

Introduced by

Senators Erbele, Christmann, Wanzek

Representatives S. Meyer, Pollert, Heller

1 A BILL for an Act to amend and reenact sections 4.1-08-02, 4.1-08-04, 4.1-08-06, and 4.1-08-07  
2 of the North Dakota Century Code, relating to the assessment on colonies of honeybees; to  
3 provide an appropriation; and to provide for a transfer.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 4.1-08-02 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **4.1-08-02. Assessment.**

8 An annual assessment in the amount of ~~five~~ten cents is imposed on each colony of  
9 honeybees licensed by the beekeeper. The minimum annual assessment is one dollar.

10 **SECTION 2. AMENDMENT.** Section 4.1-08-04 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **4.1-08-04. Refunds - Partial.**

13 1. To receive a partial refund of ~~any~~the assessment paid in accordance with this chapter,  
14 a beekeeper shall obtain an application form from the commissioner within sixty days  
15 from the date the commissioner received the assessment required by section  
16 4.1-08-02.

17 2. The beekeeper shall return the completed form to the commissioner within ninety days  
18 from the date the commissioner received the assessment required by section  
19 4.1-08-02.

20 3. a. A beekeeper is not entitled to a refund under this section unless the refundable  
21 amount meets or exceeds five dollars.

22 b. A beekeeper is not entitled to a refund greater than fifty percent of the  
23 assessment paid under section 4.1-08-02.

1       **SECTION 3. AMENDMENT.** Section 4.1-08-06 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3       **4.1-08-06. Assessment - Authorized expenditures.**

4       The assessment required by

- 5       1. Up to fifty percent of any nonrefunded assessments collected under this chapter may  
6       be used to fund research, education programs, and market development efforts, as  
7       well as promotional efforts such as the North Dakota honey queen program.  
8       2. Up to fifty percent of any nonrefunded assessments collected under this chapter must  
9       be used to fund research efforts that focus on honeybee colony health.

10       **SECTION 4. AMENDMENT.** Section 4.1-08-07 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12       **4.1-08-07. Commissioner - Powers.**

13       The commissioner may:

- 14       1. Expend moneys appropriated under this chapter for the purposes set forth in section  
15       4.1-08-06, provided the commissioner first ~~consults with a committee appointed~~  
16       ~~by~~obtains the consent of the board of directors of the North Dakota beekeepers'  
17       association; and  
18       2. Do all things necessary and proper to enforce and administer this chapter.

19       **SECTION 5. APPROPRIATION - TRANSFER.**

- 20       1. There is appropriated out of any moneys in the general fund in the state treasury, not  
21       otherwise appropriated, the sum of \$100,000, or so much of the sum as may be  
22       necessary, to the agriculture commissioner for the purpose of providing grants to  
23       public or private entities engaging in research efforts focusing on honeybee colony  
24       health, for the biennium beginning July 1, 2011, and ending June 30, 2013.  
25       2. Before the agriculture commissioner may award a grant under this section, the  
26       commissioner shall obtain the consent of the board of directors of the North Dakota  
27       beekeepers' association under section 4.1-08-07.  
28       3. The agriculture commissioner may expend no more than fifty percent of the amount  
29       appropriated by this section during the first year of the 2011-13 biennium.

- 1           4.   Notwithstanding section 54-44.1-11, at the end of the 2011-13 biennium, the
- 2               agriculture commissioner shall transfer any unexpended and unobligated amount
- 3               appropriated by this section to the honey fund.