

SENATE AGRICULTURE

EXHIBIT NO. 1

DATE 2/12/13

BILL NO. SB 216

Senators

SB 216

MCA 76-2-902 codifies the right to farm stating "Commercial production of farm products" means the growing, raising, or marketing of plants or animals by the owner, owner's agent, or lessee and includes activities such as *(i) employment and use of labor* for the production of farm products including *(L) apiaries*.

Currently the Apiary Act is in conflict with the rights of landowners in the production of agricultural products; by using language that prohibits the use of labor, and contracting for management of honeybees . This becomes a problem when a producer needs to manage bees for crop production, as is my case with canola.

The intent of SB 216 through the rewrite of MCA (80-6-113(2)) is to allow a landowner management over the production of his agricultural crop as to control honey bee hive numbers and locations. I have presented sufficient evidence to support the changes to the landowner section of the Apiary Act. SB 216 does not open a flood of bees to Montana but allows Montana canola growers the ability increase yields; that is good for the producer and the Montana economy.

(example my son and I planted 1200 acres of canola in 2012 with roughly a 50 bushel /acre yield ; using a 5% increase in production that is 3000 additional bushels at today's canola quote that equals \$40800)