

SENATE BILL REPORT

HB 2515

As Reported By Senate Committee On:
Agriculture & Environment, February 26, 1998

Title: An act relating to apiaries.

Brief Description: Deregulating apiaries.

Sponsors: Representatives Chandler, Linville and Sterk.

Brief History:

Committee Activity: Agriculture & Environment: 2/26/98 [DPA].

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Majority Report: Do pass as amended.

Signed by Senators Morton, Chair; Swecker, Vice Chair; Fraser, McAuliffe, Newhouse and Oke.

Staff: Bob Lee (786-7404)

Background: There are two separate chapters of law, Chapters 17.21 and 15.60 RCW, that provide the Department of Agriculture with similar authority to take action to control the spread of diseases and pests that affect honey bees.

Prior to 1994, the Apiary Program was funded by appropriations from the state general fund. In 1994, the Office of Financial Management deleted general fund monies for the program. As a result, two mechanisms were established to continue funding the apiary program: a 50 cent per hive pollination service fee collected from the horticultural industry, and a registration fee for apiarists ranging from \$5 to \$300 depending on the number of registered hives.

In 1989, a statute authorized the formation of a Honey Bee Commission. The commission has not been established and the statute does not provide a means to activate the commission.

Summary of Amended Bill: A petition may be filed with the Department of Agriculture to form a Honey Bee Commission. The petition is required to contain signatures by at least 15 percent of the registered apiarists who represent at least 15 percent of the hives. A referendum of apiarists is then required to be conducted to determine whether there is support for the formation of a commission.

If the vote to form a commission is approved, there is a process for nomination and election of commission members by vote of apiarists for specific geographic regions. The commission may assess up to 50 cents per hive to fund the activities of the commission. If the commission desires additional revenue, approval by a super majority is required.

The existing graduated registration fee is replaced with a flat fee of \$15. Registration and payment of the fee is voluntary for persons with between one and five hives. This provision takes effect on January 1, 1999.

Authority to regulate the apiary industry is continued under Chapter 17.24 RCW. Similar duplicate authority contained in Chapter 15.60 RCW is repealed. Authority for current activities outlined in the Apiary Program Business Plan are transferred to the Honey Bee Commission. Additionally, the Honey Bee Commission is authorized to identify and fund research projects to control bee pests and other activities to improve the viability of the apiary industry.

The Apiary Advisory Committee is modified so that it can be convened to advise the Director of Agriculture on proposed rules or to address issues of immediate concerns.

Most changes to the Honey Bee Commission take effect immediately. The authority for the commission to establish a fee of up to 50 cents per hive takes effect on January 1, 1999. The pollination service fee of 50 cents per hive is repealed on January 1, 1999. The repeal of specific provisions of Chapter 15.60 takes effect on January 1, 1999.

Amended Bill Compared to Original Bill: The amended bill provides for a petition to call for a vote by apiarist as to whether to create a Honey Bee Commission.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The current apiary program administered by the Department of Agriculture is beneficial to apiarists and should be continued. Fees to support the apiary program should be borne by the apiary sector and not orchardists. Repeal of the program would be short-sighted. A program is needed to reduce the effects of pesticides on bees. Commercial beekeepers have benefitted from the current program and losses of bees to pest and diseases have been reduced as a result of the current program.

Testimony Against: The current apiary program administered by the Department of Agriculture is not beneficial to apiarists and should be abolished. Fees to support the apiary program should be abolished. Reports of surveys by one apiary association indicate support for repeal of the apiary program. Horticulturists no longer support paying a pollination service fee for support of the current apiary program.

Testified: Ron Brixey, WA Pro Beekeepers Association (pro); Eric Olson, Chairman, Apiary Advisory Committee (con); Darrel Massey, Arlene Massey, WSBA (con); Bob Stump, WA State Beekeepers Association (con); Carl Van Wechel, WSBA (con); Harvard Robbins, WSBA (con); John Timmons, Pierce County (con); Robert Bower, Four B's Farm (con); Mary Toohey, WA Dept. Agriculture (con).