

AGRICULTURE

CHAPTER 90

H. B. No. 823

(Berntson, Overbo, Leet and Halcrow)

POTATO DEVELOPMENT COMMISSION STATEWIDE ORDER AFFECTING CULL POTATOES

AN ACT

To amend and reenact section 4-10A10 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to tax areas affected by orders of the potato development commission.

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

§ 1. Amendment.) Section 4-10A10 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

4-10A10. Areas.) Orders issued by the commission under this Act may be limited in their application by prescribing the areas or portions of the state in which a particular order shall be effective. Provided, that no order shall be issued by the commission unless it embraces all persons of a like class in a given area who are engaged in processing, production or marketing potatoes, except that orders prohibiting the sale or offering for sale or shipment of cull potatoes shall be effective throughout the state.

Approved March 5, 1957.

CHAPTER 91

H. B. No. 632

(Gress, Haugland, Schmalenberger and Olsen)

DUTIES OF DAIRY COMMISSIONER

AN ACT

To amend and reenact section 4-1703 of the North Dakota Revised Code of 1943 relating to the duties of the dairy commissioner.

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

§ 1. Amendment.) Section 4-1703 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

4-1703. Duties Of Dairy Commissioner.) The dairy commissioner shall enforce all laws in force or hereafter enacted relating to dairies and dairy products. He may promulgate and enforce rules and regulations necessary to carry into effect the provisions relating to dairies and dairy products and may amend, alter, or abolish such regulations as changed conditions or experience shall require for the best interests of the dairying interests of this state and for the production, manufacture, and sale of dairy products, their imitations, and substitutes. He shall inspect or have inspected, at least once a year, every creamery, cream station, cheese factory, and renovating or process butter factory in the state; shall assist the butter makers, cheese makers, managers, and patrons of such factories and stations, in order to improve the quality of the dairy products sold to or manufactured in said factories; and shall cooperate with and instruct the dairymen, individually and collectively, in testing their dairy herds. In the enforcement of the regulations regarding grade A milk in chapter 4-18 of the North Dakota Revised Code of 1943, the dairy commissioner will be guided by the interpretations, not inconsistent with North Dakota law and regulation, which are contained in the latest edition of the Recommended Milk Ordinance and Code of the United States public health service, a certified copy of which shall be on file in his office.

Approved March 6, 1957.

CHAPTER 92

H. B. No. 550

(Sortland and Burvee)

(at the request of)

(The North Dakota Association of Soil)

(Conservation District Supervisors)

ADDITIONAL SOIL CONSERVATION DISTRICT SUPERVISORS

AN ACT

Providing for the appointment, powers, and duties of additional soil conservation district supervisors.

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

§ 1. Additional Soil Conservation District Supervisors.)

Any soil conservation district, upon resolution of the three elected supervisors, may appoint two additional supervisors who shall serve for a term of one year from and after the date of their appointment. Such supervisors shall be appointed by the three elected supervisors and shall have all the powers, voting privileges, duties and responsibilities of elected supervisors, except that the expense allowances of the appointed supervisors shall be paid by the local soil conservation district concerned.

Approved February 15, 1957.

CHAPTER 93

H. B. No. 583

(Sortland, Vinje, Hofstrand and Burvee)

SOIL CONSERVATION TRUST LANDS

AN ACT

Accepting and declaring to be held in trust for the soil conservation districts of the state for use in carrying out the soil conservation program certain lands conveyed to the state of North Dakota by the United States of America for use in carrying out the soil conservation program of the soil conservation districts of the state; providing for control, custody, possession, supervision, management and operation of such lands by the North Dakota Association of Soil Conservation Districts and for the holding by such association of accumulations of surplus funds or personal property in trust for the soil conservation districts of the state for use in carrying out the soil conservation program; and declaring an emergency.

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

§ 1.) The state of North Dakota hereby accepts and declares to be held in trust for the soil conservation districts of the state for use in carrying out the soil conservation program those certain tracts or parcels of land lying and being in the county of Burleigh and state of North Dakota and more particularly described as follows:

Township one hundred thirty-eight north, range eighty west, fifth principal meridian section fifteen: west one-half section sixteen: that portion of the southeast quarter described as follows: beginning at the southeast corner of said section sixteen, thence running north on the east line of said section 660 feet; thence west parallel with the south line of said section 2310 feet; thence south 660 feet to a point on the south line of said section 2310 feet west of the southeast corner of said section; thence east along the south line of said section 2310 feet to the place of beginning; containing thirty-five acres, more or less.

Subject, however, to the following rights, easements, exceptions and reservations:

1. Easements for existing or established roads, highways and public utilities, if any.
2. Right reserved by the Department of the Army "to enter thereon and remove gravel and use the established rubbish disposal area as long as any part of Fort Lincoln

Military Reservation is used by the Department of the Army”.

3. Reservation to the United States of America and its assigns of an undivided three-fourths interest in all coal, oil, gas, and other minerals, including three-fourths of all sand, gravel, stone, clay and similar materials, in or under such property, together with the usual mining rights, powers, and privileges, including the right at any and all times, to enter upon the land and use such parts of the surface as may be necessary in prospecting for, mining, saving and removing said minerals or materials, provided that such quantities of sand, gravel, stone, clay and similar materials, as may be required, may be utilized in the operation or improvement of the said lands.

The said lands, having been conveyed to the state of North Dakota by the United States of America for use in carrying out the soil conservation program of the soil conservation districts of the state, are further subject to the condition that they shall be used for public purposes and if at any time cease to be so used shall revert to and become revested in the United States.

§ 2.) The control, custody, possession, supervision, management, and operation of the said trust lands is hereby vested in the North Dakota Association of Soil Conservation Districts for use in carrying out the soil conservation program of the soil conservation districts of the state and the said association in such control, custody, possession, supervision, management and operation shall hold all accumulations of personal property or surplus funds derived from said lands in trust for the soil conservation districts of the state for use in carrying out the soil conservation program.

§ 3.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved February 26, 1957.