

IN THE HOUSE

MARCH 20, 1987

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

SECOND READING, AMENDED STATEMENT
OF INTENT ADOPTED.

MARCH 21, 1987

THIRD READING, AMENDMENTS
CONCURRED IN.

THIRD READING, AMENDED STATEMENT
OF INTENT ADOPTED.

SENT TO ENROLLING.

1 House BILL NO. 815
 2 INTRODUCED BY M. Hansen Becker
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE
 5 LAW REGULATING ACTIVITIES RELATING TO ALFALFA LEAF-CUTTING
 6 BEES; TO REQUIRE REGISTRATION OF BEES; TO PROVIDE FOR
 7 VOLUNTARY CERTIFICATION OF BEES; AMENDING SECTIONS 80-6-1101
 8 THROUGH 80-6-1109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
 9 DATE."
 10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 80-6-1101, MCA, is amended to read:
 13 "80-6-1101. Short title. This part may be cited as the
 14 "Alfalfa Leaf-Cutting Bee Management Act".
 15 Section 2. Section 80-6-1102, MCA, is amended to read:
 16 "80-6-1102. Definitions. As used in this part, the
 17 following definitions apply:
 18 (1) "Bee" means any stage in the life cycle of a bee
 19 of the species *Megachile rotundata* (F), commonly known as
 20 the alfalfa leaf-cutting bee.
 21 (2) "Certification" means the process of analyzing
 22 bees and equipment by the department to determine whether
 23 they meet the required ~~health~~ standards.
 24 (3) "Committee" means the alfalfa leaf-cutting bee
 25 advisory committee established in 2-15-3005.

1 ~~{4}~~--"Custom-pollinator"--means-any--person--who--has--a
 2 contract-to-pollinate-alfalfa-seed-crops-on-property-that-he
 3 does-not-own-or-control.
 4 ~~{5}~~{4} "Department" means the department of
 5 agriculture established in 2-15-3001.
 6 ~~{6}~~{5} "Equipment" means grooved boards, shelters,
 7 trays, incubators, cell removers, tumblers, and other
 8 apparatus used in rearing bees.
 9 {6} "Nest destroyer" means any organism that competes
 10 with the bee larvae for nest provisions.
 11 (7) "Nesting materials" means equipment, laminates,
 12 and other apparatus used in nesting bees.
 13 (8) "Parasite" means an organism living in or on any
 14 stage of the alfalfa leaf-cutting bee obtaining nutriment
 15 from the body of the bee.
 16 (9) "Pathogen" means an organism, ~~parasite~~ ~~or~~
 17 ~~otherwise,~~ that causes disease in the alfalfa leaf-cutting
 18 bee.
 19 (10) "Person" means an individual, association,
 20 partnership, or corporation.
 21 {11} "Predator" means any organism which preys on,
 22 devours, or destroys bees.
 23 ~~{12}~~{12} "Wild trap" means to trap bees on property not
 24 owned by the trapper."
 25 Section 3. Section 80-6-1103, MCA, is amended to read:

1 "80-6-1103. Department responsibilities -- adoption of
2 rules. (1) The department is responsible for the
3 administration of this part.

4 (2) The department ~~shall~~ may by rule adopt minimum
5 standards for the presence of pathogens, and parasites,
6 predators, and nest destroyers in bees to be certified,
7 imported, quarantined, and possessed or controlled in the
8 state of Montana.

9 (3) The department may provide information and
10 services relating to the rearing of alfalfa leaf-cutting
11 bees and alfalfa seed production.

12 (4) The department may enter into agreements with
13 other governmental agencies or private associations in
14 carrying out the provisions of this part.

15 (5) In performing its duties under this part, the
16 department may:

17 (a) enter upon any public or private premises to
18 inspect equipment and sample bees ~~or equipment that may be~~
19 ~~diseased or contaminated by parasites;~~

20 (b) by rule establish quarantines to regulate the
21 entry of bees and equipment into areas of Montana specified
22 in the quarantines;

23 (c) quarantine any bees or equipment found to be
24 infected or contaminated ~~with pathogens~~ at a-level levels
25 exceeding certification importation or quarantine standards;

1 (d) order the disinfection, or destruction, or
2 removal of any bees or equipment that ~~is--infected-or~~
3 ~~contaminated-with-parasites-or-pathogens-and-that~~ does not
4 meet certification importation or quarantine standards.

5 (6) (a) Whenever the department has reasonable
6 cause to believe a person is in possession of any ~~diseased~~
7 ~~or parasitic-bee-or-equipment-or-otherwise-possesses-any-bee~~
8 bees or equipment in violation of this part or rules adopted
9 under it, the department may order a quarantine ~~for not more~~
10 ~~than--30--days~~ of the suspected bees or equipment and may
11 require any person in possession of such bees or equipment
12 to hold them under specified conditions until notified
13 otherwise in writing by the department.

14 (b) The department ~~shall~~ may release any quarantine ~~or~~
15 ~~order-to-hold-bees-upon-the-failure-to-detect-disease-in-any~~
16 ~~official-sample-of-bees, as provided by department rule, or~~
17 ~~on--equipment-and~~ upon a finding that the bees and equipment
18 are possessed in compliance with this part."

19 Section 4. Section 80-6-1104, MCA, is amended to read:
20 "80-6-1104. Duties of committee. The committee shall
21 advise the department with respect to any contemplated
22 rulemaking. The committee shall meet periodically to review
23 the minimum standards adopted by the department ~~at least~~
24 once-a-year."

25 NEW SECTION. Section 5. Alfalfa leaf-cutting bees --

1 registration. (1) No person may possess or control alfalfa
2 leaf-cutting bees in this state unless the bees are
3 registered annually as provided in this section.

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

- 8 (a) name and place of residence;
9 (b) the general location of bees to be registered; and
10 (c) other relevant information as may be required by
11 department rule.

12 (3) One sample of the bees to be registered must be
13 sent to the department by the beekeeper or his agent. This
14 sample must be analyzed for pathogens and parasites at no
15 cost to the beekeeper. Additional samples may be sent to the
16 department for analysis on a fee-for-service basis as
17 established by rule.

18 (4) The department shall specify the date by which any
19 applicant must apply for reregistration each year.
20 Applications for reregistration received after the date
21 specified must be assessed a penalty equal to 50% of the
22 applicable registration fee.

23 Section 6. Section 80-6-1105, MCA, is amended to read:

24 "80-6-1105. Alfalfa leaf-cutting bees ~~---inspection --~~
25 certification ~~---fees.~~ (1) ~~No A person may import;--possess;~~

1 ~~possessing~~ or ~~control~~ controlling alfalfa leaf-cutting bees
2 in the state of Montana ~~unless--the--bees--are--certified~~
3 ~~annually;~~ may annually certify all or part of his bees as
4 provided in this section.

5 (2) To certify bees, a person must file a completed
6 application form provided by the department, together with
7 the certification fee prescribed by the department. The
8 applicant must provide ~~at-least~~ the following:

- 9 (a) name and place of residence;
10 (b) the general location and number of bees to be
11 registered; and

12 (c) other relevant information as may be required by
13 department rule.

14 (3) After receipt of an application for certification,
15 a sample of the total population of bees to be certified
16 shall be selected by the department or its agent in a manner
17 prescribed by the department. The sample shall be ~~inspected~~
18 analyzed for pathogens, and parasites, predators, nest
19 destroyers, live larvae count, and sex ratio. If ~~no~~
20 ~~pathogens--or-parasites-in-excess-of~~ certification standards
21 are found met, the sample shall be certified ~~as--to--the~~
22 ~~appropriate-class.~~

23 (4) All bees to be certified must be stored in
24 containers which can be officially sealed after sampling to
25 maintain their certification identity.

1 ~~(4)~~(5) When the department has in its possession a
2 completed application form, a certification fee, and a
3 report that the sample meets certification standards, it may
4 issue a certificate for the bees.

5 ~~(5)~~(6) The department shall specify the date by which
6 any applicant must apply for recertification the following
7 year. Applications for certification received after the date
8 specified shall be assessed a penalty equal to 10% of the
9 applicable certification fee but not exceeding \$50."

10 Section 7. Section 80-6-1106, MCA, is amended to read:

11 "80-6-1106. Bee laboratory authorized. The department
12 or its agent may develop and maintain a laboratory for the
13 purpose of providing ~~disease--and---parasite~~ analytical
14 services required to carry out the provisions of this part.
15 The laboratory may be authorized by the department to
16 provide services to persons possessing any bees or equipment
17 on a fee-for-service basis."

18 Section 8. Section 80-6-1107, MCA, is amended to read:

19 "80-6-1107. Restrictions on importing bees and
20 equipment. (1) ~~No-bee-may-be--imported--into--the--state--of~~
21 ~~Montana--except--under--the--provisions-of-this-section:~~ All
22 bees to be imported shall meet importation, quarantine, and
23 certification requirements established under 80-6-1103 and
24 must be registered in accordance with [section 5].

25 (2) Prior to the importation of any bee, the importer

1 must file a completed application form as required in
2 ~~subsection-(2)-of~~ 80-6-1105(2) and arrange an approximate
3 date and time for inspection official sampling.

4 (3) Every imported bee must be shipped to a storage
5 facility designated by the department ~~rate~~ for sampling
6 purposes. Prior to certification, each bee, container, and
7 piece of associated equipment must be quarantined at the
8 designated storage facility.

9 (4) No bee bees may be imported except in loose cells
10 or as adults. No bee bees may be imported in a drilled
11 board, soda straw, or other equipment that prevents adequate
12 inspection sampling of the bee bees.

13 (5) A representative sample of the population of bees
14 imported shall be inspected as the basis for certification.

15 (6) No person may import used equipment or nesting
16 materials.

17 (7) No bee may be certified unless all other
18 requirements for certification provided in 80-6-1105 are
19 met."

20 Section 9. Section 80-6-1108, MCA, is amended to read:

21 "80-6-1108. Restrictions on the rearing, moving,
22 selling, and trapping of bees. (1) No person may rear any
23 bee in a drilled board or a nesting material from which
24 samples of loose larval cells cannot readily be obtained.

25 (2) No person may move any quarantined bee or

1 equipment except by special permit issued by the department.

2 (3) No person may wild trap or attempt to wild trap
3 bees unless that person has been issued a permit for such
4 activity in accordance with rules adopted by the department.
5 The department shall by rule establish the permit fee.

6 (4) No person may sell or distribute bees in Montana
7 unless the bees are officially certified in accordance with
8 80-6-1103 and 80-6-1105."

9 Section 10. Section 80-6-1109, MCA, is amended to
10 read:

11 "80-6-1109. Fees to be set by rule -- self-supporting
12 program -- enterprise fund established. (1) Fees authorized
13 to be charged by this part shall be set by department rule.
14 Such fees shall be designed to reimburse the department for
15 costs incurred in providing services and carrying out its
16 duties under this part. It is the intent of the legislature
17 that department activities under this part be
18 self-supporting.

19 (2) There is an enterprise fund known as the
20 leaf-cutting bee fund for use by the department. Fees
21 collected under this part shall be paid into the
22 leaf-cutting bee fund.

23 (3) The department may direct the board of investments
24 to invest money from the fund pursuant to the provisions of
25 the unified investment program. The income from such

1 investments must be credited to the leaf-cutting bee fund.

2 NEW SECTION. Section 11. Codification instruction.
3 Section 5 is intended to be codified as an integral part of
4 Title 80, chapter 6, part 11, and the provisions of Title
5 80, chapter 6, part 11, apply to section 5.

6 NEW SECTION. Section 12. Effective date. This act is
7 effective on passage and approval.

-End-

APPROVED BY COMMITTEE
ON AGRICULTURE LIVESTOCK
& IRRIGATION

1 STATEMENT OF INTENT

2 HOUSE BILL 815

3 House Agriculture, Livestock,
4 and Irrigation Committee

5

6 It is the specific intent of the legislature that the
7 department of agriculture establish standards for tolerances
8 of pathogens, parasites, predators, and nest destroyers that
9 threaten alfalfa leaf-cutting bees. These standards should
10 specify the parameters for the certification, importing, and
11 quarantining of bees. The standards should be based upon
12 scientific and economic considerations. The department also
13 should establish the necessary procedures for registration,
14 certification, quarantining, sampling, importing, and other
15 functions designated in the act. These procedures should be
16 reasonable and be based upon scientifically sound practices
17 or logical administrative management. It is further the
18 intent of the legislature that the department establish fees
19 for services on a cost basis. The department shall consider
20 both direct and indirect cost in determining the proper fee
21 structure.

1 HOUSE BILL NO. 815
2 INTRODUCED BY HANSON, DEVLIN
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE
5 LAW REGULATING ACTIVITIES RELATING TO ALFALFA LEAF-CUTTING
6 BEES; TO REQUIRE REGISTRATION OF BEES; TO PROVIDE FOR
7 VOLUNTARY CERTIFICATION OF BEES; AMENDING SECTIONS 80-6-1101
8 THROUGH 80-6-1109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
9 DATE."
10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12 Section 1. Section 80-6-1101, MCA, is amended to read:
13 "80-6-1101. Short title. This part may be cited as the
14 "Alfalfa Leaf-Cutting Bee Management Act".
15 Section 2. Section 80-6-1102, MCA, is amended to read:
16 "80-6-1102. Definitions. As used in this part, the
17 following definitions apply:
18 (1) "Bee" means any stage in the life cycle of a bee
19 of the species *Megachile rotundata* (F), commonly known as
20 the alfalfa leaf-cutting bee.
21 (2) "Certification" means the process of analyzing
22 bees and equipment by the department to determine whether
23 they meet the required health standards.
24 (3) "Committee" means the alfalfa leaf-cutting bee
25 advisory committee established in 2-15-3005.

1 ~~{4}~~--"Custom-pollinator"--means-any-person--who--has--a
2 contract-to-pollinate-alfalfa-seed-crops-on-property-that-he
3 does-not-own-or-control;
4 {5}{4} "Department" means the department of
5 agriculture established in 2-15-3001.
6 {6}{5} "Equipment" means grooved boards, shelters,
7 trays, incubators, cell removers, tumblers, and other
8 apparatus used in rearing bees.
9 {6} "Nest destroyer" means any organism that competes
10 with the bee larvae for nest provisions.
11 (7) "Nesting materials" means equipment, laminates,
12 and other apparatus used in nesting bees.
13 (8) "Parasite" means an organism living in or on any
14 stage of the alfalfa leaf-cutting bee obtaining nutriment
15 from the body of the bee.
16 (9) "Pathogen" means an organism, ~~---parasitic---~~or
17 otherwise, that causes disease in the alfalfa leaf-cutting
18 bee.
19 (10) "Person" means an individual, association,
20 partnership, or corporation.
21 {11} "Predator" means any organism which preys on,
22 devours, or destroys bees.
23 {11}{12} "Wild trap" means to trap bees on property not
24 owned OR LEASED by the trapper."
25 Section 3. Section 80-6-1103, MCA, is amended to read:

1 "80-6-1103. Department responsibilities -- adoption of
 2 rules. (1) The department is responsible for the
 3 administration of this part.

4 (2) The department ~~shall~~ may SHALL by rule adopt
 5 minimum standards for the presence of pathogens, AND and
 6 parasites.

7 (3) THE DEPARTMENT MAY ADOPT RULES ESTABLISHING
 8 MINIMUM STANDARDS FOR THE PRESENCE OF predators, and nest
 9 destroyers in bees to be certified, imported, quarantined,
 10 and possessed or controlled in the state of Montana.

11 (4) The department may provide information and
 12 services relating to the rearing of alfalfa leaf-cutting
 13 bees and alfalfa seed production.

14 (5) The department may enter into agreements
 15 with other governmental agencies or private associations in
 16 carrying out the provisions of this part.

17 (6) In performing its duties under this part,
 18 the department may:

19 (a) enter upon any public or private premises to
 20 inspect equipment and sample bees ~~or equipment that may be~~
 21 ~~diseased or contaminated by parasites;~~

22 (b) by rule establish quarantines to regulate the
 23 entry of bees and equipment into areas of Montana specified
 24 in the quarantines;

25 (c) quarantine any bees or equipment found to be

1 infected or contaminated ~~with pathogens at a level~~ levels
 2 exceeding certification importation or quarantine standards;
 3 (d) order the disinfection, or destruction, or
 4 removal of any bees or equipment that is--infected--or
 5 contaminated--with--parasites-or-pathogens-and-that does not
 6 meet certification importation or quarantine standards.

7 (7) (a) Whenever the department has reasonable
 8 cause to believe a person is in possession of any diseased
 9 or parasitic-bee-or-equipment-or-otherwise-possesses-any-bee
 10 bees or equipment in violation of this part or rules adopted
 11 under it, the department may order a quarantine for-not-more
 12 than-30-days of the suspected bees or equipment and may
 13 require any person in possession of such bees or equipment
 14 to hold them under specified conditions until notified
 15 otherwise in writing by the department.

16 (b) The department ~~shall~~ may SHALL release any
 17 ~~quarantine or order to hold bees upon the failure to detect~~
 18 ~~disease in any official sample of bees, as provided by~~
 19 ~~department rule, or on equipment and upon a finding that the~~
 20 ~~bees and equipment are possessed in compliance with this~~
 21 ~~part."~~

22 Section 4. Section 80-6-1104, MCA, is amended to read:

23 "80-6-1104. Duties of committee. The committee shall
 24 advise the department with respect to any contemplated
 25 rulemaking. The committee shall meet periodically to review

1 the minimum standards adopted by the department ~~at--least~~
2 ~~once-a-year."~~

3 NEW SECTION. Section 5. Alfalfa leaf-cutting bees --
4 registration. (1) No person may possess or control alfalfa
5 leaf-cutting bees in this state unless the bees are
6 registered annually as provided in this section.

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

11 (a) name and place of residence;
12 (b) the general location of bees to be registered; and
13 (c) other relevant information as may be required by
14 department rule.

15 (3) One sample of the bees to be registered must be
16 sent to the department by the beekeeper or his agent. This
17 sample must be analyzed for pathogens and parasites at no
18 cost to the beekeeper. Additional samples may be sent to the
19 department for analysis on a fee-for-service basis as
20 established by rule.

21 (4) The department shall specify the date by which any
22 applicant must apply for reregistration each year.
23 Applications for reregistration received after the date
24 specified must be assessed a penalty equal to 50% of the
25 applicable registration fee.

1 Section 6. Section 80-6-1105, MCA, is amended to read:
2 "80-6-1105. Alfalfa leaf-cutting bees ~~---inspection --~~
3 ~~certification ---fees.~~ (1) ~~No A person may import, possess,~~
4 possessing or control controlling alfalfa leaf-cutting bees
5 in the state of Montana ~~unless--the--bees--are--certified~~
6 annually, may annually certify all or part of his bees as
7 provided in this section.

8 (2) To certify bees, a person must file a completed
9 application form provided by the department, together with
10 the certification fee prescribed SET by the department RULE.
11 The applicant must provide ~~at--least~~ the following:

12 (a) name and place of residence;
13 (b) the general location and number of bees to be
14 registered; and

15 (c) other relevant information as may be required by
16 department rule.

17 (3) After receipt of an application for certification,
18 a sample of the total population of bees to be certified
19 shall be selected by the department or its agent in a manner
20 prescribed by the department. The sample shall be inspected
21 analyzed for pathogens, and parasites, predators, nest
22 destroyers, live larvae count, and sex ratio. If no
23 ~~pathogens--or--parasites--in--excess--of~~ certification standards
24 are found met, the sample shall be certified ~~as--to--the~~
25 appropriate-class.

1 (4) All bees to be certified must MAY be stored in
 2 containers which can be officially sealed after sampling to
 3 maintain their certification identity.

4 ~~(4)~~(5) When the department has in its possession a
 5 completed application form, a certification fee, and a
 6 report that the sample meets certification standards, it may
 7 issue a certificate for the bees.

8 ~~(5)~~(6) The department shall specify the date by which
 9 any applicant must apply for recertification the following
 10 year. Applications for certification received after the date
 11 specified shall be assessed a penalty equal to 10% of the
 12 applicable certification fee but not exceeding \$50."

13 Section 7. Section 80-6-1106, MCA, is amended to read:
 14 "80-6-1106. Bee laboratory authorized. The department
 15 or its agent may develop and maintain a laboratory for the
 16 purpose of providing ~~disease--and--parasite~~ analytical
 17 services required to carry out the provisions of this part.
 18 The laboratory may be authorized by the department to
 19 provide services to persons possessing any bees or equipment
 20 on a fee-for-service basis."

21 Section 8. Section 80-6-1107, MCA, is amended to read:
 22 "80-6-1107. Restrictions on importing bees and
 23 equipment. ~~(1) No-bee-may-be--imported--into--the--state--of~~
 24 ~~Montana--except--under--the--provisions-of-this-section.~~ All
 25 bees to be imported shall meet importation, quarantine, and

1 certification requirements established under 80-6-1103 and
 2 must be registered in accordance with [section 5].

3 (2) Prior to the importation of any bee, the importer
 4 must file a completed application form as required in
 5 ~~subsection-(2)-of~~ 80-6-1105(2) and arrange an approximate
 6 date and time for ~~inspection~~ official sampling.

7 (3) Every imported bee must be shipped to a storage
 8 facility designated by the department rule for sampling
 9 purposes. Prior to certification, each bee, container, and
 10 piece of associated equipment must be quarantined at the
 11 designated storage facility.

12 (4) No bee bees may be imported except in loose cells
 13 or as adults. No bee bees may be imported in a drilled
 14 board, soda straw, or other equipment that prevents adequate
 15 inspection sampling of the bee bees.

16 (5) A representative sample of the population of bees
 17 imported shall be ~~inspected-as~~ the basis for certification.

18 (6) No person may import used equipment or nesting
 19 materials.

20 (7) No bee may be certified unless all other
 21 requirements for certification provided in 80-6-1105 are
 22 met."

23 Section 9. Section 80-6-1108, MCA, is amended to read:
 24 "80-6-1108. Restrictions on the rearing, moving,
 25 selling, and trapping of bees. (1) No person may rear any

1 bee in a drilled board or a nesting material from which
2 samples of loose larval cells cannot readily be obtained.

3 (2) No person may move any quarantined bee or
4 equipment except by special permit issued by the department.

5 (3) No person may wild trap or attempt to wild trap
6 bees unless that person has been issued a permit for such
7 activity in accordance with rules adopted by the department.
8 The department shall by rule establish the permit fee.

9 (4) No person may sell or distribute bees in Montana
10 unless the bees are officially certified in accordance with
11 80-6-1103 and 80-6-1105."

12 Section 10. Section 80-6-1109, MCA, is amended to
13 read:

14 "80-6-1109. Fees to be set by rule -- self-supporting
15 program -- enterprise fund established. (1) Fees authorized
16 to be charged by this part shall be set by department rule.
17 Such fees shall be designed to reimburse the department for
18 costs incurred in providing services and carrying out its
19 duties under this part. It is the intent of the legislature
20 that department activities under this part be
21 self-supporting.

22 (2) There is an enterprise fund known as the
23 leaf-cutting bee fund for use by the department. Fees
24 collected under this part shall be paid into the
25 leaf-cutting bee fund.

1 (3) The department may direct the board of investments
2 to invest money from the fund pursuant to the provisions of
3 the unified investment program. The income from such
4 investments must be credited to the leaf-cutting bee fund.

5 NEW SECTION. SECTION 11. TERMINATION OF PROGRAM. IF
6 FEEES ARE INSUFFICIENT TO FINANCE THE COSTS OF SERVICES UNDER
7 THIS PART, ALL AUTHORITY OF THE DEPARTMENT FOR
8 ADMINISTRATION OF THIS PART IS TERMINATED.

9 NEW SECTION. Section 12. Codification instruction.
10 Section 5 is intended to be codified as an integral part of
11 Title 80, chapter 6, part 11, and the provisions of Title
12 80, chapter 6, part 11, apply to section 5.

13 NEW SECTION. Section 13. Effective date. This act is
14 effective on passage and approval.

-End-

1 STATEMENT OF INTENT

2 HOUSE BILL 815

3 House Agriculture, Livestock,
4 and Irrigation Committee
5

6 It is the specific intent of the legislature that the
7 department of agriculture establish standards for tolerances
8 of pathogens, parasites, predators, and nest destroyers that
9 threaten alfalfa leaf-cutting bees. These standards should
10 specify the parameters for the certification, importing, and
11 quarantining of bees. The standards should be based upon
12 scientific and economic considerations. The department also
13 should establish the necessary procedures for registration,
14 certification, quarantining, sampling, importing, and other
15 functions designated in the act. These procedures should be
16 reasonable and be based upon scientifically sound practices
17 or logical administrative management. It is further the
18 intent of the legislature that the department establish fees
19 for services on a cost basis. The department shall consider
20 both direct and indirect cost in determining the proper fee
21 structure.

HOUSE BILL NO. 815

INTRODUCED BY HANSON, DEVLIN

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE LAW REGULATING ACTIVITIES RELATING TO ALFALFA LEAF-CUTTING BEES; TO REQUIRE REGISTRATION OF BEES; TO PROVIDE FOR VOLUNTARY CERTIFICATION OF BEES; AMENDING SECTIONS 80-6-1101 THROUGH 80-6-1109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 80-6-1101, MCA, is amended to read:

"80-6-1101. Short title. This part may be cited as the "Alfalfa Leaf-Cutting Bee Management Act"."

Section 2. 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 department to determine whether they meet the required health standards.

(3) "Committee" means the alfalfa leaf-cutting bee advisory committee established in 2-15-3005.

~~{4}--"Custom-pollinator" means any person who has a contract to pollinate alfalfa seed crops on property that he does not own or control.~~

{5}{4} "Department" means the department of agriculture established in 2-15-3001.

{6}{5} "Equipment" means grooved boards, shelters, trays, incubators, cell removers, tumblers, and other apparatus used in rearing bees.

{6} "Nest destroyer" means any organism that competes with the bee larvae for nest provisions.

(7) "Nesting materials" means equipment, laminates, and other apparatus used in nesting bees.

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

(9) "Pathogen" means an organism, ~~parasitic or otherwise,~~ that causes disease in the alfalfa leaf-cutting bee.

(10) "Person" means an individual, association, partnership, or corporation.

{11} "Predator" means any organism which preys on, devours, or destroys bees.

~~{12}~~{12} "Wild trap" means to trap bees on property not owned OR LEASED by the trapper."

Section 3. Section 80-6-1103, MCA, is amended to read:

1 "80-6-1103. Department responsibilities -- adoption of
2 rules. (1) The department is responsible for the
3 administration of this part.

4 (2) The department ~~shall~~ may SHALL by rule adopt
5 minimum standards for the presence of pathogens AND and
6 parasites AND.

7 (3) THE DEPARTMENT MAY ADOPT RULES ESTABLISHING
8 MINIMUM STANDARDS FOR THE PRESENCE OF predators, and nest
9 destroyers in bees to be certified, imported, quarantined,
10 and possessed or controlled in the state of Montana.

11 (3)(4) The department may provide information and
12 services relating to the rearing of alfalfa leaf-cutting
13 bees and alfalfa seed production.

14 (3)(4)(5) The department may enter into agreements
15 with other governmental agencies or private associations in
16 carrying out the provisions of this part.

17 (4)(5)(6) In performing its duties under this part,
18 the department may:

19 (a) enter upon any public or private premises to
20 inspect equipment and sample bees or equipment-that--may--be
21 diseased-or-contaminated-by-parasites;

22 (b) by rule establish quarantines to regulate the
23 entry of bees and equipment into areas of Montana specified
24 in the quarantines;

25 (b)(c) quarantine any bees or equipment found to be

1 infected or contaminated with pathogens at ~~a--level~~ levels
2 exceeding certification importation or quarantine standards;
3 ~~(c)(d)~~ (d) order the disinfection, or destruction, or
4 removal of any bees or equipment that is--infected--or
5 contaminated--with--parasites-or-pathogens-and-that does not
6 meet certification importation or quarantine standards.

7 (5)(6)(7) (a) Whenever the department has reasonable
8 cause to believe a person is in possession of any diseased
9 or parasitic-bee-or-equipment-or-otherwise-possesses-any-bee
10 bees or equipment in violation of this part or rules adopted
11 under it, the department may order a quarantine for-not-more
12 than-30-days of the suspected bees or equipment and may
13 require any person in possession of such bees or equipment
14 to hold them under specified conditions until notified
15 otherwise in writing by the department.

16 (b) The department ~~shall~~ may SHALL release any
17 quarantine ~~or-order-to-hold-bees-upon-the-failure-to--detect~~
18 ~~disease--in--any--official--sample--of--bees,--as-provided-by~~
19 ~~department-rule,--or-on-equipment-and~~ upon a finding that the
20 bees and equipment are possessed in compliance with this
21 part."

22 Section 4. Section 80-6-1104, MCA, is amended to read:
23 "80-6-1104. Duties of committee. The committee shall
24 advise the department with respect to any contemplated
25 rulemaking. The committee shall meet periodically to review

1 the minimum standards adopted by the department ~~at--least~~
2 ~~once-a-year.~~"

3 NEW SECTION. Section 5. Alfalfa leaf-cutting bees --
4 registration. (1) No person may possess or control alfalfa
5 leaf-cutting bees in this state unless the bees are
6 registered annually as provided in this section.

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

11 (a) name and place of residence;
12 (b) the general location of bees to be registered; and
13 (c) other relevant information as may be required by
14 department rule.

15 (3) One sample of the bees to be registered must be
16 sent to the department by the beekeeper or his agent. This
17 sample must be analyzed for pathogens and parasites at no
18 cost to the beekeeper. Additional samples may be sent to the
19 department for analysis on a fee-for-service basis as
20 established by rule.

21 (4) ~~The~~ department shall specify the date by which any
22 applicant ~~must~~ apply for reregistration each year.
23 Applications for reregistration received after the date
24 specified must be assessed a penalty equal to 50% of the
25 applicable registration fee.

1 Section 6. Section 80-6-1105, MCA, is amended to read:
2 "80-6-1105. Alfalfa leaf-cutting bees ~~---inspection --~~
3 ~~certification ---fees.~~ (1) No A person ~~may-import, possess,~~
4 possessing or ~~control~~ controlling alfalfa leaf-cutting bees
5 in the state of Montana ~~unless--the--bees--are--certified~~
6 annually, may annually certify all or part of his bees as
7 provided in this section.

8 (2) To certify bees, a person must file a completed
9 application form provided by the department, together with
10 the certification fee prescribed SET by the department RULE.
11 The applicant must provide ~~at--least~~ the following:

12 (a) name and place of residence;
13 (b) the general location and number of bees to be
14 registered; and
15 (c) other relevant information as may be required by
16 department rule.

17 (3) After receipt of an application for certification,
18 a sample of the total population of bees to be certified
19 shall be selected by the department or its agent in a manner
20 prescribed by the department. The sample shall be inspected
21 analyzed for pathogens, and parasites, predators, nest
22 destroyers, live larvae count, and sex ratio. ~~If no~~
23 ~~pathogens--or--parasites--in--excess--of~~ certification standards
24 are found met, the sample shall be certified ~~as--to--the~~
25 ~~appropriate-class.~~

1 (4) All bees to be certified must MAY be stored in
 2 containers which can be officially sealed after sampling to
 3 maintain their certification identity.

4 ~~(4)~~(5) When the department has in its possession a
 5 completed application form, a certification fee, and a
 6 report that the sample meets certification standards, it may
 7 issue a certificate for the bees.

8 ~~(5)~~(6) The department shall specify the date by which
 9 any applicant must apply for recertification the following
 10 year. Applications for certification received after the date
 11 specified shall be assessed a penalty equal to 10% of the
 12 applicable certification fee but not exceeding \$50."

13 Section 7. Section 80-6-1106, MCA, is amended to read:

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

21 Section 8. Section 80-6-1107, MCA, is amended to read:

22 "80-6-1107. Restrictions on importing bees and
 23 equipment. (1) ~~No-bee-may-be--imported--into--the--state--of~~
 24 ~~Montana--except--under--the--provisions-of-this-section.~~ All
 25 bees to be imported shall meet importation, quarantine, and

1 certification requirements established under 80-6-1103 and
 2 must be registered in accordance with [section 5].

3 (2) Prior to the importation of any bee, the importer
 4 must file a completed application form as required in
 5 ~~subsection-(2)-of~~ 80-6-1105(2) and arrange an approximate
 6 date and time for inspection official sampling.

7 (3) Every imported bee must be shipped to a storage
 8 facility designated by the department ~~rule~~ for sampling
 9 purposes. Prior to certification, each bee, container, and
 10 piece of associated equipment must be quarantined at the
 11 designated storage facility.

12 (4) No bee bees may be imported except in loose cells
 13 or as adults. No bee bees may be imported in a drilled
 14 board, soda straw, or other equipment that prevents adequate
 15 inspection sampling of the bee bees.

16 (5) A representative sample of the population of bees
 17 imported shall be ~~inspected-as~~ the basis for certification.

18 (6) No person may import used equipment or nesting
 19 materials.

20 (7) No bee may be certified unless all other
 21 requirements for certification provided in 80-6-1105 are
 22 met."

23 Section 9. Section 80-6-1108, MCA, is amended to read:

24 "80-6-1108. Restrictions on the rearing, moving,
 25 selling, and trapping of bees. (1) No person may rear any

1 bee in a drilled board or a nesting material from which
2 samples of loose larval cells cannot readily be obtained.

3 (2) No person may move any quarantined bee or
4 equipment except by special permit issued by the department.

5 (3) No person may wild trap or attempt to wild trap
6 bees unless that person has been issued a permit for such
7 activity in accordance with rules adopted by the department.
8 The department shall by rule establish the permit fee.

9 (4) No person may sell or distribute bees in Montana
10 unless the bees are officially certified in accordance with
11 80-6-1103 and 80-6-1105."

12 Section 10. Section 80-6-1109, MCA, is amended to
13 read:

14 "80-6-1109. Fees to be set by rule -- self-supporting
15 program -- enterprise fund established. (1) Fees authorized
16 to be charged by this part shall be set by department rule.
17 Such fees shall be designed to reimburse the department for
18 costs incurred in providing services and carrying out its
19 duties under this part. It is the intent of the legislature
20 that department activities under this part be
21 self-supporting.

22 (2) There is an enterprise fund known as the
23 leaf-cutting bee fund for use by the department. Fees
24 collected under this part shall be paid into the
25 leaf-cutting bee fund.

1 (3) The department may direct the board of investments
2 to invest money from the fund pursuant to the provisions of
3 the unified investment program. The income from such
4 investments must be credited to the leaf-cutting bee fund.

5 NEW SECTION. SECTION 11. TERMINATION--OF--PROGRAM--IF
6 FEES--ARE--INSUFFICIENT--TO--FINANCE--THE--COSTS--OF--SERVICES--UNDER
7 THIS--PART,--ALL--AUTHORITY--OF--THE--DEPARTMENT--FOR
8 ADMINISTRATION--OF--THIS--PART--IS--TERMINATED FUNDING
9 LIMITATION. THE DEPARTMENT SHALL EXPEND ONLY THOSE FUNDS
10 WHICH ARE RAISED BY FEES UNDER [THIS PART]. IN THE EVENT
11 THAT SUCH FUNDS ARE INSUFFICIENT TO FINANCE THE COSTS OF
12 SERVICES UNDER [THIS PART], THE DEPARTMENT IS AUTHORIZED TO
13 REDUCE THEIR SERVICES ACCORDINGLY.

14 NEW SECTION. Section 12. Codification instruction.
15 Section 5 is intended to be codified as an integral part of
16 Title 80, chapter 6, part 11, and the provisions of Title
17 80, chapter 6, part 11, apply to section 5.

18 NEW SECTION. Section 13. Effective date. This act is
19 effective on passage and approval.

-End-

1 STATEMENT OF INTENT

2 HOUSE BILL 815

3 House Agriculture, Livestock,
4 and Irrigation Committee

5
6 It is the specific intent of the legislature that the
7 department of agriculture SHALL establish standards for
8 tolerances of pathogens, AND parasites, AND MAY ESTABLISH
9 STANDARDS FOR predators, and nest destroyers that threaten
10 alfalfa leaf-cutting bees. These standards should specify
11 the parameters for the certification, importing, and
12 quarantining of bees. The standards should be based upon
13 scientific and economic considerations. The department also
14 should establish the necessary procedures for registration,
15 certification, quarantining, sampling, importing, and other
16 functions designated in the act. These procedures should be
17 reasonable and be based upon scientifically sound practices
18 or logical administrative management. It is further the
19 intent of the legislature that the department establish fees
20 for services on a cost basis. The department shall consider
21 both direct and indirect cost in determining the proper fee
22 structure.

HOUSE BILL NO. 815
INTRODUCED BY HANSON, DEVLIN

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE LAW REGULATING ACTIVITIES RELATING TO ALFALFA LEAF-CUTTING BEES; TO REQUIRE REGISTRATION OF BEES; TO PROVIDE FOR VOLUNTARY CERTIFICATION OF BEES; AMENDING SECTIONS 80-6-1101 THROUGH 80-6-1109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 80-6-1101, MCA, is amended to read:

"80-6-1101. Short title. This part may be cited as the "Alfalfa Leaf-Cutting Bee Management Act."

Section 2. 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 department to determine whether they meet the required health standards.

(3) "Committee" means the alfalfa leaf-cutting bee advisory committee established in 2-15-3005.

~~(4) "Custom-pollinator" means any person who has a contract to pollinate alfalfa seed crops on property that he does not own or control.~~

~~(5)~~(4) "Department" means the department of agriculture established in 2-15-3001.

~~(6)~~(5) "Equipment" means grooved boards, shelters, trays, incubators, cell removers, tumblers, and other apparatus used in rearing bees.

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

(7) "Nesting materials" means equipment, laminates, and other apparatus used in nesting bees.

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

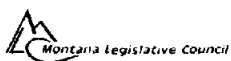
(9) "Pathogen" means an organism, ~~parasitic or otherwise,~~ that causes disease in the alfalfa leaf-cutting bee.

(10) "Person" means an individual, association, partnership, or corporation.

~~(11)~~(11) "Predator" means any organism which preys on, devours, or destroys bees.

~~(12)~~(12) "Wild trap" means to trap bees on property not owned OR LEASED by the trapper."

Section 3. Section 80-6-1103, MCA, is amended to read:



1 "80-6-1103. Department responsibilities -- adoption of
2 rules. (1) The department is responsible for the
3 administration of this part.

4 (2) The department shall ~~may~~ SHALL by rule adopt
5 minimum standards for the presence of pathogens, AND and
6 parasites.

7 (3) THE DEPARTMENT MAY ADOPT RULES ESTABLISHING
8 MINIMUM STANDARDS FOR THE PRESENCE OF predators, and nest
9 destroyers in bees to be certified, imported, quarantined,
10 and possessed or controlled in the state of Montana.

11 ~~{3}~~{4} The department may provide information and
12 services relating to the rearing of alfalfa leaf-cutting
13 bees and alfalfa seed production.

14 ~~{3}~~~~{4}~~{5} The department may enter into agreements
15 with other governmental agencies or private associations in
16 carrying out the provisions of this part.

17 ~~{4}~~~~{5}~~{6} In performing its duties under this part,
18 the department may:

19 (a) enter upon any public or private premises to
20 inspect equipment and sample bees ~~or equipment that may be~~
21 ~~diseased or contaminated by parasites;~~

22 (b) by rule establish quarantines to regulate the
23 entry of bees and equipment into areas of Montana specified
24 in the quarantines;

25 ~~{b}~~{c} quarantine any bees or equipment found to be

1 infected or contaminated with pathogens at ~~a~~ level levels
2 exceeding certification importation or quarantine standards;
3 ~~{e}~~{d} order the disinfection, or destruction, or
4 removal of any bees or equipment that is ~~infected or~~
5 ~~contaminated with parasites or pathogens and that~~ does not
6 meet certification importation or quarantine standards.

7 ~~{5}~~~~{6}~~{7} (a) Whenever the department has reasonable
8 cause to believe a person is in possession of any ~~diseased~~
9 ~~or parasitic bee or equipment or otherwise possesses any bee~~
10 bees or equipment in violation of this part or rules adopted
11 under it, the department may order a quarantine ~~for not more~~
12 ~~than 30 days~~ of the suspected bees or equipment and may
13 require any person in possession of such bees or equipment
14 to hold them under specified conditions until notified
15 otherwise in writing by the department.

16 (b) The department shall ~~may~~ SHALL release any
17 quarantine ~~or order to hold bees upon the failure to detect~~
18 ~~disease in any official sample of bees, as provided by~~
19 ~~department rule, or on equipment and~~ upon a finding that the
20 bees and equipment are possessed in compliance with this
21 part."

22 Section 4. Section 80-6-1104, MCA, is amended to read:

23 "80-6-1104. Duties of committee. The committee shall
24 advise the department with respect to any contemplated
25 rulemaking. The committee shall meet periodically to review

1 the minimum standards adopted by the department ~~at--least~~
2 ~~once-a-year.~~"

3 NEW SECTION. Section 5. Alfalfa leaf-cutting bees --
4 registration. (1) No person may possess or control alfalfa
5 leaf-cutting bees in this state unless the bees are
6 registered annually as provided in this section.

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

11 (a) name and place of residence;
12 (b) the general location of bees to be registered; and
13 (c) other relevant information as may be required by
14 department rule.

15 (3) One sample of the bees to be registered must be
16 sent to the department by the beekeeper or his agent. This
17 sample must be analyzed for pathogens and parasites at no
18 cost to the beekeeper. Additional samples may be sent to the
19 department for analysis on a fee-for-service basis as
20 established by rule.

21 (4) The department shall specify the date by which any
22 applicant must apply for reregistration each year.
23 Applications for reregistration received after the date
24 specified must be assessed a penalty equal to 50% of the
25 applicable registration fee.

1 Section 6. Section 80-6-1105, MCA, is amended to read:
2 "80-6-1105. Alfalfa leaf-cutting bees ~~---inspection --~~
3 certification ~~---fees.~~ (1) ~~No A person may import, possess,~~
4 possessing or ~~control~~ controlling alfalfa leaf-cutting bees
5 in the state of Montana ~~unless--the--bees--are--certified~~
6 annually, may annually certify all or part of his bees as
7 provided in this section.

8 (2) To certify bees, a person must file a completed
9 application form provided by the department, together with
10 the certification fee prescribed SET by the department RULE.
11 The applicant must provide ~~at--least~~ the following:

12 (a) name and place of residence;
13 (b) the general location and number of bees to be
14 registered; and

15 (c) other relevant information as may be required by
16 department rule.

17 (3) After receipt of an application for certification,
18 a sample of the total population of bees to be certified
19 shall be selected by the department or its agent in a manner
20 prescribed by the department. The sample shall be inspected
21 analyzed for pathogens, and parasites, predators, nest
22 destroyers, live larvae count, and sex ratio. If ~~no~~
23 ~~pathogens--or--parasites--in--excess--of~~ certification standards
24 are found met, the sample shall be certified ~~as--to--the~~
25 ~~appropriate--class.~~

1 (4) All bees to be certified must MAY be stored in
 2 containers which can be officially sealed after sampling to
 3 maintain their certification identity.

4 ~~(4)~~(5) When the department has in its possession a
 5 completed application form, a certification fee, and a
 6 report that the sample meets certification standards, it may
 7 issue a certificate for the bees.

8 ~~(5)~~(6) The department shall specify the date by which
 9 any applicant must apply for recertification the following
 10 year. Applications for certification received after the date
 11 specified shall be assessed a penalty equal to 10% of the
 12 applicable certification fee but not exceeding \$50."

13 Section 7. Section 80-6-1106, MCA, is amended to read:

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

21 Section 8. Section 80-6-1107, MCA, is amended to read:

22 "80-6-1107. Restrictions on importing bees and
 23 equipment. ~~(1) No-bee-may-be--imported--into--the--state--of~~
 24 ~~Montana--except--under--the--provisions-of-this-section. All~~
 25 bees to be imported shall meet importation, quarantine, and

1 certification requirements established under 80-6-1103 and
 2 must be registered in accordance with [section 5].

3 (2) Prior to the importation of any bee, the importer
 4 must file a completed application form as required in
 5 ~~subsection-(2)-of~~ 80-6-1105(2) and arrange an approximate
 6 date and time for inspection official sampling.

7 (3) Every imported bee must be shipped to a storage
 8 facility designated by the department ~~erie~~ for sampling
 9 purposes. Prior to certification, each bee, container, and
 10 piece of associated equipment must be quarantined at the
 11 designated storage facility.

12 (4) No ~~bee~~ bees may be imported except in loose cells
 13 or as adults. No ~~bee~~ bees may be imported in a drilled
 14 board, soda straw, or other equipment that prevents adequate
 15 inspection sampling of the bee bees.

16 (5) A representative sample of the population of bees
 17 imported shall be ~~inspected-as~~ the basis for certification.

18 (6) No person may import used equipment or nesting
 19 materials.

20 (7) No bee may be certified unless all other
 21 requirements for certification provided in 80-6-1105 are
 22 met."

23 Section 9. Section 80-6-1108, MCA, is amended to read:

24 "80-6-1108. Restrictions on the rearing, moving,
 25 selling, and trapping of bees. (1) No person may rear any

1 bee in a drilled board or a nesting material from which
2 samples of loose larval cells cannot readily be obtained.

3 (2) No person may move any quarantined bee or
4 equipment except by special permit issued by the department.

5 (3) No person may wild trap or attempt to wild trap
6 bees unless that person has been issued a permit for such
7 activity in accordance with rules adopted by the department.
8 The department shall by rule establish the permit fee.

9 (4) No person may sell or distribute bees in Montana
10 unless the bees are officially certified in accordance with
11 80-6-1103 and 80-6-1105."

12 Section 10. Section 80-6-1109, MCA, is amended to
13 read:

14 "80-6-1109. Fees to be set by rule -- self-supporting
15 program -- enterprise fund established. (1) Fees authorized
16 to be charged by this part shall be set by department rule.
17 Such fees shall be designed to reimburse the department for
18 costs incurred in providing services and carrying out its
19 duties under this part. It is the intent of the legislature
20 that department activities under this part be
21 self-supporting.

22 (2) There is an enterprise fund known as the
23 leaf-cutting bee fund for use by the department. Fees
24 collected under this part shall be paid into the
25 leaf-cutting bee fund.

1 (3) The department may direct the board of investments
2 to invest money from the fund pursuant to the provisions of
3 the unified investment program. The income from such
4 investments must be credited to the leaf-cutting bee fund.

5 ~~NEW SECTION. SECTION 11. TERMINATION--OF--PROGRAM--IF~~
6 ~~FEES--ARE--INSUFFICIENT--TO--FINANCE--THE--COSTS--OF--SERVICES--UNDER~~
7 ~~THIS---PART,---ALL---AUTHORITY---OF---THE---DEPARTMENT---FOR~~
8 ~~ADMINISTRATION---OF---THIS---PART---IS---TERMINATED~~ FUNDING
9 ~~LIMITATION. THE DEPARTMENT SHALL EXPEND ONLY THOSE FUNDS~~
10 ~~WHICH ARE RAISED BY FEES UNDER [THIS PART]. IN THE EVENT~~
11 ~~THAT SUCH FUNDS ARE INSUFFICIENT TO FINANCE THE COSTS OF~~
12 ~~SERVICES UNDER [THIS PART], THE DEPARTMENT IS--AUTHORIZED--TO~~
13 ~~REDUCE--THEIR MAY REDUCE SERVICES ACCORDINGLY.~~

14 ~~NEW SECTION. Section 12. Codification instruction.~~
15 ~~Section--5--is~~ SECTIONS 5 AND 11 ARE intended to be codified
16 as an integral part of Title 80, chapter 6, part 11, and the
17 provisions of Title 80, chapter 6, part 11, apply to ~~section~~
18 5 SECTIONS 5 AND 11.

19 ~~NEW SECTION. Section 13. Effective date. This act is~~
20 ~~effective on passage and approval.~~

-End-

REPORT

SENATE

March 9 19 87

MR. PRESIDENT

We, your committee on AGRICULTURE, LIVESTOCK & IRRIGATION

having had under consideration HOUSE BILL No. 815

THIRD reading copy (blue color)

REVISE ALFALFA LEAF-CUTTING BEE LAW

HANSON (Bengtson)

Respectfully report as follows: That HOUSE BILL No. 815

be amended as follows:

- 1. Page 10, lines 12 and 13. Strike: "IS AUTHORIZED TO REDUCE THEIR" Insert: "may reduce"
2. Page 10, line 15. Strike: "Section 5 is" Insert: "Sections 5 and 11 are"
3. Page 10, line 17. Strike: "section 5" Insert: "sections 5 and 11"

March 9 19 87

MR. PRESIDENT

We, your committee on AGRICULTURE, LIVESTOCK AND IRRIGATION

having had under consideration HOUSE BILL No. 815

THIRD reading copy (Blue color)

REVISE ALFALFA LEAF-CUTTING BEE LAW

HANSON (Bengtson)

Respectfully report as follows: That STATEMENT OF INTENT TO HOUSE BILL No. 815

be amended as follows:

- 1. Page 1, line 7. Following: "agriculture" Insert: "shall"
2. Page 1, line 8. Following: "pathogens" Strike: ",," Insert: "and" Following: "parasites" Strike: ",," Insert: "and may establish standards for" Following: "predators" Strike: ",,"

AND AS AMENDED, BE CONCURRED IN

AND AS AMENDED, BE ADOPTED

XXXXXX XXXXXXXXX

XXXXXX XXXXXXXXX

Boylan signature, Chairman, 3-9-87

Boylan signature, Chairman, 3-9-87