricultural Experiment Station on or before February 1st of each year.

§ 5. APPROPRIATION.] There is hereby appropriated out of any monies in the State Treasury, not otherwise appropriated, the sum of eighty thousand dollars and no/100 (\$80,000.00) and such income as may be derived from the agricultural operations of said Agricultural Experiment Station for the purchase of 632 acres, more or less, of Section 5, Township 139, Range 96 in Stark County, North Dakota or other suitable and adequate acreage selected by the State Board of Higher Education together with the improvements situated thereon and for the maintenance and support of said Station from the date of its establishment to June 30, 1945, and throughout the biennium beginning July 1, 1945, and ending June 30, 1947.

§ 6. EMERGENCY.] This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval.

Approved March 14, 1945.

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## CHAPTER 45

H. B. No. 77

Introduced by Representatives Levin, Halvorson,  
Maher, and Saumur

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### ELECTIONS IN SOIL CONSERVATION DISTRICTS

An Act Amending and re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 relating to time of elections in soil conservation districts and appointment of election officers.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.] That Section 4-2221 of the North Dakota Revised Code of 1943 be amended and re-enacted to read as follows:

4-2221 GENERAL ELECTION OF DISTRICTS; WHEN HELD; REGULATIONS GOVERNING.] The general election of soil conservation districts shall be held at the same time as the regular annual township meetings in this state. The judges and election officers at such town-

ship meetings shall be the election officers of the soil conservation district elections, provided that in unorganized territory, the district supervisors shall designate the polling places and appoint the election officers. The notice of such election and the conduct thereof shall be the same as provided herein for the first district election except that the supervisors of the district shall give the notice of election. The returns of all electors shall be submitted to the committee in the same manner as the returns of the first election, and the committee shall canvass and verify such returns and issue certificates of election.

Approved February 13, 1945.

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## CHAPTER 46

S. B. No. 146

Introduced by Senator Nelson of McKenzie

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### GRADE INSPECTION, FEES AND CHARGES

An Act To amend and re-enact Section 4-1013 of the North Dakota Revised Code of 1943 relative to fees for making grade inspections.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.] That Section 4-1013 of the North Dakota Revised Code of 1943 be amended and re-enacted to read as follows:

§ 4-1013. GRADE INSPECTION; FEES AND CHARGES.] The Commissioner, by regulation, shall fix the fees for making grade inspections, and said fees shall be uniform throughout the state for such periods of time as shall be specified. The maximum fee per car load or truck load or any other lot unit not in excess of a standard freight car load quantity, shall not exceed \$4.75 for potatoes and \$5.50 for other produce. A minimum of 25c of each inspection fee for potatoes shall be covered into an advertising fund to be used by the commissioner in consultation with the growers for the purpose of advertising North Dakota seed and table stock potatoes in the wholesale and retail markets of the United States. Any person soliciting an inspection or inspections at points other than those at which inspectors are located, or at which itinerant inspectors may be at the time inspection is requested, may obtain inspection service on payment of the necessary traveling expenses, in addition to the regular inspection fee. The owner and the consignor or shipper of the potatoes shall be held responsible for the payment of the inspection fees when they are not paid otherwise. The Commissioner shall collect all fees and charges and shall make detailed annual reports of all receipts and expenditures to the Board of Administration, which shall publish the same for distribution to interested parties.

Approved March 13, 1945.

## CHAPTER 47

H. B. No. 248

Introduced by Representatives Dalzell, Levin and Collette

## LABELING POTATOES IN CLOSED CONTAINERS

An Act To amend and re-enact Section 4-1005 of the North Dakota Revised Code of 1943 relative to labeling, branding or tagging potatoes being transported or offered for sale or consignment.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.] That Section 4-1005 of the North Dakota Revised Code of 1943 be amended and re-enacted to read as follows:

4-1005. LABELING, BRANDING, TAGGING POTATOES IN CLOSED CONTAINERS.] Every closed container packed with potatoes grown in North Dakota, being transported, or offered for sale or consignment shall bear upon the outside thereof, either by brand, tag or label, in plain letters and figures, the net weight when packed and correct grade designation, or, in lieu thereof, each container shall be labeled to show the net weight when packed and official North Dakota inspection shall be obtained and the lot must not be mislabeled.

When an individual shipment is made from such towns or stations at which regular inspection service is not maintained, and when such shipments cannot be so routed as to be stopped in transit for inspection at a town or station at which inspection service can be provided, or when due to unforeseen circumstances which make it physically impossible for an inspector to perform such inspection, or when definite or sufficient evidence followed by proof if demanded is presented to establish the fact that the shipment will be repossessed [reprocessed] and when inspection service is available officially inspected in transit, then the commissioner, or his agent, may waive, by a special written permit, the inspection and labeling requirements provided in this section for such individual shipment.

The Commissioner shall, by regulation, prescribe the general location of the labeling on the container and the minimum and maximum size of the letters and figures used in the labeling of the potatoes as herein provided.

Provided, however, the Commissioner may after receiving a request from at least fifty (50) potato growers call a public hearing of potato growers and if two-thirds (2-3) of the growers represented at such meeting approve he may promulgate and establish rules and regulations governing the use of labels, marks and brands that may be used upon closed containers packed with potatoes grown in North Dakota, being transported or offered for sale or consignment, and governing the establishment and use of State Brands.

For the purpose of this act a potato grower shall be defined as any person who produces more than three acres of potatoes.

If any grower registers as such at the State Seed Department office, he shall be entitled, during that calendar year, to written notice of any public hearing for potato growers, called by the Commission.

Any rules and regulations, promulgated and established as a result of such hearing may be rescinded by regulation if such regulation is approved by a majority of potato growers present at a subsequent public hearing called by the Commission for that purpose.

Approved February 28, 1945.

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## CHAPTER 48

H. B. No. 66

Introduced by Representatives Haugland, Hovey, Smart,  
Benno and Mortenson

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### MINOT EXPERIMENT STATION

**An Act Creating and establishing an Agricultural Experiment Station and State Seed Farm at or near Minot in Ward County under the supervision and control of the North Dakota Agricultural College at Fargo; providing for a Board of Visitors and the appointment thereof; making an Appropriation therefor and declaring an Emergency.**

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. There is hereby created and established an Agricultural Experiment Station and State Seed Farm to be located at or near Minot in Ward County under the supervision and control of the North Dakota Agricultural College at Fargo and under the supervision and direction of the Agricultural Experiment Station Director of said North Dakota Agricultural College; provided that such station shall not be established until a suitable tract of land containing not less than four hundred and eighty acres shall have been donated to the State of North Dakota for such purpose by a proper deed of warranty.

§ 2. NAME.] The said Agricultural Experiment Station and State Seed Farm shall be known and referred to as the North Central Agricultural Experiment Station.

§ 3. JURISDICTION.] The said Agricultural Experiment Station and State Seed Farm shall be under the jurisdiction of the State Board of Higher Education.

§ 4. FUNCTIONS.] The North Central Agricultural Experiment Station when established as provided by this Act shall make experiments with grains and grasses, native and other forage plants, including corn, sunflowers, sorghums, and millets, garden and orchard crops, shelter belt and ornamental trees and shrubs, livestock and

poultry, and shall become a center for the increase and dissemination of purebred seeds, poultry, and livestock, and shall conduct such other agricultural research as may further inure to the benefit of the agriculture of North Central North Dakota and the State of North Dakota.

§ 5. OFFICIAL IN CHARGE.] It shall be the duty of the official in charge of the North Central Experiment Station to make an annual report to the Director of the North Dakota Agricultural Experiment Station on or before January 1 of each year, said report to be in such form as said Director may prescribe. The annual report of the official in charge shall be transmitted to the Governor by the Director of the North Dakota Agricultural Experiment Station on or before February 1 of each year.

§ 6. BOARD OF VISITORS.] It shall be the duty of the Boards of County Commissioners of Renville, Bottineau, Rolette, Benson, Ward, McHenry, Pierce, McLean, Mountrail, Sheridan, Burke, and Wells counties to name two farmers operating farms in their respective counties to serve as a Board of Visitors to said North Central Agricultural Experiment Station. The members of the Board of Visitors shall serve for three years and shall not be eligible for re-appointment until after a lapse of three years following each term of office. Vacancies occurring on such Board shall be filled by the County Commissioners of the county where such vacancy occurs. It shall be the duty of said Board of Visitors to make an annual inspection of said North Central Agricultural Experiment Station upon call of the Director of the North Dakota Agricultural Experiment Station. At least one of the inspections in a biennium shall be in the growing season. The Board of Visitors shall be entitled to a fee of five dollars (\$5.00) for each visit, plus mileage at five cents (5c) per mile for every mile actually travelled to and from said farm. It shall be the duty of the Board of Visitors to inspect the work of the North Central Agricultural Experiment Station and to counsel and advise with the officials in charge. The Board of Visitors shall name one of its members to serve as chairman and another to serve as secretary, and they shall make a written report to the Director of the North Dakota Agricultural Experiment Station.

§ 7. APPROPRIATION.] There is hereby appropriated out of any monies in the State Treasury, not otherwise appropriated, the sum of \$40,000.00 and such income as may be derived from the agricultural operations of said North Central Agricultural Experiment Station for the maintenance and support of said Station from the date of its establishment to June 30, 1945, and throughout the biennium beginning July 1, 1945, and ending June 30, 1947.

§ 8. EMERGENCY.] This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval.

Approved March 2, 1945.