



**AN ACT ALLOWING THE DEPARTMENT OF AGRICULTURE  
TO PROVIDE SAMPLING SERVICES IN CROP-RELATED  
DISPUTES; PROVIDING FOR FEES; AND GRANTING  
RULEMAKING AUTHORITY.**

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

1       **Section 1. Plan sampling provided -- fees -- rulemaking**  
2       **authority.** (1) In a dispute in which a plant sample would serve a  
3       useful purpose to clarify, quantify, or settle the dispute, either party  
4       may file with the department a request that the department provide  
5       sampling services.

(2) The department shall charge a fee that covers the costs of providing  
the sampling service. Costs associated with sampling must be paid by the  
person who requested the sampling unless:

(a) both parties agree to a different assignment of costs through a  
contractual or settlement agreement;

or

(b) a different allocation has been ordered through mediation or a court order.

(3) The department shall adopt rules to implement this section.

6       **Section 2. Codification instruction.** [Section 1] is intended to be  
7       codified as an integral part of Title 80, chapter 2, and the provisions  
8       of Title 80, chapter 2, apply to [section 1].

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