

Sixty-second
Legislative Assembly
of North Dakota

SENATE BILL NO. 2134

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; and to provide an expiration date.

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.~~

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

4.1-08-06. Assessment - Authorized expenditures.

The assessment required by

~~1. Up to fifty percent of any nonrefunded assessments collected under~~ this chapter may be used to fund research, including efforts that focus on honeybee colony health; education programs; and market development efforts, as well as promotional efforts such as the North Dakota honey queen program.

~~2. Up to fifty percent of any nonrefunded assessments collected under this chapter must be used to fund research efforts that focus on honeybee colony health.~~

SECTION 3. AMENDMENT. Section 4.1-08-07 of the North Dakota Century Code is amended and reenacted as follows:

4.1-08-07. Commissioner - Powers.

The commissioner may:

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

SECTION 4. APPROPRIATION - TRANSFER.

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

4 **SECTION 5. EXPIRATION DATE.** This Act is effective through June 30, 2015, and after that
5 date is ineffective.