

HOUSE BILL REPORT

HB 2515

As Passed House:
February 10, 1998

Title: An act relating to apiaries.

Brief Description: Deregulating apiaries.

Sponsors: Representatives Chandler, Linville and Sterk.

Brief History:

Committee Activity:

Agriculture & Ecology: 1/19/98, 1/26/98 [DP].

Floor Activity:

Passed House: 2/10/98, 78-18.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 9 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Delvin; Koster; Mastin and Sump.

Minority Report: Do not pass. Signed by 2 members: Representatives Cooper and Regala.

Staff: Kenneth Hirst (786-7105).

Background: The Department of Agriculture administers the apiary statutes. Under these statutes, the department is to establish a program for the apiary industry that provides regulatory inspection services, assures the availability of bees for pollination services, combats bee pests, and promotes the vitality of the industry. Among the authorities of the director of Agriculture under the apiary statutes are the authorities to: establish maximum allowable levels of bee pests that may be present for the movement of bee colonies; inspect for pests; mark infested colonies and impound infested or abandoned colonies; establish identification requirements for hives and requirements regarding the handling of bees in transit; and establish standards regarding colony strength, queen bees, and certification.

The statutes prohibit the importation of packaged bees, hives, or used beekeeping equipment without a certification of inspection from the agriculture department of the

state of origin regarding compliance with this state's apiary statutes. They permit persons to secure from the department, on a fee-for-service basis, inspections that facilitate the movement of bees. Under the apiary statutes, abandoning a bee hive, maintaining hives that cannot be readily inspected, taking certain actions to kill or poison bees other than wild bees, and importing Africanized bees (except in certain circumstances) are unlawful acts.

The apiary statutes require persons owning hives, brokers of hives, and non-residents who operate hives in this state to register with the department and to pay a registration fee set by the director by rule. They establish a pollination service fee for each setting of a hive that is used by an agricultural producer. The statutes also establish an apiary advisory committee to advise the director regarding the administration of the apiary program. Registration fees are to be used for the expenses of the advisory committee and may be used to support the department's apiary program or research projects. Pollination service fees are to be used to assist in ensuring the vitality and availability of bees for commercial agricultural pollination services.

The movement of bees, hives, and beekeeping equipment into the state and in transit in the state may also be regulated under other state laws established for the control of insect pests and plant diseases. Under these other statutes, the director may impound bees being transported in the state that are infected or infested.

Summary of Bill: The apiary program administered by the Department of Agriculture under the apiary statutes, including its requirements for registration, registration fees, and pollination service fees, is repealed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: (1) About 75 percent of the bees used for pollination in this state come from out-of-state; since many of these states do not have an apiary inspection program, this state's inspection program is ineffective. (2) Out-of-state beekeepers have indicated that they won't bring their bees into this state if the state insists on having an inspection program. (3) No research is being proposed under the program; research is being funded at the federal level. The program's pesticide protection can be provided under other laws and the state's education functions can be performed by Washington State University (WSU). The state's program affects commercial beekeepers only by registering and taxing them. It should be repealed. (4) The program was originally needed to control diseases, primarily from bees kept by hobbyists. Since managers can combat bee diseases with today's drugs, good managers no longer need the program. Poorly managed hives will be replaced by well managed hives. (5) A state inspection and quarantine program

does not ensure a supply of healthy bees; it only creates costly delays in the movement of bees. (6) Help for beekeepers is not available from the state, but is available from local associations. (7) Those with the majority of the hives in the state have been left out of the state's program. (8) The state's program is a program that is trying to justify its existence. It has conducted just four inspections in five years. It collects revenues just to pay for last year's costs.

Testimony Against: (1) The program is needed, but some do not want to pay for it and are not paying or collecting the current fees. Revenues would have increased if they had. (2) The state's one-man program is not enough, but removing the program altogether is worse. Adjust the program; do not eliminate it. (3) Transforming the program from a regulatory to a helper- role is beyond WSU's ability. The state's program is a good source of educational information. (4) The pollination fee has been in effect for three years and has not deterred keepers from bringing their bees into the state. Growers supported setting up the fee. (5) The state's program is directed by beekeepers; the department takes its direction from an advisory committee made up of people from the industry. (6) The state's program prevented a commercial beekeeper from losing all of his hives to a pesticide used on raspberries and resulted in that pesticide's use on raspberries being stopped in this state. (7) Bees are becoming immune to foulbrood medications. Repealing the program ignores future problems. (8) Those with just a few hives should be represented; they have been the largest contributors to the chair at WSU dedicated to bee research. (9) The department is proposing to eliminate mandatory inspections for now; but would like to retain the authority if it is needed in the future. Its program is for solving problems regarding chemical damage to bees, providing hive access to public lands, and providing technical and educational assistance.

Testified: Ron Brixey, Apiary Advisory Committee; Don Grigs, Grigs Apiary; Sid Hiatt, Hiatt Honey; Chester Ferguson, Rod Jackman, and Paul Schlenvogt, Washington Professional Beekeepers Association; and Larry Dickson, Ted Wirch, and Dean Spellman, Clark County Beekeepers Association (in favor). Eric Olson; Arlene Massey, Bob Stump, and Carl Van Wechel, Washington State Beekeepers Association; John Timmons, Pierce County Beekeepers Association; and Harvard Robbins (opposed). Mary Beth Lang, Department of Agriculture (commented on the bill).