

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

HOUSE BILL NO. 1200
(Representatives Rennerfeldt, Kempenich, Nichols)
(Senators Kinnoin, Lyson)

AN ACT relating to the unauthorized removal or possession of purple coneflowers, *Echinacea purpurea* or *Echinacea angustifolia*; to provide a penalty; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Purple coneflowers (*Echinacea purpurea* or *Echinacea angustifolia*) - Unauthorized removal - Penalty.

1. A person is guilty of a class A misdemeanor, is subject to court-ordered restitution to the landowner, and also is subject to a civil penalty of up to ten thousand dollars if that person willfully enters upon land owned by another and, without the express written consent of the owner, removes or attempts to remove a purple coneflower, *Echinacea purpurea* or *Echinacea angustifolia*, from the land.
2. A person is guilty of a class A misdemeanor, is subject to court-ordered restitution to the state, and is subject to a civil penalty of up to ten thousand dollars if that person willfully removes or attempts to remove a purple coneflower, *Echinacea purpurea* or *Echinacea angustifolia*, from state-owned land.
3. A person is guilty of a class A misdemeanor and also is subject to a civil penalty of up to ten thousand dollars if that person willfully possesses a purple coneflower removed from land in violation of this section.
4. Any vehicle used to transport a purple coneflower removed or possessed in violation of this section is forfeitable property under chapter 29-31.1.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1200 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 92 Nays 0 Absent 6

Speaker of the House

Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 45 Nays 3 Absent 1

President of the Senate

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,

at _____ o'clock _____ M.

Secretary of State