

HOUSE BILL No. 2487

By Committee on Agriculture and Small Business

2-22

This act has provided the regulatory authority needed to control honeybee diseases and assure the orderly movement of honeybees into and out of Kansas since it was enacted 73 years ago. Location of the honeybee tracheal mite (Acarapis woodi) in 10 states in 1984 and the expected entry of the Africanized honeybee into the Southern U.S. in 1988 make it necessary to expand the act to cover regulation of these pests. Without these regulatory measures the movement of honeybees into and out of the State for pollination and honey production will cease or be severely restricted.

No additional funding is anticipated for FY 1985 or FY 1986 due to enactment of this legislation. Expanded surveys implemented to search for the presence of these pests in Kansas will be carried out under the USDA-KSBA Cooperative Pest Survey Program currently in force.

0017 AN ACT concerning the apiary inspection act; defining terms;
0018 authorizing the use of quarantine; amending K.S.A. 2-412,
0019 2-413, 2-414, 2-415, 2-417 and 2-418 and repealing the existing
0020 sections.

0021 *Be it enacted by the Legislature of the State of Kansas:*

0022 Section 1. K.S.A. 2-412 is hereby amended to read as fol-
0023 lows: 2-412. ~~The following terms when used in this act shall be~~
0024 ~~construed as follows~~ *As used in this act: (a) "Apiary" shall be*
0025 ~~construed to mean~~ *means* the place or location where one or
0026 more colonies or nuclei of bees are located.

0027 (b) "Bee" *means a honey-producing insect of the genus Apis*
0028 *including all life stages of the insect.*

Provides definition of the honeybee.

0029 (c) "Colony" ~~shall be construed to mean~~ *means* the bees
0030 inhabiting a single hive or other dwelling place.

0031 (d) "Beekeeping equipment" ~~shall be construed to mean~~
0032 *means* all hives, supers, frames or other devices used in the
0033 rearing or manipulation of bees, their brood, honey or containers
0034 thereof, which may be or may have been used in any apiary.

0035 (e) "Bee parasite" *means any parasite harmful to bees, in-*
0036 *cluding but not limited to, Varroa jacobsoni, Tropilaelaps*
0037 *clareae and Acarapis woodi.*

Provides definition of parasite enemies of the honeybee.

0038 (f) "Disease" ~~shall be construed to mean~~ *means* American
0039 foul brood and any other infectious, contagious or communicable
0040 disease affecting bees or their brood.

0041 (g) "Beekeeper" ~~shall be construed to mean~~ *means* any indi-
0042 *vidual, person, firm, association, or corporation owning, pos-*
0043 *sessing, or controlling one or more colonies of bees for the*
0044 *production of honey, beeswax, or byproducts thereof either for*
0045 *personal or commercial use.*

Expands this definition to include persons keeping bees for pollination purposes.

10

9

8

7

6

5

4

3

2

1

0

9

8

7

6

5

4

3

2

1

0

9

8

7

6

5

4

3

2

1

0

9

8

7

6

5

4

3

2

1

0

9

8

7

6

5

0046 (h) "Eradicate" shall be construed to mean means the com-
 0047 plete destruction by burning or by other method approved by
 0048 the secretary.

Allows methods of eradication other than burning to be used when destruction of equipment is not necessary.

0049 (i) "Board" shall be construed to mean means the state board
 0050 of agriculture.

0051 (j) "Secretary" shall be construed to mean means the secre-
 0052 tary of the state board of agriculture or the authorized represent-
 0053 ative of the board or its secretary.

0054 (k) "Authorized official" shall be construed to mean means
 0055 the state official authorized to inspect apiaries in the state of
 0056 origin of the bees transported.

0057 (l) "Pest bee" means any harmful subspecies of the honey-
 0058 bee, *Apis mellifera*, including but not limited to, *Apis mellifera*
 0059 *scutellata*.

Identifies the Africanized honeybee as a pest bee.

0060 Sec. 2. K.S.A. 2-413 is hereby amended to read as follows:
 0061 2-413. The secretary is authorized to inspect, or cause to be
 0062 inspected, all apiaries, bees, and beekeeping equipment for
 0063 disease, *bee parasite and pest bee* detection and control. The
 0064 secretary shall charge and collect: (a) A fee for each such in-
 0065 spection which shall be fixed by rules and regulations adopted
 0066 by the secretary at a rate which shall not exceed \$30 per hour;
 0067 and (b) the mileage expenses incurred by the inspector for such
 0068 inspection which shall be at the mileage allowance rate pre-
 0069 scribed by rules and regulations adopted under K.S.A. 1982
 0070 Supp. 75-3203a and amendments thereto.

Authorizes the Secretary to inspect for the presence of mite parasites of honeybees and the Africanized honeybee.

0071 Sec. 3. K.S.A. 2-414 is hereby amended to read as follows:
 0072 2-414. If, by reason of any inspection, the secretary, or an autho-
 0073 rized representative of the secretary, is satisfied of the existence
 0074 of any disease or diseases, he or she, *bee parasite or pest bee, the*
 0075 *secretary* shall so notify the beekeeper in writing, stating the
 0076 nature of the disease, *bee parasite or pest bee* and the best
 0077 method of treating same, which treatment shall be administered
 0078 by the beekeeper within ~~ten~~ 10 days thereafter. If said the
 0079 beekeeper fails to treat as recommended by the secretary within
 0080 said ~~ten~~ 10 days, the secretary shall eradicate said the
 0081 *pest bee or diseased or infected* bees and such beekeeping
 0082 equipment as the secretary deems necessary.

Provides for the control or eradication of bee parasites or Africanized honeybees if found in the State.

0083 Sec. 4. K.S.A. 2-415 is hereby amended to read as follows
0084 2-415. (a) All bees, or used beekeeping equipment transported
0085 into the state of Kansas shall be accompanied by a permit, which
0086 shall be issued by the secretary. The beekeeper desiring to
0087 transport such bees or beekeeping equipment into the state shall
0088 make application for the permit on a form supplied by the
0089 secretary. The application shall be accompanied by a certificate
0090 of health certifying that all such bees or used beekeeping
0091 equipment have been inspected by an authorized official within
0092 ~~six months~~ 60 days prior to such transportation; and that such
0093 bees and beekeeping equipment were found apparently free
0094 from any disease or *bee parasite*. The application shall give the
0095 number of colonies of bees to be transported and the legal
0096 description of the location or locations within the state where the
0097 bees are to be kept. Upon receipt of the application for permit,
0098 certificate of health, and the application fee fixed under this
0099 section, the secretary shall consider the number of registered
0100 apiaries located in the area or areas into which the applicant
0101 wishes to place the applicant's bees and if the secretary deter-
0102 mines that the granting of the permit would overburden such
0103 area or areas with bees, the secretary shall deny such permit
0104 until such applicant beekeeper secures acceptable substitute
0105 locations for the placement of the bees.

0106 (b) The application fee for a permit shall be fixed by rule
0107 and regulations adopted by the board so that the fee is computed
0108 on the basis of an amount per colony of bees or an amount per
0109 application, whichever fee is larger, except that such amount
0110 shall not exceed \$.50 per colony of bees or \$5 per application.
0111 The application fee amounts in effect on the day preceding the
0112 effective date of this act shall continue in effect until the board
0113 adopts rules and regulations fixing different application fee
0114 amounts under this section.

0115 Sec. 5. K.S.A. 2-417 is hereby amended to read as follows:
0116 2-417. It shall be deemed a violation of this act for any beekeeper
0117 or other person: (1) To ~~permanently~~ keep bees *permanently* in
0118 boxes, barrels, or other containers which are not equipped with
0119 movable frames; (2) to transport bees or used beekeeping

Provides that honeybees entering Kansas be certified free of bee parasites by the origin state.

Sixty day certificate life is dictated by life cycle of known bee parasites.

The first part of the report deals with the general situation of the country and the position of the various groups. It is a very interesting and well-written account of the situation in the country and the position of the various groups. It is a very interesting and well-written account of the situation in the country and the position of the various groups.

The second part of the report deals with the economic situation of the country and the position of the various groups. It is a very interesting and well-written account of the situation in the country and the position of the various groups.

The third part of the report deals with the social situation of the country and the position of the various groups. It is a very interesting and well-written account of the situation in the country and the position of the various groups.

The fourth part of the report deals with the political situation of the country and the position of the various groups. It is a very interesting and well-written account of the situation in the country and the position of the various groups.

The fifth part of the report deals with the cultural situation of the country and the position of the various groups. It is a very interesting and well-written account of the situation in the country and the position of the various groups.

The sixth part of the report deals with the educational situation of the country and the position of the various groups. It is a very interesting and well-written account of the situation in the country and the position of the various groups.

The seventh part of the report deals with the health situation of the country and the position of the various groups. It is a very interesting and well-written account of the situation in the country and the position of the various groups.

The eighth part of the report deals with the environmental situation of the country and the position of the various groups. It is a very interesting and well-written account of the situation in the country and the position of the various groups.

10

0120 equipment into the state without first obtaining a permit from the
0121 secretary; ~~or~~ (3) to impede, obstruct, or hinder the secretary in
0122 the lawful discharge of the secretary's duties under the provi-
0123 sions of this act; *or (4) to transport knowingly any pest bees into*
0124 *this state or keep pest bees in this state.*

Makes the keeping of the Africanized honeybee illegal.

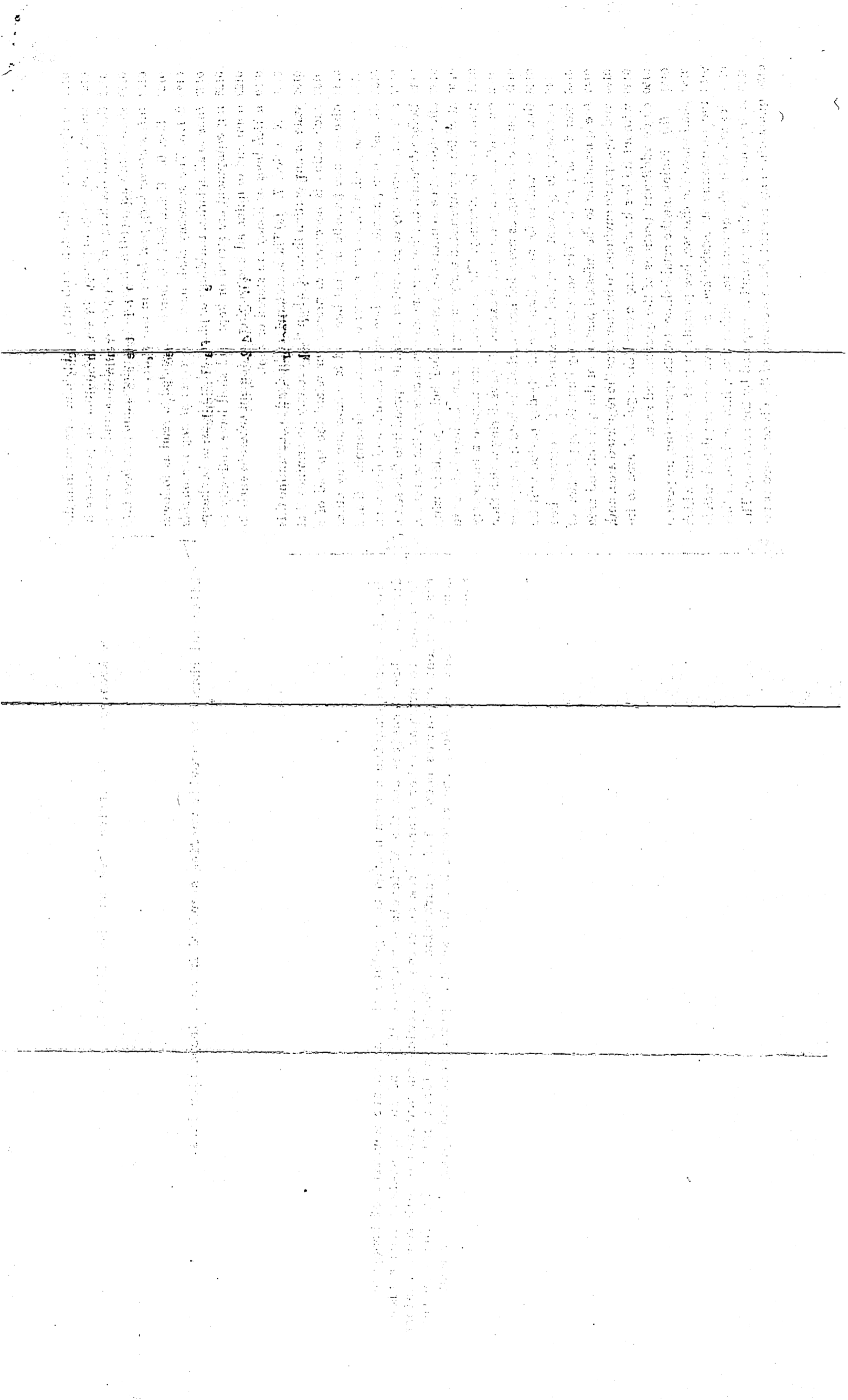
0125 Sec. 6. K.S.A. 2-418 is hereby amended to read as follows:
0126 2-418. The secretary shall have free access *at any reasonable*
0127 *time* to all apiaries, buildings or places where bees, or beekeep-
0128 ing equipment are stored or kept, and shall have authority to
0129 open and examine all beekeeping equipment ~~wherein such in~~
0130 *which* bees or honey are stored or kept.

Editorial change to provide wording standard in most inspection laws.

0131 New Sec. 7. (a) The secretary is authorized to quarantine this
0132 state or any portion thereof when the secretary determines that
0133 such action is necessary to prevent or retard the spread of a
0134 disease, bee parasite or pest bee and to quarantine any other
0135 state or portion thereof whenever the secretary determines that a
0136 disease, bee parasite or pest bee exists therein and that such
0137 action is necessary to prevent or retard its spread into this state.
0138 Before determining that a quarantine is necessary, the secretary,
0139 after due notice to interested parties, shall hold a public hearing
0140 at which any interested party may appear and be heard either in
0141 person or by attorney. The secretary may impose a temporary
0142 quarantine for a period not to exceed 90 days during which time
0143 a public hearing, as provided herein, shall be held if it appears
0144 that a quarantine for more than the ninety-day period will be
0145 necessary to prevent or retard the spread of the disease, bee
0146 parasite or pest bee. The secretary may limit the application of
0147 the quarantine to the infested portion of the quarantined area
0148 and appropriate environs, to be known as the regulated area, and,
0149 without further hearing, may extend the regulated area to in-
0150 clude additional portions of the quarantined area.

Provides for quarantine action needed to regulate the intrastate movement of honeybee diseases, bee parasites and the Africanized honeybee if found in the state. Such action is needed to prevent other states from enacting statewide quarantines or embargoes against the movement of Kansas bees. This quarantine authority is identical to that found in the Kansas Plant Pest Act, the Federal Bee Act and the plant pest and apiary laws of most states.

0151 (b) Following the establishment of the quarantine, no person
0152 shall move the disease, bee parasite or pest bee against which
0153 the quarantine is established or move any regulated article
0154 described in the quarantine, within, from, into or through this
0155 state contrary to the quarantine imposed by the secretary. The
0156 quarantine may restrict the movement of the disease, bee para-



0157 site or pest bee and any regulated articles from the quarantined
0158 or regulated area in this state into or through other parts of this
0159 state or other states and from the quarantined or regulated area in
0160 other states into or through this state and shall impose such
0161 inspection, disinfection, certification or permit and other re-
0162 quirements as the secretary deems necessary to effectuate the
0163 purposes of this section.

0164 (c) This section shall be part of and supplemental to the
0165 apiary inspection act.

0166 Sec. 8. K.S.A. 2-412, 2-413, 2-414, 2-415, 2-417 and 2-418 are
0167 hereby repealed.

0168 Sec. 9. This act shall take effect and be in force from and
0169 after its publication in the statute book.

The first part of the report is a summary of the work done during the past year. It is followed by a detailed account of the work done during the past year, and a list of the publications and reports issued during the year. The report concludes with a list of the members of the staff and a list of the names of the donors of the equipment and materials used during the year.

The second part of the report is a list of the publications and reports issued during the year. It is followed by a list of the members of the staff and a list of the names of the donors of the equipment and materials used during the year.

The third part of the report is a list of the members of the staff and a list of the names of the donors of the equipment and materials used during the year.

The fourth part of the report is a list of the names of the donors of the equipment and materials used during the year.