

# HOUSE BILL REPORT

## SB 5468

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**As Passed House-Amended:**

April 9, 1997

**Title:** An act relating to apiaries.

**Brief Description:** Promoting beekeeping operations.

**Sponsors:** Senators Rasmussen, Morton, Fraser, Newhouse, Oke and Jacobsen.

**Brief History:**

**Committee Activity:**

Agriculture & Ecology: 3/20/97, 4/3/97 [DPA].

**Floor Activity:**

Passed House-Amended: 4/9/97, 97-1.

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### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass as amended. Signed by 11 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Cooper; Delvin; Koster; Mastin; Regala and Sump.

**Staff:** Kenneth Hirst (786-7105).

**Background:** Nuisances. Certain agricultural activities conducted on farms and certain forest practices are not to be considered to be nuisances. These are agricultural activities and forest practices established before surrounding non-agricultural and non-forestry activities and undertaken in conformity with all applicable laws and rules. In addition, such an agricultural activity may not be restricted as to when it may be conducted.

Pollination Service Fee. In 1994, a pollination service fee was established by statute. It is levied on the use, by growers of agricultural crops, of bee pollination services provided by others. The fee is in the amount of 50 cents for each setting of each hive containing a colony that is used by the grower. The fee is paid by the grower using the service, collected by the beekeeper, and remitted to the Department of Agriculture (WSDA). All such fees are deposited in the Industry Apiary Program account and revenues from the fees are to be used in providing services to the apiary industry that assist in ensuring the vitality and availability of bees for commercial pollination services for the agricultural industry.

Apiary Advisory Committee. The apiary laws establish an advisory committee to advise the WSDA regarding the administration of those laws. The advisory committee may consist of up to 11 members.

**Summary of Bill:** Nuisances. Keeping bees for the pollination of agricultural products is expressly added to the list of agricultural activities that are eligible for the exemption from nuisance control provided by state law.

Pollination Service Fee. The pollination service fee is repealed. The Apiary Advisory Committee, in consultation with the Department of Agriculture, must examine means of offsetting the reduction in revenues resulting from the repealer. The offsetting revenues must be exclusively from sources within the apiary industry. Any recommendation must be reported to the Legislature by December 1, 1997.

Bees on State Lands. The commissioner of Public Lands and the Department of Fish and Wildlife (DFW) must confer with the Apiary Advisory Committee to promote beekeeping to maintain and enhance the pollination of plants for the production of commercial and noncommercial products, and to explore the benefits to resources that could result from locating additional pollinating bees on the lands they manage and the benefits to beekeepers of making additional pasture for domesticated bees available at a reasonable cost. The commissioner and the DFW must report to the Legislature by December 1, 1997, on actions taken to promote beekeeping to maintain and enhance the pollination of plants for the production of commercial and noncommercial products.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** The model honey bee management system is necessary to reduce the conflicts for beekeepers and surrounding communities.

**Testimony Against:** If the pollination service fee is to be repealed, please remove the statutory responsibilities of the WSDA for the apiary program.

**Testified:** Bob Zohler, Washington State Beekeepers Association (in favor of senate bill). and Mary Beth Lang, Department of Agriculture (commented on the bill).