

2 **SB 5468** - H COMM AMD

3 By Committee on Agriculture & Ecology

4 ADOPTED AS AMENDED 4/9/97

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature declares that it is the
8 policy of this state to promote beekeeping to maintain and enhance the
9 pollination of plants for the production of commercial and
10 noncommercial products. In support of this policy the legislature
11 declares its recognition and support for efforts to enhance and
12 encourage beekeeping operations in urban and rural areas of the state
13 that benefit a wide range of activities such as commercial agriculture,
14 gardening, and pollination of wildlife-supporting plants.

15 It is the intent of the legislature to recognize the keeping of
16 bees for pollination of agricultural products as an agricultural
17 activity to aid in protection of this essential activity from nuisance
18 lawsuits.

19 It is the intent of the legislature in sections 3 and 4 of this act
20 for the apiary advisory committee to provide advice and input to state
21 agencies that own and manage lands regarding the means necessary to
22 enhance the pollination of plants on state-owned lands while furnishing
23 pasture for honey bees.

24 **Sec. 2.** RCW 7.48.310 and 1992 c 52 s 4 are each amended to read as
25 follows:

26 As used in RCW 7.48.305:

27 (1) "Agricultural activity" means a condition or activity which
28 occurs on a farm in connection with the commercial production of farm
29 products and includes, but is not limited to, marketed produce at
30 roadside stands or farm markets; noise; odors; dust; fumes; operation
31 of machinery and irrigation pumps; movement, including, but not limited
32 to, use of current county road ditches, streams, rivers, canals, and
33 drains, and use of water for agricultural activities; ground and aerial
34 application of seed, fertilizers, conditioners, and plant protection
35 products; keeping of bees for pollination of agricultural products;

1 employment and use of labor; roadway movement of equipment and
2 livestock; protection from damage by wildlife; prevention of trespass;
3 construction and maintenance of buildings, fences, roads, bridges,
4 ponds, drains, waterways, and similar features and maintenance of
5 streambanks and watercourses; and conversion from one agricultural
6 activity to another.

7 (2) "Farm" means the land, buildings, freshwater ponds, freshwater
8 culturing and growing facilities, and machinery used in the commercial
9 production of farm products.

10 (3) "Farmland" means land or freshwater ponds devoted primarily to
11 the production, for commercial purposes, of livestock, freshwater
12 aquacultural, or other agricultural commodities.

13 (4) "Farm product" means those plants and animals useful to humans
14 and includes, but is not limited to, forages and sod crops, dairy and
15 dairy products, poultry and poultry products, livestock, including
16 breeding, grazing, and recreational equine use, fruits, vegetables,
17 flowers, seeds, grasses, trees, freshwater fish and fish products,
18 apiaries, equine and other similar products, or any other product which
19 incorporates the use of food, feed, fiber, or fur.

20 (5) "Forest practice" means "forest practice" as defined in RCW
21 76.09.020.

22 NEW SECTION. **Sec. 3.** The commissioner of public lands shall
23 confer with the apiary advisory committee established under RCW
24 15.60.010, for the purpose of implementing the policy under section 1
25 of this act and exploring the benefits to resources that could result
26 from locating additional pollinating bees on lands managed by the
27 department of natural resources. The discussion shall also include the
28 benefits to beekeepers of making additional pasture for domesticated
29 bees available at a reasonable cost.

30 The department shall report to the legislature by December 1, 1997,
31 on actions taken to implement the policy in section 1 of this act.

32 NEW SECTION. **Sec. 4.** The department of fish and wildlife shall
33 confer with the apiary advisory committee established under RCW
34 15.60.010, for the purpose of implementing the policy under section 1
35 of this act and exploring the benefits to resources that could result
36 from locating additional pollinating bees on lands managed by the
37 department of fish and wildlife. The discussion shall also include the

1 benefits to beekeepers of making additional pasture for domesticated
2 bees available at a reasonable cost.

3 The department shall report to the legislature by December 1, 1997,
4 on actions taken to implement the policy in section 1 of this act.

5 **Sec. 5.** RCW 15.60.040 and 1994 c 178 s 4 are each amended to read
6 as follows:

7 ~~((1) There is hereby established a fee on the use, by growers of
8 agricultural crops, of bee pollination services provided by others.
9 This pollination service fee is in the amount of fifty cents for each
10 setting of each hive containing a colony that is used by the grower.
11 The fee shall be paid by the grower using the service, shall be
12 collected by the beekeeper providing the service, and shall be remitted
13 by the beekeeper to the department as provided by rules adopted by the
14 director. All such fees shall be deposited in the industry apiary
15 program account. Revenues from these fees shall be directed to use in
16 providing services to the apiary industry that assist in ensuring the
17 vitality and availability of bees for commercial pollination services
18 for the agricultural industry.~~

19 ~~(2))~~ There is established an industry apiary program account
20 within the agricultural local fund. All money collected under this
21 chapter including fees for requested services, required inspections, or
22 treatments, and registration fees(~~(, and apiary assessments)~~) shall be
23 placed in the industry apiary program account. Money in the account
24 may only be used to carry out the purposes of this chapter. No
25 appropriation is required for disbursement from the industry apiary
26 program account.

27 NEW SECTION. **Sec. 6.** The apiary advisory committee established
28 under RCW 15.60.010 shall, in consultation with the director of
29 agriculture, examine means of offsetting the reduction in revenues to
30 the industry apiary program account resulting from the amendments to
31 RCW 15.60.040 made by section 5 of this act by providing alternative
32 revenues to the account from sources within the apiary industry. Any
33 recommendation of the committee shall be made to the house agriculture
34 and ecology committee and the senate agriculture and environment
35 committee by December 1, 1997, in the form of legislation providing
36 such offsetting revenues. Any alternative source or sources of
37 revenues included in such a recommendation shall be exclusively from

1 sources within the apiary industry and shall not be in the form of
2 state fees imposed upon other segments of the agricultural community."

3 Correct the title.

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