

**FIRST ENGROSSMENT
with House Amendments**

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2389

Introduced by

Senators Holmberg, Tallackson

1 A BILL for an Act to amend and reenact section 4-10-06.1 of the North Dakota Century Code,
2 relating to transfers of certified seed potatoes; and to declare an emergency.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 4-10-06.1 of the 1999 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **4-10-06.1. Seed potatoes - Certification requirement.**

- 7 1. A person may not plant seed potatoes in lots of one acre [.405 hectare] or more,
8 for the purpose of selling the crop to be harvested, unless the seed potatoes ~~have~~:
- 9 a. Have been certified by the commissioner as meeting the standards of this
10 chapter; ~~have~~;
- 11 b. ~~Have~~ been certified by another state or province having a similar seed potato
12 quality assurance program; ~~or have~~
- 13 c. Have been field-inspected and approved by the commissioner. ~~However, the~~
- 14 2. The commissioner shall permit a North Dakota grower to plant uncertified
15 potatoes grown by them the grower, if the grower is within twelve
16 months of having their the grower's own certified parent seed potatoes.
- 17 3. The commissioner shall permit a North Dakota potato grower to sell or otherwise
18 transfer certified seed potatoes to another North Dakota potato grower. The
19 recipient grower may plant the seed potatoes only for commercial production. The
20 seed potatoes may not be recertified or retained for use in the following production
21 cycle.
- 22 4. If the commissioner has reason to believe that seed potatoes meeting the
23 requirements of this section are not available in sufficient quantities to fulfill
24 planting needs, the commissioner may permit the planting of seed potatoes with a

- 1 higher disease content, provided that bacterial ring rot is not present and that a
- 2 serious disease threat is not posed.
- 3 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.