

HOUSE BILL NO. 265

INTRODUCED BY S. STAFFANSON

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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING USE OF ALFALFA SEED ASSESSMENTS, GRANTS, AND GIFTS FOR THE ALFALFA LEAF-CUTTING BEE PROGRAM; AMENDING SECTIONS 80-6-1109, 80-6-1112, 80-11-304, AND 80-11-310, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 80-6-1109, MCA, is amended to read:

"80-6-1109. Fees to be set by rule -- self-supporting program -- account established. (1) Fees authorized to be charged by this part must be set by committee 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. ~~It is the intent of the legislature that committee activities under this part be self-supporting.~~

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

- (a) fees collected under this part must be paid into the leaf-cutting bee account;
- (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
- (c) any grants, donations, or gifts made to the committee and designated by the committee for the purposes of this part.

(3) The committee 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 2. Section 80-6-1112, MCA, is amended to read:

"80-6-1112. Funding limitation. (1) The committee shall expend only those funds ~~which are raised by fees under this part~~ deposited in the special revenue account provided for in 80-6-1109. In the event that funds are insufficient to finance the costs of services under this part, the committee may reduce services accordingly.



1 (2) The committee may contract lab services with a qualified person and charge growers at cost on a
2 per-sample basis.

3 (3) The committee may levy a fee set by committee rule not to exceed 30 cents for each 3,000 holes of
4 nesting material deeper than 3 1/2 inches for the purpose of administering this part and for the sampling and
5 testing of bees. For nesting material 3 1/2 inches deep or less, the fee may not exceed 16 cents per 2,000 holes
6 of nesting material.

7 (4) Fees must be based on all nesting materials that are in field use on July 15 of each year. Fees are
8 due on November 1 of each year.

9 (5) The amount of fees paid must be credited against a grower's cost of sampling and certification.

10 (6) Certification fees for drilled boards or loose cells may not exceed committee cost."
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12 **Section 3.** Section 80-11-304, MCA, is amended to read:

13 **"80-11-304. Powers of the committee.** The committee may:

14 (1) provide, through the department of agriculture, for the administration and enforcement of this part;

15 (2) enter into contracts in the name of the committee;

16 (3) authorize the purchase of all office equipment or supplies and incur all other reasonable and
17 necessary expenses and obligations required ~~for the proper carrying out of~~ to carry out the provisions of this part;

18 (4) become a member of and purchase membership in trade organizations and subscribe to and
19 purchase trade bulletins, journals, and other trade publications;

20 (5) plan and conduct a research program to improve the quality of alfalfa seed, develop and improve
21 control measures for disease and pests ~~which~~ that attack alfalfa and alfalfa seed pollinators, improve alfalfa
22 growing culture, disseminate ~~such~~ information among the growers and dealers of the state, financially support
23 the alfalfa leaf-cutting bee program provided for in Title 80, chapter 6, part 11, and ~~make such~~ enter into research
24 contracts and other agreements as ~~may be~~ necessary;

25 (6) plan and conduct a publicity and sales promotion campaign to increase the sale and use of Montana
26 alfalfa seed and ~~make such~~ enter into publicity and sales promotion contracts and other agreements as ~~may be~~
27 necessary;

28 (7) in cooperation with the director of the department of agriculture, establish and maintain the executive
29 offices of the committee at any ~~place within~~ location in the state, ~~which designated place.~~ The location may be
30 changed at the discretion of the director and the committee;.

1 (8) recommend rules and orders to be adopted for the exercise of its power and the performance of its
2 duties, in accordance with the Montana Administrative Procedure Act;

3 (9) cooperate with any local, state, or national organization or agency, whether voluntary or created by
4 the law of any state or the United States government, engaged in work or activities similar to the work and
5 activities of the committee and enter into contracts or agreements with ~~such~~ the organizations or agencies for
6 carrying on a joint campaign of research, education, product protection, publicity, and reciprocal enforcement of
7 these objectives; and

8 (10) accept grants, donations, and gifts from any source for expenditure for any purpose consistent with
9 Title 80, chapter 6, part 11, or this part, which may be including a purpose specified as a condition of ~~any~~ a grant,
10 donation, or gift."
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12 **Section 4.** Section 80-11-310, MCA, is amended to read:

13 **"80-11-310. Deposit and disbursement of funds -- investment.** (1) As soon as possible after receipt,
14 all money received by the department from the assessment levied under 80-11-307 and all other money received
15 must be deposited in the alfalfa seed account in the state special revenue fund.

16 (2) (a) All money referred to in subsection (1) may be appropriated to the committee and may be used
17 only for the payment of expenses incurred in carrying out the provisions of Title 80, chapter 6, part 11, and this
18 part.

19 (b) The committee may transfer money from the account to the alfalfa leaf-cutting bee account provided
20 for in 80-6-1109.

21 (c) The committee may be assessed costs by the department for the services it provides upon request
22 or pursuant to 2-15-121. The costs charged must have a substantial relationship to the cost of services supplied.

23 (3) Money received under 80-11-312, 80-11-313, and this section that is not immediately required for
24 the purposes of Title 80, chapter 6, part 11, and this part must be invested under provisions of the unified
25 investment program established in Title 17, chapter 6, part 2. The income from the investment must be deposited
26 in the alfalfa seed account in the state special revenue fund.

27 (4) Money received under 80-11-312, 80-11-313, and this section may be appropriated to the committee
28 for the purposes of Title 80, chapter 6, part 11, and this part."
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30 NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2015.

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