

2 **HB 2515** - S COMM AMD

3 By Committee on Agriculture & Environment

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 (1) A petition may be filed with the director to conduct a
30 referendum to form a honey bee commission. A referendum shall be
31 conducted if the petition contains the names of at least fifteen
32 percent of the apiarists registered in accordance with RCW 15.60.050 or
33 section 11 of this act during the most recent registration period and
34 that those persons represent fifteen percent of the registered hives.
35 The director shall conduct the referendum by mail.

36 (2) The Washington state honey bee commission shall be established
37 ~~((following approval of a referendum by a majority of the affected~~

1 ~~apiarists and brokers, as set forth in RCW 15.62.140(4) for assessment~~
2 ~~increases)) if approved by:~~

3 (a) Fifty-one percent of the registered hives and sixty-five
4 percent of the registered apiarists voting in the referendum, if those
5 apiarists voting in the referendum represent thirty percent of the
6 registered hives of those voting and if at least thirty percent of the
7 registered apiarists participate in the referendum; or

8 (b) Sixty-five percent of the registered hives and fifty-one
9 percent of the registered apiarists voting in the referendum, if those
10 apiarists voting in the referendum represent thirty percent of the
11 registered hives of those voting and if at least thirty percent of the
12 registered apiarists participate in the referendum.

13 (3) Upon request by the director, an apiarist must submit
14 sufficient documentation to the department verifying the number of
15 hives registered. Failure to provide sufficient documentation shall
16 cause the referendum ballot of that apiarist to be deemed invalid.

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

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

20 (1) ~~((To))~~ May work with the pesticide management program in the
21 department, Washington State University, and others on pesticide
22 labeling and reducing the effect of chemicals on pollinating insects;

23 (2) May provide information to growers, the public, and the media
24 on request;

25 (3) May work with state and federal agencies to increase access for
26 bee forage on public lands and provide information to beekeepers on
27 opportunities to forage bees on public lands;

28 (4) May provide information and technical assistance to beekeepers
29 relating to the control of tracheal and varroa mites and other bee
30 pests;

31 (5) May conduct seminars and field days to educate and train
32 beekeepers in areas of interest to beekeepers;

33 (6) May conduct technical assistance visits to beekeepers' apiaries
34 upon request;

35 (7) May arrange educational seminars on queen selection, breeding,
36 and propagation;

1 (8) May identify and fund research projects that will aid
2 beekeepers in the control of bee pests or that improve the viability of
3 the apiary industry;

4 (9) May elect a chairperson and other officers as it deems
5 advisable;

6 (~~(2) To promulgate~~) (10) May adopt rules (~~(and regulations)~~)
7 under the administrative procedure act, chapter 34.05 RCW, and RCW
8 15.04.200 as necessary to effectuate the purpose and policies of this
9 chapter;

10 (~~(3) To~~) (11) Shall administer and enforce the provisions of this
11 chapter and perform all acts and exercise all powers reasonably
12 necessary to fulfill the purpose thereof;

13 (~~(4) To~~) (12) May employ and discharge advertising agents,
14 attorneys as permitted by the attorney general, agents, and employees
15 as it deems necessary, and (~~(to)~~) prescribe their duties and powers and
16 fix their compensation;

17 (~~(5) To~~) (13) May establish offices, hire employees who shall be
18 exempt from chapter 41.06 RCW, incur expenses which shall not exceed
19 revenues, enter into contracts, and create such liabilities as are
20 reasonable and proper for the administration of this chapter;

21 (~~(6) To investigate and refer violations of this chapter to local~~
22 ~~prosecuting attorneys or special prosecutors appointed by the~~
23 ~~commission and the local prosecuting attorney~~) (14) Shall institute
24 and maintain in its own name any and all legal actions, including
25 actions by injunction, mandatory injunction, or civil recovery, or
26 proceedings before administrative tribunals to other governmental
27 authorities necessary to carry out this chapter;

28 (~~(7) To~~) (15) May contract for scientific research designed to
29 improve production, pollination, management, quality, processing, and
30 distribution and (~~(to)~~) develop and discover uses for products of the
31 honey bee industry;

32 (~~(8) To~~) (16) May make in its name advertising contracts and
33 other agreements necessary to promote the industry and bee products and
34 services in state, national, and foreign markets;

35 (~~(9) To~~) (17) Shall keep accurate records of all commission
36 dealings, which shall be open to public inspection and audit by
37 authorized state agencies;

1 (~~(10)~~—~~Te~~) (18) May contract for research to develop more
2 efficient methods of promoting the honey bee industry and its products
3 and services;

4 (~~(11)~~—~~Te~~) (19) May develop and conduct educational programs for
5 the benefit of industry and (~~te~~) inform the public regarding
6 Washington's honey bee industry;

7 (~~(12)~~—~~Te~~) (20) May enter into contracts and agreements for
8 purposes consistent with this chapter;

9 (~~(13)~~—~~Te~~) (21) Shall publish at least an annual report of its
10 activities and financial status subject to audit by the state auditor;

11 (~~(14)~~—~~Te~~) (22) Shall establish an operating monetary reserve and
12 carry over to subsequent fiscal periods any excess funds in the
13 reserve: PROVIDED, That the reserve funds shall not exceed one fiscal
14 period's budget. The reserve funds shall only be used to defray any
15 expenses authorized under this chapter;

16 (~~(15)~~—~~Te~~) (23) May audit any affected person's records as
17 described in RCW 15.62.200; and

18 (~~(16)~~—~~Te~~) (24) May consider the assessment of honey or
19 manufactured bee supplies produced or sold in Washington. Assessments
20 shall only be levied after a referendum is conducted and approved by a
21 majority vote, as set forth in RCW 15.62.140(4), of persons engaged in
22 the honey bee industry of Washington.

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

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

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

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

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

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

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

34 (3) Terms of office shall end on August 31st of the last year of
35 the elected or appointed term.

36 (4) Any vacancies on the commission shall be filled by a person
37 meeting the qualifications established in (~~section 37 of this act~~)
38 RCW 15.62.060 appointed by the other voting members of the commission.

1 The appointee shall hold office for the remainder of the term, at which
2 time an election for that position shall be conducted.

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

5 (1) Apiarist members of the commission shall be nominated and
6 elected by the apiarists within the district they are to represent in
7 the year in which a member's term expires. The candidate receiving the
8 largest number of votes cast shall be elected. The election shall be
9 by secret mail ballot and shall be conducted by the director, who shall
10 be reimbursed for actual expenses of conducting the election by the
11 commission.

12 (2) The director shall provide forms for the nomination of
13 candidates to each affected person. The nomination form shall provide
14 for the name of the person being nominated and the names of five
15 persons supporting the nomination.

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

19 (4) The nomination forms shall be returned to the director by June
20 30th of the election year, and the director shall not accept any
21 nomination postmarked later than midnight of that date.

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

27 (6) Ballots for electing commission members shall be mailed by the
28 director to all apiarists and brokers in areas where elections are to
29 be held no later than July 15th. Ballots, to be valid, shall be
30 returned to the director postmarked no later than July 31st. Elected
31 persons shall take office effective September 1st of the year elected
32 except, if a referendum is approved before December 31, 1998, initial
33 elections shall take place within one hundred twenty days ((after July
34 23, 1989)) of the date of approval. If a referendum is approved before
35 December 31, 1998, the director has the discretion to set dates for
36 submitting nominations, and mailing out and returning ballots for the
37 initial election of commission members.

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

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

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

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

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

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

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

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

23 (a) The ~~((purpose))~~ priorities of the commission;

24 (b) The extent and probable cost of required research, promotion,
25 and advertising;

26 (c) The extent of ~~((public—convenience,))~~ interest~~((,))~~ by
27 beekeepers and necessity of additional program activities; and

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

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

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

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

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

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

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

9 In the (~~seventh~~) fifth year following the inception of the
10 commission, a referendum shall be conducted by the department (~~of~~
11 ~~agriculture~~) to determine if the commission is still desired by the
12 beekeeping industry in Washington. The commission shall continue if
13 the director finds that affected apiarists and brokers voting in a
14 referendum conducted as for an assessment increase in RCW 15.62.140(4)
15 voted in favor of such continuance, otherwise it shall be terminated or
16 suspended as in RCW 15.62.310.

17 NEW SECTION. **Sec. 9.** A new section is added to chapter 15.62 RCW
18 to read as follows:

19 To recover the costs of seminars, field days, or other educational
20 activities provided under this chapter, the commission may charge
21 reasonable fees of those persons attending the activities.

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

24 The director may establish an apiary advisory committee including
25 members representing the major segments of the apiary industry
26 including commercial and hobby beekeepers, representatives from the
27 Washington State University apiary program or cooperative extension,
28 and receivers of pollination services as deemed appropriate. The
29 advisory committee shall advise the director on apiary issues, and
30 especially apiary issues that require immediate attention or action.

31 The apiary advisory committee shall meet at the call of the
32 director. Members of the committee shall serve without compensation
33 but may be reimbursed for travel expenses incurred in attending
34 meetings of the committee and any other official duty approved by the
35 director, pursuant to RCW 43.03.050 and 43.03.060.

1 The role of the apiary advisory committee is to provide input to
2 the department in regards to the administration of this chapter,
3 including the formulation of any rules relating to inspection of
4 apiaries, movement of bees, quarantine measures, prevention of
5 introduction of new bee pests as defined in RCW 17.24.007(17), and
6 survey and control activities.

7 NEW SECTION. **Sec. 11.** A new section is added to chapter 17.24 RCW
8 to read as follows:

9 (1) Each person owning five or more hives with bees, brokers
10 renting hives, and beekeepers resident in other states who operate
11 hives in Washington shall register with the director on or before April
12 1st each year. Persons owning one to four hives may register with the
13 director and shall do so by April 1st of each year.

14 (2) The registration application shall include the name, address,
15 and phone number of the owner or broker, the number of colonies of bees
16 owned on March 1st of that year and the number of colonies to be
17 brokered or operated in Washington that year, and a fifteen-dollar
18 registration fee.

19 (3) The director shall issue an apiarist identification number to
20 each apiarist registering with the department.

21 (4) The director shall provide a honey bee commission established
22 under chapter 15.62 RCW copies of registration information.

23 NEW SECTION. **Sec. 12.** A new section is added to chapter 17.24 RCW
24 to read as follows:

25 (1) All persons owning or having hives in their possession shall
26 identify their apiary by placing a sign that is conspicuous to anyone
27 approaching the apiary. Sign lettering shall be a minimum of two
28 inches in height and shall include the name and telephone number of the
29 apiarist and the apiarist identification number assigned under section
30 11 of this act. The lettering shall be in a color that contrasts with
31 the color of the sign.

32 (2) In lieu of a sign, the apiary may be identified by displaying
33 the assigned apiarist identification number and telephone number in at
34 least two-inch characters on the side and top of some of the hives in
35 each apiary. The lettering shall be in a color contrasting with the
36 color of the hive, and shall be conspicuous to anyone approaching the
37 apiary location.

1 (3) Apiaries located at the beekeeper's residence and hives being
2 used for tree fruit pollination are exempt from these marking
3 requirements.

4 **Sec. 13.** RCW 15.60.005 and 1994 c 178 s 1 are each amended to read
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter:

8 (1) (~~"Department" means the department of agriculture of the state
9 of Washington.~~

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

12 (3)) "Apiary" means a site where hives of bees or hives are kept
13 or found.

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

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

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

23 ~~(7)) (2) "Bees" means adult insects, eggs, larvae, pupae, or other
24 immature stages of the species Apis mellifera.~~

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

29 ~~(9)) (3) "Colony" refers to a natural group of bees having a queen
30 or queens.~~

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

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

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

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

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

10 ~~(15)) (4) "Hive" means a manufactured receptacle or container~~
11 ~~prepared for the use of bees, that includes movable frames, combs, and~~
12 ~~substances deposited into the hive by bees.~~

13 ~~((16)) (5) "Person" means a natural person, individual, firm,~~
14 ~~partnership, company, society, association, corporation or every~~
15 ~~officer, agent, or employee of one of these entities.~~

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

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

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

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

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

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

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

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

34 **Sec. 14.** RCW 17.24.007 and 1991 c 257 s 4 are each amended to read
35 as follows:

36 Unless the context clearly requires otherwise, the definitions in
37 this section apply throughout this chapter.

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

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

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

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

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

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

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

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

36 (9) "Genetically engineered organism" means an organism altered or
37 produced through genetic modification from a donor, vector, or
38 recipient organism using recombinant DNA techniques, excluding those

1 organisms covered by the food, drug and cosmetic act (21 U.S.C. Secs.
2 301-392).

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

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

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

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

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

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

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

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

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

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

1 (20) "Emergency" means a situation where there is an imminent
2 danger of an infestation of plant pests or disease that seriously
3 threatens the state's agricultural or horticultural industries or
4 environment and that cannot be adequately addressed with normal
5 procedures or existing resources.

6 NEW SECTION. **Sec. 15.** The following acts or parts of acts are
7 each repealed:

8 (1) RCW 15.60.007 and 1994 c 178 s 2, 1993 c 89 s 2, & 1988 c 4 s
9 14;

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

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

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

16 (5) RCW 15.60.025 and 1993 c 89 s 6, 1988 c 4 s 4, & 1977 ex.s. c
17 362 s 8;

18 (6) RCW 15.60.030 and 1993 c 89 s 7, 1988 c 4 s 5, 1981 c 296 s 7,
19 1977 ex.s. c 362 s 3, 1965 c 44 s 1, & 1961 c 11 s 15.60.030;

20 (7) RCW 15.60.040 and 1994 c 178 s 4, 1993 c 89 s 8, 1988 c 4 s 6,
21 1981 c 296 s 8, 1977 ex.s. c 362 s 4, & 1961 c 11 s 15.60.040;

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

23 (9) RCW 15.60.043 and 1994 c 178 s 5, 1993 c 89 s 10, 1988 c 4 s 8,
24 1981 c 296 s 9, & 1977 ex.s. c 362 s 9;

25 (10) RCW 15.60.050 and 1994 c 178 s 6, 1993 c 89 s 11, 1988 c 4 s
26 9, 1977 ex.s. c 362 s 5, & 1961 c 11 s 15.60.050;

27 (11) RCW 15.60.100 and 1993 c 89 s 12, 1988 c 4 s 10, 1981 c 296 s
28 10, 1977 ex.s. c 362 s 7, & 1961 c 11 s 15.60.100;

29 (12) RCW 15.60.110 and 1993 c 89 s 13, 1988 c 4 s 11, 1977 ex.s. c
30 362 s 6, & 1961 c 11 s 15.60.110;

31 (13) RCW 15.60.120 and 1993 c 89 s 14, 1988 c 4 s 12, 1981 c 296 s
32 11, & 1961 c 11 s 15.60.120;

33 (14) RCW 15.60.140 and 1993 c 89 s 15, 1988 c 4 s 13, 1981 c 296 s
34 12, & 1961 c 11 s 15.60.140;

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

37 (16) RCW 15.60.170 and 1993 c 89 s 17, 1991 c 363 s 15, & 1989 c
38 354 s 64;

1 (17) RCW 15.60.230 and 1993 c 89 s 19; and
2 (18) RCW 15.60.900 and 1977 ex.s. c 362 s 11.

3 NEW SECTION. **Sec. 16.** Sections 1 through 6 and 8 of this act are
4 necessary for the immediate preservation of the public peace, health,
5 or safety, or support of the state government and its existing public
6 institutions, and take effect immediately.

7 NEW SECTION. **Sec. 17.** Sections 7 and 9 through 15 of this act
8 take effect January 1, 1999."

9 **HB 2515** - S COMM AMD
10 By Committee on Agriculture & Environment

11
12 On page 1, line 1 of the title, after "apiaries;" strike the
13 remainder of the title and insert "amending RCW 15.62.010, 15.62.020,
14 15.62.030, 15.62.040, 15.62.070, 15.62.080, 15.62.140, 15.62.300,
15 15.60.005, and 17.24.007; adding a new section to chapter 15.62 RCW;
16 adding new sections to chapter 17.24 RCW; repealing RCW 15.60.007,
17 15.60.010, 15.60.015, 15.60.020, 15.60.025, 15.60.030, 15.60.040,
18 15.60.042, 15.60.043, 15.60.050, 15.60.100, 15.60.110, 15.60.120,
19 15.60.140, 15.60.150, 15.60.170, 15.60.230, and 15.60.900; providing an
20 effective date; and declaring an emergency."

--- END ---