

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. 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.

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 4.1-16-02.
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. 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.

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 the board of directors of 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.