

2 SSB 6255 - S AMD - 716

3 By Senators Morton and Rasmussen

4

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

7 "Sec. 1. RCW 15.62.010 and 1989 c 5 s 1 are each amended to read  
8 as follows:

9 (1) The purpose of this chapter is to (~~advance the public welfare~~  
10 ~~and education and to~~) provide the apiary industry the opportunity to  
11 establish a honey bee commission; promote the interest, products,  
12 services, and stabilization of Washington's honey bee industry;  
13 identify and conduct research on treatments and medications to control  
14 bee pests; and perform nonregulatory functions and provide information  
15 and services to beekeepers in the state.

16 (2) The legislature finds that:

17 ((+1)) (a) Increasing the consumption of products of the honey bee  
18 industry and promoting the use of its services and stabilizing the  
19 honey bee industry within the state and nation is a valid and necessary  
20 exercise of the power of the state to protect the public health, to  
21 provide for the economic development of the state, and to promote the  
22 welfare of the people of the state;

23 ((+2)) (b) Honey bee industry products produced and services  
24 provided in Washington make an important contribution to the  
25 agricultural industry of the state of Washington. The business of  
26 researching, marketing, and distributing such products and the  
27 promotion of its services is in the public interest;

28 ((+3)) (c) It is necessary to enhance the reputation of Washington  
29 honey bee industry products and services in domestic and national  
30 markets;

31 ((+4)) (d) It is necessary to promote and educate the public  
32 regarding the value of honey bee industry products and services, and to  
33 spread that knowledge throughout the state and nation to increase the  
34 awareness and consumption of honey bee products and the use of honey  
35 bee services;

1       ~~((+5))~~ (e) State and national markets for Washington honey bee  
2 industry products may benefit from promotion of honey bee products  
3 through education and advertising;

4       ~~((+6))~~ (f) It is necessary to stabilize the Washington honey bee  
5 industry, to enlarge its markets, and increase the consumption of  
6 Washington honey bee industry products and services to assure the  
7 payment of taxes to the state and its subdivisions, to alleviate  
8 unemployment, and to provide for higher wage scales for agricultural  
9 labor and maintenance of a reasonable standard of living;

10       ~~((+7))~~ (g) Providing information to the public on the manner,  
11 cost, and expense of producing, and the care taken to produce and sell,  
12 honey bee industry products and services of the highest quality, the  
13 methods and care used in their preparation for market, and the methods  
14 of sale and distribution is in the public interest;

15       ~~((+8))~~ (h) It is necessary to protect the public by educating it  
16 on the various benefits of honey bee industry services, the food value  
17 of its products, and their industrial and medicinal uses.

18       **Sec. 2.** RCW 15.62.020 and 1989 c 5 s 2 are each amended to read as  
19 follows:

20       Unless the context clearly requires otherwise, the definitions in  
21 this section apply throughout this chapter:

22       (1) "Affected person" means an apiarist, manufacturer, processor,  
23 first handler, broker, or volunteer who shall pay to the commission the  
24 minimum assessments required in RCW 15.62.140.

25       (2) "Apiarist" means any person, firm, partnership, association, or  
26 corporation who owns, operates, manages, or brokers ~~((ten))~~ five or  
27 more honey bee (*Apis mellifera*) colonies in the state or any  
28 ~~((volunteer participant having less than ten colonies))~~ owner of one to  
29 four colonies in the state of Washington that voluntarily registers  
30 with the department.

31       (3) "Bee colony" means a natural group of honey bees containing  
32 seven thousand or more workers and one or more queens, housed in a man-  
33 made hive with movable frames, and operated as a beekeeping unit.

34       (4) "Bee pests" means mites, other parasites, or diseases that  
35 cause injury to bees.

36       (5) "Broker" means any person other than an apiarist who, for a  
37 fee, places or sets twenty-five or more bee colonies for pollination or

1 buys and sells one thousand dollars or more per year of industry  
2 products he or she does not produce or manufacture.

3 ~~((+5))~~ (6) "Commission" means the Washington state honey bee  
4 industry commission or its authorized agents.

5 ~~((+6))~~ (7) "Department" means the department of agriculture.

6 ~~((+7))~~ (8) "Director" means the director of the department of  
7 agriculture.

8 ~~((+8))~~ (9) "First handler" means any person in Washington who  
9 imports industry products or bee supplies and equipment into Washington  
10 for processing, packing, or sale in the state of Washington.

11 ~~((+9))~~ (10) "Industry products" means queen bees, packaged bees,  
12 and items which are made by bees including, but not limited to, honey,  
13 pollen, bees wax, and propolis and items manufactured for use in the  
14 honey bee industry as enumerated under "manufacturer" in this section.

15 ~~((+10))~~ (11) "Manufacturer" means any person making bee supplies  
16 and equipment such as: Supers (hive boxes), frames, bees wax  
17 foundation, smokers, extractors, bee veils, pollen traps, queen rearing  
18 equipment, bee cages and packages, queen excluders, and other bee  
19 supplies used in the honey bee industry.

20 ~~((+11))~~ (12) "Person" means any individual, firm, partnership, or  
21 corporation engaged in the apiculture industry.

22 ~~((+12))~~ (13) "Processor" means any person processing, selling,  
23 marketing, or distributing bee industry products.

24 ~~((+13))~~ (14) "Retail sales" means those sales made directly to  
25 consumers whether apiarists, brokers, or persons involved in the  
26 apiculture industry, or the public.

27 **Sec. 3.** RCW 15.62.030 and 1989 c 5 s 3 are each amended to read as  
28 follows:

29 A petition may be filed with the director to conduct a referendum  
30 to form a honey bee commission. A referendum shall be conducted if the  
31 petition contains the names of at least fifteen percent of the  
32 apiarists registered in accordance with RCW 15.60.050 or section 10 of  
33 this act during the most recent registration period and that those  
34 persons represent fifteen percent of the registered hives. The  
35 director shall conduct the referendum by mail.

36 The Washington state honey bee commission shall be established  
37 ~~((following approval of a referendum by a majority of the affected~~  
38 ~~apiarists and brokers, as set forth in RCW 15.62.140(4) for assessment~~

1 increases)) if approved by a majority of apiarists voting in the  
2 referendum and if those apiarists voting in favor represent a majority  
3 of the registered hives of those voting, if at least fifty percent of  
4 the registered apiarists participate in the referendum.

5 Upon request by the director, an apiarist must submit sufficient  
6 documentation to the department verifying the number of hives  
7 registered. Failure to provide sufficient documentation shall cause  
8 the referendum ballot of that apiarist to be deemed invalid.

9 **Sec. 4.** RCW 15.62.040 and 1989 c 5 s 13 are each amended to read  
10 as follows:

11 The commission (~~(shall have the following powers and duties))~~ may:

12 (1) ~~((To))~~ Work with the pesticide management program in the  
13 department, Washington State University, and others on pesticide  
14 labeling and reducing the effect of chemicals on pollinating insects;

15 (2) Provide information to growers, the public, and the media on  
16 request;

17 (3) Work with state and federal agencies to increase access for bee  
18 forage on public lands and provide information to beekeepers on  
19 opportunities to forage bees on public lands;

20 (4) Provide information and technical assistance to beekeepers  
21 relating to the control of tracheal and varroa mites and other bee  
22 pests;

23 (5) Conduct seminars and field days to educate and train beekeepers  
24 in areas of interest to beekeepers;

25 (6) Conduct technical assistance visits to beekeepers' apiaries  
26 upon request;

27 (7) Arrange educational seminars on queen selection, breeding, and  
28 propagation;

29 (8) Identify and fund research projects that will aid beekeepers in  
30 the control of bee pests or that improve the viability of the apiary  
31 industry;

32 (9) Elect a chairperson and other officers as it deems advisable;

33 ~~((2) To))~~ (10) Promulgate rules ((and regulations)) under the  
34 administrative procedure act, chapter 34.05 RCW, and RCW 15.04.200 as  
35 necessary to effectuate the purpose and policies of this chapter;

36 ~~((3) To))~~ (11) Administer and enforce the provisions of this  
37 chapter and perform all acts and exercise all powers reasonably  
38 necessary to fulfill the purpose thereof;

1       (~~(4)~~-Tø) (12) Employ and discharge advertising agents, attorneys  
2 as permitted by the attorney general, agents, and employees as it deems  
3 necessary, and (~~(tø)~~) prescribe their duties and powers and fix their  
4 compensation;

5       (~~(5)~~-Tø) (13) Establish offices, hire employees who shall be  
6 exempt from chapter 41.06 RCW, incur expenses which shall not exceed  
7 revenues, enter into contracts, and create such liabilities as are  
8 reasonable and proper for the administration of this chapter;

9       (~~(6)~~-Tø) (14) Investigate and refer violations of this chapter to  
10 local prosecuting attorneys or special prosecutors appointed by the  
11 commission and the local prosecuting attorney;

12       (~~(7)~~-Tø) (15) Contract for scientific research designed to  
13 improve production, pollination, management, quality, processing, and  
14 distribution and (~~(tø)~~) develop and discover uses for products of the  
15 honey bee industry;

16       (~~(8)~~-Tø) (16) Make in its name advertising contracts and other  
17 agreements necessary to promote the industry and bee products and  
18 services in state, national, and foreign markets;

19       (~~(9)~~-Tø) (17) Keep accurate records of all commission dealings,  
20 which shall be open to public inspection and audit by authorized state  
21 agencies;

22       (~~(10)~~-Tø) (18) Contract for research to develop more efficient  
23 methods of promoting the honey bee industry and its products and  
24 services;

25       (~~(11)~~-Tø) (19) Develop and conduct educational programs for the  
26 benefit of industry and (~~(tø)~~) inform the public regarding Washington's  
27 honey bee industry;

28       (~~(12)~~-Tø) (20) Enter into contracts and agreements for purposes  
29 consistent with this chapter;

30       (~~(13)~~-Tø) (21) Publish at least an annual report of its  
31 activities and financial status subject to audit by the state auditor;

32       (~~(14)~~-Tø) (22) Establish an operating monetary reserve and carry  
33 over to subsequent fiscal periods any excess funds in the reserve:  
34 PROVIDED, That the reserve funds shall not exceed one fiscal period's  
35 budget. The reserve funds shall only be used to defray any expenses  
36 authorized under this chapter;

37       (~~(15)~~-Tø) (23) Audit any affected person's records as described  
38 in RCW 15.62.200; and

1       (~~(16) To~~) (24) Consider the assessment of honey or manufactured  
2 bee supplies produced or sold in Washington. Assessments shall only be  
3 levied after a referendum is conducted and approved by a majority vote,  
4 as set forth in RCW 15.62.140(4), of persons engaged in the honey bee  
5 industry of Washington.

6       **Sec. 5.** RCW 15.62.070 and 1989 c 5 s 6 are each amended to read as  
7 follows:

8       (1) The regular terms of office of each elected member of the  
9 commission shall be three years, except that the term of office for the  
10 initial members shall be as follows:

11       (a) Positions for areas one, four, and seven - one year.

12       (b) Positions for areas two, five, and eight - two years.

13       (c) Positions for areas three, six, and nine - three years.

14       (d) If filled, position for area eleven - three years.

15       (2) No elected member of the board may serve more than two full  
16 consecutive three-year terms.

17       (3) Terms of office shall end on August 31<sup>st</sup> of the last year of  
18 the elected or appointed term.

19       (4) Any vacancies on the commission shall be filled by a person  
20 meeting the qualifications established in (~~section 37 of this act~~)  
21 RCW 15.62.060 appointed by the other voting members of the commission.  
22 The appointee shall hold office for the remainder of the term, at which  
23 time an election for that position shall be conducted.

24       **Sec. 6.** RCW 15.62.080 and 1989 c 5 s 7 are each amended to read as  
25 follows:

26       (1) Apiarist members of the commission shall be nominated and  
27 elected by the apiarists within the district they are to represent in  
28 the year in which a member's term expires. The candidate receiving the  
29 largest number of votes cast shall be elected. The election shall be  
30 by secret mail ballot and shall be conducted by the director, who shall  
31 be reimbursed for actual expenses of conducting the election by the  
32 commission.

33       (2) The director shall provide forms for the nomination of  
34 candidates to each affected person. The nomination form shall provide  
35 for the name of the person being nominated and the names of five  
36 persons supporting the nomination.

1 (3) The persons nominating the candidate shall affirm that the  
2 candidate meets the qualifications and is willing to serve by signing  
3 the nomination form.

4 (4) The nomination forms shall be returned to the director by June  
5 30<sup>th</sup> of the election year, and the director shall not accept any  
6 nomination postmarked later than midnight of that date.

7 (5) In the event no nomination is submitted for a position, the  
8 director shall nominate at least two, but no more than three, qualified  
9 persons and place their names on the election ballot as nominees. Any  
10 qualified person may be elected by write-in ballot, even though his or  
11 her name was not placed in nomination.

12 (6) Ballots for electing commission members shall be mailed by the  
13 director to all apiarists and brokers in areas where elections are to  
14 be held no later than July 15<sup>st</sup>. Ballots, to be valid, shall be  
15 returned to the director postmarked no later than July 31<sup>st</sup>. Elected  
16 persons shall take office effective September 1<sup>st</sup> of the year elected  
17 except, if a referendum is approved before December 31, 1998, initial  
18 elections shall take place within one hundred twenty days ((after July  
19 23, 1989)) of the date of approval. If a referendum is approved before  
20 December 31, 1998, the director has the discretion to set dates for  
21 submitting nominations, and mailing out and returning ballots for the  
22 initial election of commission members.

23 (7) If a referendum to establish a commission is approved, the  
24 director has the discretion to call for the immediate nomination of  
25 apiarists and to establish the dates for mailing out and returning  
26 ballots for the initial election of commission members.

27 **Sec. 7.** RCW 15.62.140 and 1989 c 5 s 14 are each amended to read  
28 as follows:

29 (1) The commission shall collect annual assessments as follows:

30 (a) ((Twenty-five)) Up to fifty cents as established by the  
31 commission for each colony operated by an apiarist or broker in  
32 Washington at any time in a calendar year. Each colony shall be  
33 assessed only once per calendar year. There shall be a minimum  
34 assessment of ten dollars.

35 (b) The sale of a business enterprise by an apiarist or broker  
36 shall not be assessed.

1 The provisions of this subsection (1) are effective only if the  
2 referendum required by RCW 15.62.030 on the creation of the commission  
3 is adopted.

4 (2) Subject to approval by referendum, the commission shall have  
5 the power and duty to increase the amount of the assessments as  
6 necessary to fulfill the purposes of this chapter.

7 (3) In determining the necessity for an assessment increase, the  
8 commission shall consider:

9 (a) The ((purpose)) priorities of the commission;

10 (b) The extent and probable cost of required research, promotion,  
11 and advertising;

12 (c) The extent of ((public—convenience,)) interest((,)) by  
13 beekeepers and necessity of additional program activities; and

14 (d) The expected revenue from the increased assessment.

15 (4) The increase in assessment shall not become effective until  
16 approved by a majority of the affected persons voting in a referendum  
17 conducted by the commission. The referendum must be approved by:

18 (a) Either fifty-one percent of the apiarists and brokers  
19 representing sixty-six percent of the colonies registered in Washington  
20 in the twelve months preceding voting; or

21 (b) Sixty-six percent of the apiarists and brokers representing  
22 fifty-one percent of the colonies registered in Washington in the  
23 twelve months preceding voting; and

24 (c) Either fifty-one percent of manufacturers, processors, and  
25 first handlers representing sixty-six percent of industry products sold  
26 in Washington by its residents; or

27 (d) Sixty-six percent of manufacturers, processors, and first  
28 handlers representing fifty-one percent of industry products sold in  
29 Washington by its residents.

30 **Sec. 8.** RCW 15.62.300 and 1989 c 5 s 25 are each amended to read  
31 as follows:

32 In the ((seventh)) fifth year following the inception of the  
33 commission, a referendum shall be conducted by the department ((of  
34 agriculture)) to determine if the commission is still desired by the  
35 beekeeping industry in Washington. The commission shall continue if  
36 the director finds that affected apiarists and brokers voting in a  
37 referendum conducted as for an assessment increase in RCW 15.62.140(4)



1 voted in favor of such continuance, otherwise it shall be terminated or  
2 suspended as in RCW 15.62.310.

3 NEW SECTION. **Sec. 9.** A new section is added to chapter 17.24 RCW  
4 to read as follows:

5 The director may establish an apiary advisory committee including  
6 members representing the major segments of the apiary industry  
7 including commercial and hobby beekeepers, representatives from the  
8 Washington State University apiary program or cooperative extension,  
9 and receivers of pollination services as deemed appropriate. The  
10 advisory committee may be established to advise the director on apiary  
11 issues, and especially apiary issues that require immediate attention  
12 or action.

13 The apiary advisory committee shall meet at the call of the  
14 director. Members of the committee shall serve without compensation  
15 but shall be reimbursed for travel expenses incurred in attending  
16 meetings of the committee and any other official duty approved by the  
17 director, pursuant to RCW 43.03.050 and 43.03.060.

18 The role of the apiary advisory committee is to provide input to  
19 the department in regards to the administration of this chapter,  
20 including the formulation of any rules relating to inspection of  
21 apiaries, movement of bees, quarantine measures, prevention of  
22 introduction of new bee pests as defined in RCW 17.24.007(17), and  
23 survey and control activities.

24 NEW SECTION. **Sec. 10.** A new section is added to chapter 17.24 RCW  
25 to read as follows:

26 (1) Each person owning five or more hives with bees, brokers  
27 renting hives, and beekeepers resident in other states who operate  
28 hives in Washington shall register with the director on or before April  
29 1st each year. Persons owning one to four hives may register with the  
30 director and shall do so by April 1st of each year.

31 (2) Registration application shall include the name, address, and  
32 phone number of the owner or broker, the number of colonies of bees  
33 owned, brokered, or operated in Washington, and a fifteen-dollar  
34 registration fee.

35 (3) The director shall provide a honey bee commission established  
36 under chapter 15.62 RCW copies of registration information.

1       **Sec. 11.** RCW 15.60.005 and 1994 c 178 s 1 are each amended to read  
2 as follows:

3       Unless the context clearly requires otherwise, the definitions in  
4 this section apply throughout this chapter:

5       (1) (~~("Department" means the department of agriculture of the state~~  
6 ~~of Washington.~~

7       ~~(2) "Director" means the director of the state department of~~  
8 ~~agriculture or the director's authorized representative.~~

9       ~~(3))~~ "Apiary" means a site where hives of bees or hives are kept  
10 or found.

11       (~~(4) "Abandoned hive" means any hive, with or without bees, that~~  
12 ~~evidences a lack of being properly managed in that it has not been~~  
13 ~~supered in the spring, except nucs, or unsupered in the fall, or is~~  
14 ~~otherwise unmanaged and left without authorization and unattended on~~  
15 ~~the property of another person or on public land.~~

16       ~~(5) "Apiarist" means any person who owns bees or is a keeper of~~  
17 ~~bees in Washington.~~

18       ~~(6) "Beekeeping equipment" means any implements or devices used in~~  
19 ~~the manipulation of bees, their brood, or hives in an apiary.~~

20       ~~(7))~~ (2) "Bees" means adult insects, eggs, larvae, pupae, or other  
21 immature stages of the species *Apis mellifera*.

22       (~~(8) "Certificate" or "certificate of inspection" means an~~  
23 ~~official document certifying compliance with the requirements of this~~  
24 ~~chapter and accompanying the movement of inspected bees, bee hives, or~~  
25 ~~beekeeping equipment.~~

26       ~~(9))~~ (3) "Colony" refers to a natural group of bees having a queen  
27 or queens.

28       (~~(10) "Compliance agreement" means a written agreement between the~~  
29 ~~department and a person engaged in apiculture, or handling, selling, or~~  
30 ~~moving of hives or beekeeping equipment in which the person agrees to~~  
31 ~~comply with stipulated requirements.~~

32       ~~(11) "Feral colony" means a colony of bees in a natural cavity or~~  
33 ~~a manufactured structure not intended for the keeping of bees on~~  
34 ~~movable frames and comb.~~

35       ~~(12) "Swarm" means a natural group of bees having a queen or~~  
36 ~~queens, which is the progeny of a parent colony, without a hive, and~~  
37 ~~not a feral colony.~~

1       ~~(13) "Disease" means American foulbrood, European foulbrood,~~  
2 ~~chalkbrood, nosema, sacbrood, or any other viral, fungal, bacterial or~~  
3 ~~insect related disease affecting bees or their brood.~~

4       ~~(14) "Regulated bee pests" means a disease of bees for which~~  
5 ~~maximum allowable limits of infection, or mites, or other parasites are~~  
6 ~~set in rule.~~

7       ~~(15)) (4) "Hive" means a manufactured receptacle or container~~  
8 ~~prepared for the use of bees, that includes movable frames, combs, and~~  
9 ~~substances deposited into the hive by bees.~~

10       ~~((16)) (5) "Person" means a natural person, individual, firm,~~  
11 ~~partnership, company, society, association, corporation or every~~  
12 ~~officer, agent, or employee of one of these entities.~~

13       ~~((17) "Bee pests" means a disease, mite, or other parasite that~~  
14 ~~causes injury to bees.~~

15       ~~(18) "Nets" means a device that is made of fabricated material and~~  
16 ~~that is designed and utilized to prevent the escape of bees from bee~~  
17 ~~hives during transit.~~

18       ~~(19) "Apparently free" means no specified bee pest was found during~~  
19 ~~inspection of survey activities.~~

20       ~~(20) "Substantially free" means levels of specified bee pests found~~  
21 ~~during inspection or survey activities were within established~~  
22 ~~tolerances.~~

23       ~~(21) "Africanized honey bee" means any bee of the subspecies Apis~~  
24 ~~mellifera scutellata.~~

25       ~~(22) "Super" means the portion of a hive in which honey is stored~~  
26 ~~by bees.~~

27       ~~(23) "Broker" means a person, engaged in pollinating agricultural~~  
28 ~~crops, using hives that are owned by another person.~~

29       ~~(24) "Grower" means a person engaged in producing agricultural~~  
30 ~~crops, and a user of honey bees for pollination of the crops.))~~

31       **Sec. 12.** RCW 17.24.007 and 1991 c 257 s 4 are each amended to read  
32 as follows:

33       Unless the context clearly requires otherwise, the definitions in  
34 this section apply throughout this chapter.

35       (1) "Department" means the state department of agriculture.

36       (2) "Director" means the director of the state department of  
37 agriculture or the director's designee.

1 (3) "Quarantine" means a rule issued by the department that  
2 prohibits or regulates the movement of articles, bees, plants, or plant  
3 products from designated quarantine areas within or outside the state  
4 to prevent the spread of disease, plant pathogens, or pests to  
5 nonquarantine areas.

6 (4) "Plant pest" means a living stage of an insect, mite, nematode,  
7 slug, snail, or protozoa, or other invertebrate animal, bacteria,  
8 fungus, or parasitic plant, or their reproductive parts, or viruses, or  
9 an organism similar to or allied with any of the foregoing plant pests,  
10 including a genetically engineered organism, or an infectious substance  
11 that can directly or indirectly injure or cause disease or damage in  
12 plants or parts of plants or in processed, manufactured, or other  
13 products of plants.

14 (5) "Plants and plant products" means trees, shrubs, vines, forage,  
15 and cereal plants, and all other plants and plant parts, including  
16 cuttings, grafts, scions, buds, fruit, vegetables, roots, bulbs, seeds,  
17 wood, lumber, and all products made from the plants and plant products.

18 (6) "Certificate" or "certificate of inspection" means an official  
19 document certifying compliance with the requirements of this chapter.  
20 The term "certificate" includes labels, rubber stamp imprints, tags,  
21 permits, written statements, or a form of inspection and certification  
22 document that accompanies the movement of inspected and certified plant  
23 material and plant products, or bees, bee hives, or beekeeping  
24 equipment.

25 (7) "Compliance agreement" means a written agreement between the  
26 department and a person engaged in growing, handling, or moving  
27 articles, plants, plant products, or bees, bee hives, or beekeeping  
28 equipment regulated under this chapter, in which the person agrees to  
29 comply with stipulated requirements.

30 (8) "Distribution" means the movement of a regulated article from  
31 the property where it is grown or kept, to property that is not  
32 contiguous to the property, regardless of the ownership of the  
33 properties.

34 (9) "Genetically engineered organism" means an organism altered or  
35 produced through genetic modification from a donor, vector, or  
36 recipient organism using recombinant DNA techniques, excluding those  
37 organisms covered by the food, drug and cosmetic act (21 U.S.C. Secs.  
38 301-392).

1 (10) "Person" means a natural person, individual, firm,  
2 partnership, corporation, company, society, or association, and every  
3 officer, agent, or employee of any of these entities.

4 (11) "Sell" means to sell, to hold for sale, offer for sale,  
5 handle, or to use as inducement for the sale of another article or  
6 product.

7 (12) "Noxious weed" means a living stage, including, but not  
8 limited to, seeds and reproductive parts, of a parasitic or other plant  
9 of a kind that presents a threat to Washington agriculture or  
10 environment.

11 (13) "Regulated article" means a plant or plant product, bees or  
12 beekeeping equipment, noxious weed or other articles or equipment  
13 capable of harboring or transporting plant or bee pests or noxious  
14 weeds that is specifically addressed in rules or quarantines adopted  
15 under this chapter.

16 (14) "Owner" means the person having legal ownership, possession,  
17 or control over a regulated article covered by this chapter including,  
18 but not limited to, the owner, shipper, consignee, or their agent.

19 (15) "Nuisance" means a plant, or plant part, apiary, or property  
20 found in a commercial area on which is found a pest, pathogen, or  
21 disease that is a source of infestation to other properties.

22 (16) "Bees" means honey producing insects of the species *apis*  
23 *mellifera* and includes the adults, eggs, larvae, pupae, and other  
24 immature stages of *apis mellifera*.

25 (17) "Bee pests" means a mite, other parasite, or disease that  
26 causes injury to bees and those honey bees generally recognized to have  
27 undesirable behavioral characteristics such as or as found in  
28 Africanized honey bees.

29 (18) "Biological control" means the use by humans of living  
30 organisms to control or suppress undesirable animals and plants; the  
31 action of parasites, predators, or pathogens on a host or prey  
32 population to produce a lower general equilibrium than would prevail in  
33 the absence of these agents.

34 (19) "Biological control agent" means a parasite, predator, or  
35 pathogen intentionally released, by humans, into a target host or prey  
36 population with the intent of causing population reduction of that host  
37 or prey.

38 (20) "Emergency" means a situation where there is an imminent  
39 danger of an infestation of plant pests or disease that seriously

1 threatens the state's agricultural or horticultural industries or  
2 environment and that cannot be adequately addressed with normal  
3 procedures or existing resources.

4 NEW SECTION. **Sec. 13.** The following acts or parts of acts are  
5 each repealed:

6 (1) RCW 15.60.007 and 1994 c 178 s 2, 1993 c 89 s 2, & 1988 c 4 s  
7 14;

8 (2) RCW 15.60.010 and 1994 c 178 s 3, 1993 c 89 s 3, 1975-'76 2nd  
9 ex.s. c 34 s 16, & 1961 c 11 s 15.60.010;

10 (3) RCW 15.60.015 and 1993 c 89 s 4, 1988 c 4 s 2, 1977 ex.s. c 362  
11 s 2, & 1961 c 11 s 15.60.015;

12 (4) RCW 15.60.020 and 1993 c 89 s 5, 1988 c 4 s 3, 1975-'76 2nd  
13 ex.s. c 34 s 17, & 1961 c 11 s 15.60.020;

14 (5) RCW 15.60.025 and 1993 c 89 s 6, 1988 c 4 s 4, & 1977 ex.s. c  
15 362 s 8;

16 (6) RCW 15.60.030 and 1993 c 89 s 7, 1988 c 4 s 5, 1981 c 296 s 7,  
17 1977 ex.s. c 362 s 3, 1965 c 44 s 1, & 1961 c 11 s 15.60.030;

18 (7) RCW 15.60.040 and 1994 c 178 s 4, 1993 c 89 s 8, 1988 c 4 s 6,  
19 1981 c 296 s 8, 1977 ex.s. c 362 s 4, & 1961 c 11 s 15.60.040;

20 (8) RCW 15.60.042 and 1993 c 89 s 9 & 1988 c 4 s 7;

21 (9) RCW 15.60.043 and 1994 c 178 s 5, 1993 c 89 s 10, 1988 c 4 s 8,  
22 1981 c 296 s 9, & 1977 ex.s. c 362 s 9;

23 (10) RCW 15.60.050 and 1994 c 178 s 6, 1993 c 89 s 11, 1988 c 4 s  
24 9, 1977 ex.s. c 362 s 5, & 1961 c 11 s 15.60.050;

25 (11) RCW 15.60.100 and 1993 c 89 s 12, 1988 c 4 s 10, 1981 c 296 s  
26 10, 1977 ex.s. c 362 s 7, & 1961 c 11 s 15.60.100;

27 (12) RCW 15.60.110 and 1993 c 89 s 13, 1988 c 4 s 11, 1977 ex.s. c  
28 362 s 6, & 1961 c 11 s 15.60.110;

29 (13) RCW 15.60.120 and 1993 c 89 s 14, 1988 c 4 s 12, 1981 c 296 s  
30 11, & 1961 c 11 s 15.60.120;

31 (14) RCW 15.60.140 and 1993 c 89 s 15, 1988 c 4 s 13, 1981 c 296 s  
32 12, & 1961 c 11 s 15.60.140;

33 (15) RCW 15.60.150 and 1993 c 89 s 16, 1981 c 296 s 13, & 1961 c 11  
34 s 15.60.150;

35 (16) RCW 15.60.170 and 1993 c 89 s 17, 1991 c 363 s 15, & 1989 c  
36 354 s 64;

37 (17) RCW 15.60.230 and 1993 c 89 s 19; and

38 (18) RCW 15.60.900 and 1977 ex.s. c 362 s 11.

1        NEW SECTION.    **Sec. 14.**    Sections 1 through 6 and 8 of this act are  
2 necessary for the immediate preservation of the public peace, health,  
3 or safety, or support of the state government and its existing public  
4 institutions, and take effect immediately.

5        NEW SECTION.    **Sec. 15.**    Sections 7 and 9 through 13 of this act  
6 take effect January 1, 1999."

7    **SSB 6255** - S AMD - 716  
8        By Senators Morton and Rasmussen

9

10        On page 1, line 1 of the title, after "apiaries;" strike the  
11 remainder of the title and insert "amending RCW 15.62.010, 15.62.020,  
12 15.62.030, 15.62.040, 15.62.070, 15.62.080, 15.62.140, 15.62.300,  
13 15.60.005, and 17.24.007; adding new sections to chapter 17.24 RCW;  
14 repealing RCW 15.60.007, 15.60.010, 15.60.015, 15.60.020, 15.60.025,  
15 15.60.030, 15.60.040, 15.60.042, 15.60.043, 15.60.050, 15.60.100,  
16 15.60.110, 15.60.120, 15.60.140, 15.60.150, 15.60.170, 15.60.230, and  
17 15.60.900; providing an effective date; and declaring an emergency."

--- END ---