

CHAPTER 18

AGRICULTURE; ENTOMOLOGY; NURSERIES; INSECTS; DISEASES

18.01 COMMISSIONER TO EMPLOY ENTOMOLOGIST.

HISTORY. 1921 c. 476 ss. 4, 6; G.S. 1923 ss. 6143, 6145; M.S. 1927 ss. 6143, 6145.

18.02 INSPECTION OF NURSERIES.

HISTORY. 1927 c. 108 s. 1; M.S. 1927 s. 6145-1; 1929 c. 59 s. 1.

FEE. This charge is properly an inspection fee, not a tax. 1938 OAG 320.
See 12 MLR 656, discussing a case upholding the constitutionality of a similar law.

18.03 DISEASED OR INFESTED TREES, SHRUBS, OR PLANTS; DESTRUCTION; QUARANTINES; IMPORTATION PROHIBITED; PENALTIES; RULES AND REGULATIONS.

HISTORY. 1927 c. 108 s. 2; M.S. 1927 s. 6145-2; 1929 c. 266.

Uncompensated destruction of property under the circumstances outlined in Laws 1939, Chapter 266, falls within the principles enunciated in *Miller v Schoene*, 276 US 272, 48 SC 246, where right to destroy diseased apple trees without compensation was upheld. 24 MLR 241.

The \$25.00 charge is an inspection fee and may not properly be classified as a tax and is therefore a charge that may properly be made against the nursery by the state entomologist. 1938 OAG 320, Feb. 1, 1938 (923e).

18.04 IMPORTATIONS WITHOUT CERTIFICATE OF INSPECTION ON PACKAGES.

HISTORY. 1927 c. 108 s. 3; M.S. 1927 s. 6145-3.

18.05 COPIES OF STATE INSPECTION CERTIFICATES FILED.

HISTORY. 1927 c. 108 s. 4; M.S. 1927 s. 6145-4.

18.06 INSPECTION OF NURSERY STOCK.

HISTORY. 1927 c. 108 s. 5; M.S. 1927 s. 6145-5; 1931 c. 365 s. 1.

18.07 COMMON CARRIERS NOT TO ACCEPT STOCK NOT TAGGED.

HISTORY. 1927 c. 108 s. 6; M.S. 1927 s. 6145-6; 1931 c. 365 s. 2.

18.08 INSPECTION OF IMPORTED FOREIGN GROWN STOCK.

HISTORY. 1927 c. 108 s. 7; M.S. 1927 s. 6145-7.

18.09 DEALER'S CERTIFICATE OBTAINED BEFORE SALE.

HISTORY. 1927 c. 108 s. 8; M.S. 1927 s. 6145-8; 1931 c. 365 s. 3; 1935 c. 54 s. 1; 1945 c. 524.

18.10 COOPERATION WITH UNITED STATES DEPARTMENT OF AGRICULTURE.

HISTORY. 1927 c. 108 s. 11; M.S. 1927 s. 6145-11.

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18.11 RULES AND REGULATIONS; NOTICE.

HISTORY. 1927 c. 108 s. 12; M.S. 1927 s. 6145-12.

18.12 REPORT AND FINANCIAL STATEMENT OF STATE INSPECTOR OF NURSERIES.

HISTORY. 1927 c. 108 s. 13; M.S. 1927 s. 6145-13.

18.13 FEES PAID INTO STATE TREASURY.

HISTORY. 1927 c. 108 s. 14; M.S. 1927 s. 6145-14.

18.14 COUNTY BOARD MAY APPROPRIATE MONEY FOR CONTROL OF INSECT PESTS.

HISTORY. 1935 c. 29 s. 1; M. Supp. s. 6145-16.

18.15 BOARD MAY APPOINT SUPERVISOR.

HISTORY. 1935 c. 29 s. 2; M. Supp. s. 6145-17.

18.16 COUNTY BOARD TO FIX COMPENSATION.

HISTORY. 1935 c. 29 s. 3; M. Supp. s. 6145-18.

18.17 USES OF APPROPRIATION.

HISTORY. 1935 c. 29 s. 4; M. Supp. s. 6145-19.

18.18 ORGANIZATION MUST BE COMPLETED BEFORE MONEY EXPENDED.

HISTORY. 1935 c. 29 s. 5; M. Supp. s. 6145-20.

18.19 COUNTY SUPERVISOR AND COUNTY BOARD TO SUPERVISE WORK.

HISTORY. 1935 c. 29 s. 6; M. Supp. s. 6145-21.

18.20 OWNERS AND RENTERS TO ORGANIZE.

HISTORY. 1935 c. 29 s. 7; M. Supp. 6145-22.

18.21 VIOLATIONS; PENALTIES.

HISTORY. 1927 c. 108 s. 9; M.S. 1927 s. 6145-9; 1931 c. 365 s. 4; 1935 c. 29 s. 8; M. Supp. s. 6145-23.

18.22 DEFINITIONS.

HISTORY. 1935 c. 29 ss. 9 to 11; M. Supp. ss. 6145-24, 6145-25, 6145-26.