

HOUSE BILL NO. 171

INTRODUCED BY E. TILLEMAN, M. NIKOLAKAKOS, E. ALBUS, W. MCKAMEY, R. MINER, S. MANESS

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE ALFALFA SEED INDUSTRY ACT; ELIMINATING THE MONTANA ALFALFA SEED COMMITTEE AND TRANSFERRING CERTAIN DUTIES TO THE DEPARTMENT OF AGRICULTURE; REVISING DEFINITIONS; ELIMINATING THE ALFALFA SEED INDUSTRY ACT; ~~REVISING ALFALFA SEED ASSESSMENT INCREASE REQUIREMENTS; REQUIRING THE DEPARTMENT OF AGRICULTURE TO HOLD A PUBLIC MEETING EVERY BIENNIUM ON THE CONTINUATION OF THE ALFALFA SEED ASSESSMENT; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 80-6-1102, 80-6-1103, 80-6-1105, 80-6-1106, 80-6-1108, 80-6-1109, 80-6-1110, AND 80-6-1111, 80-6-1112, 80-11-303, 80-11-304, 80-11-307, 80-11-309, AND 80-11-310, MCA; REPEALING SECTIONS 2-15-3004, 80-6-1101, 80-6-1103, 80-6-1104, 80-6-1105, 80-6-1107, 80-6-1108, 80-6-1110, 80-6-1112, 80-11-301, 80-11-302, 80-11-303, 80-11-304, AND 80-11-305, 80-11-307, 80-11-308, 80-11-309, 80-11-310, 80-11-311, 80-11-312, AND 80-11-313, MCA; AND PROVIDING AN EFFECTIVE DATE DATES."~~

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

SECTION 1. SECTION 80-6-1102, MCA, IS AMENDED TO READ:

"80-6-1102. Definitions. As used in this part, the following definitions apply:

(1) "Bee" means any stage in the life cycle of a bee of the species *Megachile rotundata* (F), commonly known as the alfalfa leaf-cutting bee.

~~(2) "Certification" means the process of analyzing bees and equipment by the committee to determine whether they meet required standards.~~

~~(3) "Chalkbrood" means a fungal disease that attacks larvae of the alfalfa leaf-cutting bee.~~

~~(4) "Committee" means the Montana alfalfa seed committee established in 2-15-3004.~~

1 (5) (2) "Department" means the department of agriculture established in 2-15-3001.

2 (6) (3) "Equipment" means shelters, trays, incubators, cell removers, tumblers, and other apparatus,
3 except nesting materials, used in rearing bees.

4 (7) ~~—"Nest destroyer" means any organism that competes with the bee larvae for nest provisions.~~

5 (8) (4) "Nesting materials" means laminates, drilled boards, and other apparatus used in nesting bees.

6 (9) ~~—"Parasite" means an organism living in or on any stage of the alfalfa leaf-cutting bee obtaining~~
7 nutriment from the body of the bee.

8 (10) ~~—"Pathogen" means an organism that causes disease in the alfalfa leaf-cutting bee.~~

9 (14) (5) "Person" means an individual, association, partnership, or corporation.

10 (12) ~~—"Predator" means any organism or insect that preys on, devours, or destroys bees or nests.~~

11 (13) ~~—"Wild trap" means to intentionally trap bees on property not owned or leased by the trapper."~~

12

13 **SECTION 2.** SECTION 80-6-1106, MCA, IS AMENDED TO READ:

14 **"80-6-1106. Bee laboratory authorized.** The ~~committee department~~ or its agent may develop and
15 maintain a laboratory for the purpose of providing analytical services ~~required to carry out the provisions of this~~
16 ~~part.~~ The laboratory may be authorized by the ~~committee department~~ to provide services to persons possessing
17 any bees or equipment on a fee-for-service basis."

18

19 **SECTION 3.** SECTION 80-6-1109, MCA, IS AMENDED TO READ:

20 **"80-6-1109. Fees to be set by rule -- account established.** (1) Fees authorized to be charged by
21 this part must be set by ~~committee department~~ rule. ~~The fees must be designed, when combined with other~~
22 ~~revenue sources available to the committee, to reimburse the committee for costs incurred in providing services~~
23 ~~and carrying out its duties under this part.~~

24 (2) There is an account in the state special revenue fund known as the leaf-cutting bee account for
25 use by the ~~committee department~~. The account is made up of:

26 (a) fees collected under this part; and

27 (b) ~~money collected as part of the alfalfa seed assessment provided for in 80-11-307 and allocated~~
28 ~~to the account by the committee; and~~

1 (e) ~~(b)~~ any grants, donations, or gifts made to the ~~committee-department~~ and designated by the
2 ~~committee~~ for the purposes of this part.

3 (3) The ~~committee-department~~ may direct the board of investments to invest money from the
4 account pursuant to the provisions of the unified investment program. The income from investments must be
5 credited to the leaf-cutting bee account."
6

7 **SECTION 4. SECTION 80-6-1111, MCA, IS AMENDED TO READ:**

8 **"80-6-1111. Alfalfa leaf-cutting bees -- registration.** (1) A person may not possess or control alfalfa
9 leaf-cutting bees in this state unless the bees are registered as provided in this section.

10 (2) To register bees, a person shall file a completed application form provided by the department,
11 together with the registration fee set by rule. The applicant shall provide the following:

12 (a) the name and place of residence;

13 (b) the general location of bees to be registered; and

14 (c) other relevant information as may be required by ~~committee-department~~ rule.

15 (3) A registration is continuous until the registrant notifies the ~~committee-department~~ of
16 cancellation."
17

18 **NEW SECTION. SECTION 5. REPEALER. THE FOLLOWING SECTIONS OF THE MONTANA CODE ANNOTATED**
19 **ARE REPEALED:**

20 80-11-307. ASSESSMENT ON ALFALFA SEED.

21 80-11-308. PAYMENT OF ASSESSMENT.

22

23 **NEW SECTION. SECTION 6. REPEALER. THE FOLLOWING SECTIONS OF THE MONTANA CODE ANNOTATED**
24 **ARE REPEALED:**

25 2-15-3004. MONTANA ALFALFA SEED COMMITTEE -- COMPOSITION -- ALLOCATION.

26 80-6-1101. SHORT TITLE.

27 80-6-1103. COMMITTEE RESPONSIBILITIES -- ADOPTION OF RULES.

28 80-6-1104. ADVISORY DUTY OF COMMITTEE.

