

## **CHAPTER 4.1-08 HONEY ASSESSMENTS**

### **4.1-08-01. Definitions.**

As used in this chapter:

1. "Beekeeper" means any person owning or controlling a colony of bees for the production of honey, beeswax, or byproducts.
2. "Commissioner" means the agriculture commissioner.

### **4.1-08-02. (Effective through June 30, 2015) Assessment.**

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

**(Effective after June 30, 2015) Assessment.** An annual assessment in the amount of five cents is imposed on each colony of honeybees licensed by the beekeeper. The minimum annual assessment is one dollar.

### **4.1-08-03. Submission of assessments - Civil penalty.**

1. Each beekeeper shall submit the assessment required by section 4.1-08-02 to the commissioner at the same time the beekeeper submits the license application required by section 4-12.2-04.
2. If a beekeeper fails to submit the assessment as required by this section, the commissioner may impose a penalty equal to five percent of the amount due, plus interest at the rate of six percent per annum from the due date.

### **4.1-08-04. Refunds.**

1. To receive a refund of any assessment paid in accordance with this chapter, a beekeeper shall obtain an application form from the commissioner within sixty days from the date the commissioner received the assessment required by section 4.1-08-02.
2. The beekeeper shall return the completed form to the commissioner within ninety days from the date the commissioner received the assessment required by section 4.1-08-02.
3. A beekeeper is not entitled to a refund under this section unless the refundable amount meets or exceeds five dollars.

### **4.1-08-05. Continuing appropriation.**

The commissioner shall forward all moneys received under this chapter to the state treasurer for deposit in a special fund known as the honey fund. All moneys in the honey fund are appropriated on a continuing basis to the commissioner to carry out this chapter.

### **4.1-08-06. (Effective through June 30, 2015) Assessment - Authorized expenditures.**

The assessment required by 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.

**(Effective after June 30, 2015) Assessment - Authorized expenditures.** The assessment required by this chapter may be used to fund research, education programs, and market development efforts, as well as promotional efforts such as the North Dakota honey queen program.

### **4.1-08-07. (Effective through June 30, 2015) 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 the board of directors of the North Dakota beekeepers' association; and
2. Do all things necessary and proper to enforce and administer this chapter.

**(Effective after June 30, 2015) 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 the North Dakota beekeepers' association; and
2. Do all things necessary and proper to enforce and administer this chapter.

**4.1-08-08. Biennial report - Information regarding honey assessments.**

When compiling the biennial report required by section 54-06-04, the commissioner shall provide information regarding activities under this chapter, including the amount of assessments collected and the manner in which the moneys were expended.

**4.1-08-09. Penalty.**

Any person willfully violating this chapter is guilty of a class B misdemeanor.