

MINUTES

MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK, & IRRIGATION

Call to Order: By Senator Greg Jergeson, on January 23, 1991, at
1:00 P.M.

ROLL CALL

Members Present:

Greg Jergeson, Chairman (D)
Francis Koehnke, Vice Chairman (D)
Gary Aklestad (R)
Thomas Beck (R)
Betty Bruski (D)
Gerry Devlin (R)
Jack Rea (D)
Bernie Swift (R)
Bob Williams (D)

Members Excused: None

Staff Present: Doug Sternberg (Legislative Council).

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Announcements/Discussion: None

HEARING ON HOUSE BILL 66

Presentation and Opening Statement by Sponsor:

Representative Joe Barnett, House District 76, advised that he introduced House Bill 66 for the Montana Beekeepers Association, which group had no dissenting votes regarding this bill. He stated the primary purpose of the bill is to include bee parasites in the definition of bee disease. At the time the law was written, it was looked at as a larvae disease, but since that time with the Varroa Mite becoming very prevalent, the problem cannot be adequately dealt with without the definition of the parasite being included in bee disease. It is to revise the procedure related to inspection of bees to allow the Department of Agriculture to establish an hourly rate for inspection fees, in addition to the present inspection fees, under certain circumstances. The bill would allow agreements between the Department of Agriculture and other states, agencies and individuals to carry out Montana bee policy. He informed that the fiscal note indicates the bill will generate some money for

the General Fund at first, but that will gradually reduce as more and more meet the compliancy of the law. It will never get to the zero point; it will always be self-supporting.

Proponents' Testimony:

RONALD A. BARNETT, vice-president of Barnett Apiaries, Inc., Belgrade, Montana, and currently the president of the Montana State Beekeepers Association, stated they are an ag-related organization that has been in existence since 1915. His testimony pointed out that man has developed a relationship with the honey bee throughout the ages that has not changed the products of the hive, only the management of the hive. He asked that the committee give their support of HB 66 so that the beekeeping industry in the state of Montana can work with the other states to control the movement of the Varroa Mite parasite. He read and furnished written testimony to the committee (Exhibit No. 1).

RALPH PECK, Deputy Director of the Montana Department of Agriculture, stated that he was representing Director Everett Snortland, and indicated that the Department does support this legislation. He stated that Mr. Will Kissinger of the State Entomologist Bureau was with him and available to answer questions. He provided written testimony to the Committee (Exhibit No. 2).

MARVIN BARBER, representing the Agricultural Preservation Association, stated that his group supports HB 66.

Opponents' Testimony:

None.

Questions From Committee Members:

Senator Aklestad pointed out that on the fiscal note the first inspection fee has been in place under current law and in 1992 the fee will triple, and the second year will double. He asked what is the necessity of that tripling.

Will Kissinger stated the bill allows the Department to enter into compliance agreements with individual beekeepers. Under that type of agreement, the beekeeper agrees to keep bee diseases below tolerance levels. Initially, to get the beekeeper into the program, an intensive inspection must be conducted on his beekeeping operation. Under the new proposal, in order to determine if they meet the compliance levels, they would have to be inspected on a one-time basis, if they meet the disease levels. They would no longer need to be inspected in subsequent years except for a spot check.

Senator Aklestad inquired if the beekeepers had a resolution adopting this bill. Mr. Barnett informed that a convention was

held in October and this bill was discussed. It was unanimous with both California and Montana wanting this bill as part of the compliance agreement. He added it is a self generating bill, as far as revenue is concerned.

Senator Aklestad asked if the amount of fee was discussed at that time. Mr. Barnett answered that the beekeepers were aware they would have to pay for it themselves.

Senator Aklestad asked why they set a fee which was above their needs. Mr. Barnett informed that this helps them get into compliance agreements with other states, and hopefully will help save the migratory portion of the industry. The migratories want this so they can have a compliance check in Montana so then they can go to California and be in compliance with California (or Washington), and come back to Montana without having to be checked through the different states, which is presently the way it is done.

Senator Williams asked if he represents all the commercial beekeepers in the state. Mr. Barnett answered in the affirmative.

Senator Beck asked if the program is a one-time compliance inspection. Representative Barnett stated they would be inspected once to find out if they were in compliance with the law. After that, they would be spot checked to assure compliance. That is why it is so high the first year.

Senator Beck asked if someone was not in compliance, would they get another check the following year. Rep. Barnett informed that they would be checked again and they would also have to treat. Their bees would be quarantined and they would have to go into a treatment program to come into compliance with the law.

Senator Beck asked if there were suspect bees in the state of Montana at the present time. Mr. Kissinger stated he knew of three beekeepers in the state at the present time who are not in compliance.

Closing by Sponsor:

Representative Barnett acknowledged that this bill will generate a little revenue for the state, and the beekeepers realize this and none are objecting to it.

EXECUTIVE ACTION ON HOUSE BILL 66

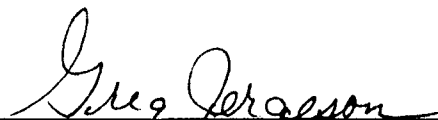
Recommendation and Vote:

Senator Rea made a motion that House Bill 66 DO BE CONCURRED IN. In favor - 9; opposed - 0. MOTION CARRIED.

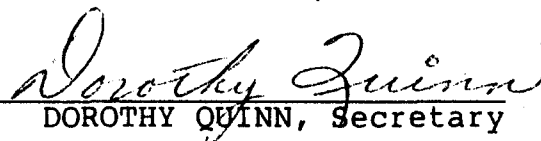
Senator Rea will carry the bill to the floor of the Senate.

ADJOURNMENT

Adjournment At: 1:20 P.M.



GREG JERGESON, Chairman



DOROTHY QUINN, Secretary

GJ/dq

ROLL CALL

AGRICULTURE

COMMITTEE

DATE

1/23/91

52nd LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SEN. JERGESON	✓		
SEN. KOEHNKE	✓		
SEN. AKLESTAD	✓		
SEN. BECK	✓		
SEN. BRUSKI	✓		
SEN. DEVLIN	✓		
SEN. REA	✓ ✗	Arrived few minutes late ✓	
SEN. SWIFT	✓		
SEN. WILLIAMS	✓		

Each day attach to minutes.

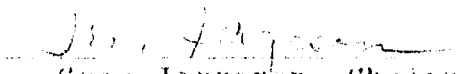
SENATE STANDING COMMITTEE REPORT

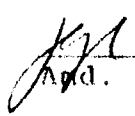
Page 1 of 1
January 23, 1991

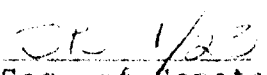
MR. PRESIDENT:

We, your committee on Agriculture, Livestock, and Irrigation having had under consideration House Bill No. 66 (third reading copy -- blue), respectfully report that House Bill No. 66 be concurred in.

Signed:


Greg Jergeson, Chairman

 1-23-91
Ad. Coord.

 1/23 2:25
Sec. of Senate

15135500.000

MONTANA STATE BEEKEEPERS ASSOCIATION

OFFICERS:

PRESIDENT

Ron Barnett, Belgrade

VICE PRESIDENT

Lance Sundberg, Columbus

SECRETARY/TREAS.

Lori Barnett, Belgrade

DIRECTORS:

THREE YEAR TERMS

Rob Buhmann, Zurich

Paul Peterson, Deer Lodge

Jim Decker, Billings

TWO YEAR TERMS

Jim Rodenberg, Wolf Point

Ken Cook, Bozeman

Dick Behlow, Lodge Grass

ONE YEAR TERMS

Bob Davis, Helena

Bob Barnes, Dillon

1045 Pache Road
Belgrade, Montana 59714
406-388-4582

SENATE AGRICULTURE

BILL NO. #1

DATE 1/23/91

BILL NO. HB 66

Established
1915

My name is Ron Barnett from Belgrade, MT. I'm Vice-President of Barnett Apiaries, Inc. I'm currently the President of the Montana State Beekeepers Association. We are an ag-related organization that has been in existence since 1915.

In the 20th century, we have developed a business relationship with the honey bee. In the beginning, man went to where the hive was located. Now through our modern technology man is able to take his hives wherever he goes.

Man has developed a relationship with the honey bee throughout the ages that has not changed the products of the hive, only the management of the hive. The bees continue to raise bees, make wax and honey and pollinate the fields the same today as in the beginning. It is man's relationship with the bees that has changed.

We were in the beginning after the honey. Now with our modern large-scale agriculture and the increased yields it demands we need the bee to pollinate a variety of U.S. crops. Directly and indirectly 1/3 of the human diet is benefitted by honeybee pollination. Increased yields due to honeybee pollination was \$9.7 billion in 1985.

H.B. 66 is a bill that will allow the state of Montana to enter into an agreement with Washington, Oregon, California, Idaho, Nevada, Arizona, South Dakota, New Mexico, Utah, North Dakota, Colorado and Wyoming. The bill is for the intent of establishing a procedure for the intra-regional, inter-state movement of honeybees (*Apis mellifera*) to control the introduction and spread of Varroa Mite (*Varroa Jacobsoni*).

This agreement covers only the quarantine requirements relative to the Varroa mite. The apiary owner or manager shall comply with all other state apiary rules and regulations governing other pests and diseases of honeybees, as well as other bee movement/removal requirements.

Fiscally, H.B. 66 covers its own expenditures plus generates a \$10,284 surplus to the General Fund for FY-92 and \$3,897 for FY-93. So this bill will cover its own implementation with more revenue generated.

Change is usually a challenge. The change in controlling this parasite, costs and increases operating expenditures to the beekeeper. We simply ask as an industry that you give your full support for H.B. 66, so that we as an industry in the State of Montana can work with the other states to control the movement of this parasite.

Sincerely,

Ronald A. Barnett



STAN STEPHENS
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF AGRICULTURE

OFFICE OF THE DIRECTOR
AGRICULTURE/LIVESTOCK BLDG.
CAPITOL STATION
HELENA, MONTANA 59620-0201

TELEPHONE:
AREA CODE 406
444-3144

FAX 406-444-5409

EVERETT M. SNORTLAND
DIRECTOR

JANUARY 23, 1991
HOUSE BILL 66
SENATE AGRICULTURE COMMITTEE
MONTANA DEPARTMENT OF AGRICULTURE
EVERETT SNORTLAND, DIRECTOR

SENATE AGRICULTURE
EXHIBIT NO. # 2
DATE 1/23/91
BILL NO. HB 66

Chairman Jergeson and members of the Committee. For the record, I am Ralph Peck, Deputy Director of The Montana Department of Agriculture representing Director Snortland.

The proposed changes to Montana's Beekeeping Law recommended in HB66 are needed to address changes in the beekeeping industry. Montana's commercial beekeeping industry has evolved primarily into a migratory beekeeping industry. In 1975 approximately 12 of Montana's 40 commercial beekeepers were migratory. Today this situation has reversed to where there are only 12 commercial beekeepers who are not migratory. The proposed amendments are designed to accommodate this major change.

The primary amendment to the law will allow the Department to enter into regulatory "compliance agreements" with beekeepers. The compliance agreement would be a contract between individual beekeepers and the Department wherein the beekeeper would agree to keep bee diseases below tolerance levels. The Department would perform random inspection of the beekeepers hives to ensure compliance.

The compliance agreement would benefit both the beekeeper and the Department in that it would require less inspection of the beekeeper's hives, thus reducing the expense of inspection. Under the current bee law, inspections are performed to obtain an interstate Certificate of Health.

The compliance agreement amendment will allow Montana beekeepers to bring beehives back into Montana from another state under compliance agreement. The current bee law requires all imported hives to be inspected in the state of origin before entering Montana. Most Montana beekeepers migrate between Montana and California. It has been reported that individual Montana beekeepers are paying \$2,000 to \$5,000 per year for California inspection fees.

House Bill 66 would also amend Montana's beekeeping law to allow the Department to enter into agreements with other states and government entities. The Department has been working with 11 western states to develop a "Western States Bee Disease Agreement" which would set uniform bee disease and bee inspections standards among the western states. Such an agreement would be of great assistance to Montana migratory beekeepers. At the present time the Department is unable to enter into an agreement since our beekeeping law does not give us this authority.

In conclusion, the primary goal of the beekeeping law is to promote and maintain a healthy, disease-free beekeeping industry in Montana. House Bill 66, upon passage, will facilitate the

interstate movement of beehives for Montana's migratory beekeepers. House Bill 66 will also improve the efficiency of the Department's honeybee program, and reduce the amount of regulatory restrictions on Montana's beekeeping industry.

Mr. Chairman and members of the Committee, I request that you support and vote for the passage of House Bill 66.

mw/sb/hb66

Jan. 23, 1991

Agriculture

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

ROLL CALL VOTE

SENATE COMMITTEE AGRICULTURE

Date January 23, 1991 Bill No. HB 66 Time 1:17 P.M.

NAME	YES	NO
SEN. AKLESTAD	X	
SEN. BECK	X	
SEN. BRUSKI	X	
SEN. DEVLIN	X	
SEN. REA	X	
SEN. SWIFT	X	
SEN. WILLIAMS	X	
SEN. KOEHNKE	X	
SEN. JERGESON	X	

D. QUINN
Secretary

GREG JERGESON
Chairman

Motion: Senator Rea made a motion
that HB 66 DO BE CONCURRED IN.
In Favor - 9; Opposed - 0.
Motion CARRIED.