

HOUSE BILL NO. 1149

Introduced by

Representatives D. Johnson, Kempenich, Monson, Vigesaa

Senators Dotzenrod, Schaible, Wanzek

1 A BILL for an Act to create and enact a new section to chapter 4.1-47 of the North Dakota
2 Century Code, relating to noxious weed certification: and to declare an emergency.

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

4 **SECTION 1.** A new section to chapter 4.1-47 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Noxious weed certification - Gravel and sand pits.**

7 ~~1. The commissioner, after consulting with the county weed boards, may adopt rules for~~
8 ~~certifying that gravel, scoria, topsoil, or sand surface mining operations are not~~
9 ~~contaminated with noxious weeds. The rules must identify the extent to which noxious~~
10 ~~weeds are allowed with certification.~~

11 ~~2.~~ Alf requested by any person needing certification, a county weed board may certify,
12 based on standards set by the commissioner after consulting with representatives of
13 county or city weed boards, gravel, scoria, topsoil, or sand surface mining operations
14 are not contaminated with noxious weeds.

15 ~~3.2.~~ The commissioner shall may adopt a schedule of fees that county weed boards may
16 charge for inspecting, testing, analyzing, and certifying gravel, scoria, topsoil, or sand
17 surface mining operations.

18 ~~4.3.~~ Certification of gravel, scoria, topsoil, or sand surface mining operations as being free
19 from contamination of noxious weeds is not a warranty of any kind as to the quality of
20 the gravel, scoria, topsoil, or sand from an inspected and certified location.

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