

1 HOUSE BILL NO. 57

2 INTRODUCED BY DEBRUYCKER

3 BY REQUEST OF THE DEPARTMENT OF AGRICULTURE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT GRANTING THE MONTANA ALFALFA SEED COMMITTEE THE
6 AUTHORITY TO ADMINISTER THE ALFALFA LEAF-CUTTING BEE MANAGEMENT ACT AND THE ALFALFA
7 SEED INDUSTRY ACT; EXPANDING THE MEMBERSHIP OF THE MONTANA ALFALFA SEED COMMITTEE;
8 ELIMINATING THE ALFALFA LEAF-CUTTING BEE COMMITTEE; AMENDING SECTIONS 2-15-3004 AND
9 80-6-1102, MCA; REPEALING SECTION 2-15-3005, MCA; AND PROVIDING AN EFFECTIVE DATE."

10
11 WHEREAS, the Legislature finds that the alfalfa seed industry and the alfalfa leaf-cutting bee
12 industry are closely related; and

13 WHEREAS, the Legislature also finds that it is in the best interest of the people of the State of
14 Montana to promote economy in government regulation of industry; and

15 WHEREAS, it is the intent of the Legislature to combine with the Montana Alfalfa Seed Committee
16 the duties, responsibilities, and representation of the Alfalfa Leaf-Cutting Bee Committee and to grant the
17 Montana Alfalfa Seed Committee the authority to administer the Alfalfa Leaf-Cutting Bee Management Act
18 and the Alfalfa Seed Industry Act.

19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
21

22 **Section 1.** Section 2-15-3004, MCA, is amended to read:

23 **"2-15-3004. Montana alfalfa seed committee -- composition -- allocation.** (1) There is a Montana
24 alfalfa seed committee composed of ~~seven~~ eight members as follows:

25 (a) five members appointed by the governor who are citizens of Montana and who are actively
26 engaged in the growing of alfalfa seed within the state, deriving a substantial portion of their income from
27 handling, packing, shipping, buying, or selling alfalfa seed, or acting as a broker or factor of alfalfa seed.
28 These five members must be compensated as provided in 80-11-305.

29 (b) two members appointed by the governor who are citizens of Montana and who are actively
30 engaged in the growing of alfalfa seed within the state and the rearing of alfalfa leaf-cutting bees. Each

1 member must be compensated from the enterprise fund established in 80-6-1109 at \$25 for each day in
 2 which the member is engaged in the official business of the committee, plus expenses as provided for in
 3 2-18-501 through 2-18-503.

4 ~~(c) The~~ the director of the department of agriculture or ~~his~~ the director's authorized representative
 5 ~~shall be an ex-officio, nonvoting member of the committee.~~

6 ~~(2) Each of the appointed members shall be a citizen of Montana actively engaged in the growing~~
 7 ~~of alfalfa seed within the state or deriving a substantial portion of his income from handling, packing,~~
 8 ~~shipping, buying, or selling alfalfa seed or acting as a broker or factor of alfalfa seed. These qualifications~~
 9 ~~of members must continue during their terms of office.~~

10 ~~(3)(2)~~ A list of nominees for appointment may be submitted to the governor by the Montana alfalfa
 11 seed association, the Montana seed trade association, the Montana seed growers association, and any
 12 other organization representing alfalfa seed growers or dealers. Names of nominees ~~shall~~ must be submitted
 13 at least 91 days before the expiration of a committee member's term. The governor shall appoint members
 14 from among the persons nominated.

15 ~~(4)(3)~~ The appointed members ~~shall~~ serve staggered terms of 3 years. The initial appointments ~~shall~~
 16 ~~be~~ are as follows: two members for 1-year terms, two members for 2-year terms, and three members for
 17 3-year terms.

18 ~~(5)(4)~~ The committee is allocated to the department of agriculture for administrative purposes only
 19 as prescribed in 2-15-121."
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21 **Section 2.** Section 80-6-1102, MCA, is amended to read:

22 **"80-6-1102. Definitions.** As used in this part, the following definitions apply:

23 (1) "Bee" means any stage in the life cycle of a bee of the species *Megachile rotundata* (F),
 24 commonly known as the alfalfa leaf-cutting bee.

25 (2) "Certification" means the process of analyzing bees and equipment by the committee to
 26 determine whether they meet required standards.

27 (3) "Chalkbrood" means a fungal disease that attacks larvae of the alfalfa leaf-cutting bee.

28 (4) "Committee" means the Montana alfalfa leaf-cutting bee seed committee established in
 29 ~~2-15-3005~~ 2-15-3004.

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

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

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

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

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

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

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

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

10 (13) "Wild trap" means to intentionally trap bees on property not owned or leased by the trapper."
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12 **NEW SECTION.** **Section 3. Repealer.** Section 2-15-3005, MCA, is repealed.
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14 **NEW SECTION.** **Section 4. Transition.** [This act] merges the alfalfa leaf-cutting bee committee
15 into the Montana alfalfa seed committee and revises the membership of the Montana alfalfa seed committee
16 to accommodate the merger. Because there are now incumbents holding positions on both committees,
17 the legislature intends for the governor to make membership adjustments when necessary on and after [the
18 effective date of this act], in accordance with 2-15-3004 as amended by [this act].
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20 **NEW SECTION.** **Section 5. Effective date.** [This act] is effective July 1, 1997.
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-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0057, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act granting the Montana Alfalfa Seed Committee the authority to administer the Alfalfa Leaf-Cutting Bee Management Act and the Alfalfa Seed Industry Act; expanding the membership of the Montana Alfalfa Seed Committee; eliminating the Alfalfa Leaf-Cutting Bee Committee; amending sections 2-15-3004 and 80-6-1102, MCA; repealing section 2-15-3005, MCA; and providing an effective date.

ASSUMPTIONS:

1. The responsibilities, duties and representation of the Alfalfa Leaf-Cutting Bee Committee will be incorporated into the Montana Alfalfa Seed Committee.
2. New section 3 of HB0057 repeals 2-15-3005, MCA, eliminating the Alfalfa Leaf-Cutting Bee Committee and annual expenses as required in 2-15-3005, MCA.
3. The Alfalfa Leaf-Cutting Bee Committee consists of 5 members, 2 of whom are current department employees who have not been receiving per diem, mileage and lodging, leaving a net reduction of 3 committee members.
4. Section 1 of HB0057 increases committee membership by 1 of the Montana Alfalfa Seed Committee by allowing the director of the Department of Agriculture or the director's authorized representative to become an authorized voting member of the Montana Alfalfa Seed Committee.
5. Elimination of 3 Alfalfa Leaf-Cutting Bee Committee members and one annual two-day meeting will save \$424 per year (3 members x 2 day/meeting x \$25/day = \$150 + 3 members x average 200 miles x .30/mile = 180 + 3 members x 1 night stay x \$31.20 = 94).

FISCAL IMPACT:

Expenditures:

	<u>FY98</u>	<u>FY99</u>
	<u>Differences</u>	<u>Differences</u>
Personal Services	(150)	(150)
Operating	<u>(274)</u>	<u>(274)</u>
Total	\$(424)	\$(424)

Funding:

ALCB Proprietary Account (06)	(424)	(424)
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LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

Increased operational and fiscal efficiency due to combining membership and responsibilities of the two committees.

Dave Lewis 1-7-97

DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Roger DeBruycker
ROGER DEBRUYCKER, PRIMARY SPONSOR, DATE

Fiscal Note for HB0057, as introduced

HB 57

APPROVED BY COM ON AGRICULTURE
LIVESTOCK & IRRIGATION

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13 WHEREAS, the Legislature also finds that it is in the best interest of the people of the State of
14 Montana to promote economy in government regulation of industry; and

15 WHEREAS, it is the intent of the Legislature to combine with the Montana Alfalfa Seed Committee
16 the duties, responsibilities, and representation of the Alfalfa Leaf-Cutting Bee Committee and to grant the
17 Montana Alfalfa Seed Committee the authority to administer the Alfalfa Leaf-Cutting Bee Management Act
18 and the Alfalfa Seed Industry Act.

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24 alfalfa seed committee composed of ~~seven~~ eight members as follows:

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26 engaged in the growing of alfalfa seed within the state, deriving a substantial portion of their income from
27 handling, packing, shipping, buying, or selling alfalfa seed, or acting as a broker or factor of alfalfa seed.
28 These five members must be compensated as provided in 80-11-305.

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1 member must be compensated from the enterprise fund established in 80-6-1109 at \$25 for each day in
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4 ~~(c) The~~ the director of the department of agriculture or ~~his~~ the director's authorized representative
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18 ~~(5)~~(4) The committee is allocated to the department of agriculture for administrative purposes only
 19 as prescribed in 2-15-121."
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21 **Section 2.** Section 80-6-1102, MCA, is amended to read:

22 **"80-6-1102. Definitions.** As used in this part, the following definitions apply:

23 (1) "Bee" means any stage in the life cycle of a bee of the species *Megachile rotundata* (F),
 24 commonly known as the alfalfa leaf-cutting bee.

25 (2) "Certification" means the process of analyzing bees and equipment by the committee to
 26 determine whether they meet required standards.

27 (3) "Chalkbrood" means a fungal disease that attacks larvae of the alfalfa leaf-cutting bee.

28 (4) "Committee" means the Montana alfalfa leaf-cutting ~~bee~~ seed committee established in
 29 ~~2-15-3005~~ 2-15-3004.

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

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

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

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6 nutriment from the body of the bee.

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12 NEW SECTION. **Section 3. Repealer.** Section 2-15-3005, MCA, is repealed.
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14 NEW SECTION. **Section 4. Transition.** [This act] merges the alfalfa leaf-cutting bee committee
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WHEREAS, the Legislature also finds that it is in the best interest of the people of the State of Montana to promote economy in government regulation of industry; and

WHEREAS, it is the intent of the Legislature to combine with the Montana Alfalfa Seed Committee the duties, responsibilities, and representation of the Alfalfa Leaf-Cutting Bee Committee and to grant the Montana Alfalfa Seed Committee the authority to administer the Alfalfa Leaf-Cutting Bee Management Act and the Alfalfa Seed Industry Act.

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

Section 1. Section 2-15-3004, MCA, is amended to read:

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 26 determine whether they meet required standards.

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 29 ~~2-16-3005~~ 2-15-3004.

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1 (6) "Equipment" means shelters, trays, incubators, cell removers, tumblers, and other apparatus,
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27 handling, packing, shipping, buying, or selling alfalfa seed, or acting as a broker or factor of alfalfa seed.
28 These five members must be compensated as provided in 80-11-305.

29 (b) two members appointed by the governor who are citizens of Montana and who are actively
30 engaged in the growing of alfalfa seed within the state and the rearing of alfalfa leaf-cutting bees. Each

1 member must be compensated from the enterprise fund established in 80-6-1109 at \$25 for each day in
 2 which the member is engaged in the official business of the committee, plus expenses as provided for in
 3 2-18-501 through 2-18-503.

4 ~~(c) The~~ the director of the department of agriculture or ~~his~~ the director's authorized representative
 5 ~~shall be an ex-officio, nonvoting member of the committee.~~

6 ~~(2) Each of the appointed members shall be a citizen of Montana actively engaged in the growing~~
 7 ~~of alfalfa seed within the state or deriving a substantial portion of his income from handling, packing,~~
 8 ~~shipping, buying, or selling alfalfa seed or acting as a broker or factor of alfalfa seed. These qualifications~~
 9 ~~of members must continue during their terms of office.~~

10 ~~(3)(2)~~ A list of nominees for appointment may be submitted to the governor by the Montana alfalfa
 11 seed association, the Montana seed trade association, the Montana seed growers association, and any
 12 other organization representing alfalfa seed growers or dealers. Names of nominees ~~shall~~ must be submitted
 13 at least 91 days before the expiration of a committee member's term. The governor shall appoint members
 14 from among the persons nominated.

15 ~~(4)(3)~~ The appointed members ~~shall~~ serve staggered terms of 3 years. The initial appointments ~~shall~~
 16 ~~be~~ are as follows: two members for 1-year terms, two members for 2-year terms, and three members for
 17 3-year terms.

18 ~~(5)(4)~~ The committee is allocated to the department of agriculture for administrative purposes only
 19 as prescribed in 2-15-121."

20

21 **Section 2. Section 80-6-1102, MCA, is amended to read:**

22 **"80-6-1102. Definitions. As used in this part, the following definitions apply:**

23 (1) "Bee" means any stage in the life cycle of a bee of the species *Megachile rotundata* (F),
 24 commonly known as the alfalfa leaf-cutting bee.

25 (2) "Certification" means the process of analyzing bees and equipment by the committee to
 26 determine whether they meet required standards.

27 (3) "Chalkbrood" means a fungal disease that attacks larvae of the alfalfa leaf-cutting bee.

28 (4) "Committee" means the Montana alfalfa leaf-cutting-bee- seed committee established in
 29 ~~2-15-3005~~ 2-15-3004.

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

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

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

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

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

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

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

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

10 (13) "Wild trap" means to intentionally trap bees on property not owned or leased by the trapper."
11

12 NEW SECTION. Section 3. Repealer. Section 2-15-3005, MCA, is repealed.
13

14 NEW SECTION. Section 4. Transition. [This act] merges the alfalfa leaf-cutting bee committee
15 into the Montana alfalfa seed committee and revises the membership of the Montana alfalfa seed committee
16 to accommodate the merger. Because there are now incumbents holding positions on both committees,
17 the legislature intends for the governor to make membership adjustments when necessary on and after [the
18 effective date of this act], in accordance with 2-15-3004 as amended by [this act].
19

20 NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 1997.
21

-END-