

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.~~

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

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

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

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

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

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

(11)-(5) "Person" means an individual, association, partnership, or corporation.

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

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

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

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

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

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

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

(a) fees collected under this part; and

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

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

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

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

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

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

(a) the name and place of residence;

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

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

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

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

80-11-307. ASSESSMENT ON ALFALFA SEED.

80-11-308. PAYMENT OF ASSESSMENT.

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

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

80-6-1101. SHORT TITLE.

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

80-6-1104. ADVISORY DUTY OF COMMITTEE.

- 1 80-6-1105. ALFALFA LEAF-CUTTING BEES -- CERTIFICATION.
- 2 80-6-1107. RESTRICTIONS ON IMPORTING BEES.
- 3 80-6-1108. RESTRICTIONS ON REARING, MOVING, AND TRAPPING OF BEES AND MOVEMENT OF EQUIPMENT.
- 4 80-6-1110. VIOLATION -- PENALTY.
- 5 80-6-1112. FUNDING LIMITATION.
- 6 80-11-301. SHORT TITLE.
- 7 80-11-302. FINDINGS -- PURPOSE.
- 8 80-11-303. DEFINITIONS.
- 9 80-11-304. POWERS OF THE COMMITTEE.
- 10 80-11-305. COMPENSATION -- PER DIEM.
- 11 80-11-309. REFUND OF ASSESSMENT.
- 12 80-11-310. DEPOSIT AND DISBURSEMENT OF FUNDS -- INVESTMENT.
- 13 80-11-311. RECORDS REQUIRED.
- 14 80-11-312. PENALTY FOR NONPAYMENT.
- 15 80-11-313. PENALTY.

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17 NEW SECTION. SECTION 7. TRANSFER OF FUNDS. BEFORE JUNE 30, 2026, THE DEPARTMENT OF
18 AGRICULTURE SHALL TRANSFER UNEXPENDED OR UNOBLIGATED FUNDS IN THE ALFALFA SEED ACCOUNT TO THE
19 GENERAL FUND.

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21 NEW SECTION. SECTION 8. EFFECTIVE DATES. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), [THIS ACT] IS
22 EFFECTIVE JULY 1, 2025.

23 (2) [SECTIONS 1 AND 6] ARE EFFECTIVE JULY 1, 2026.

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