

6271

2009-2010 Regular Sessions

I N S E N A T E

November 6, 2009

Introduced by Sen. AUBERTINE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the agriculture and markets law, in relation to beekeeper and apiary surveys

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 173 of the agriculture and markets law, as amended
2 by chapter 430 of the laws of 1985, the closing paragraph as added by
3 chapter 249 of the laws of 2007, is amended to read as follows:
4 S 173. Eradication of bee diseases and certain insects affecting bees.
5 The commissioner may cause inspections to be made of apiaries in the
6 state for the discovery of infectious, contagious or communicable
7 diseases and for the discovery of insects and parasitic organisms
8 adversely affecting bees, and for the discovery of species or subspecies
9 of bees which have been determined by him to cause injury, directly or
10 indirectly, to this state's useful bee population, crops, or other
11 plants. He may also cause investigations to be made as to the best meth-
12 od for the eradication of diseases of bees, insects or parasitic organ-
13 isms adversely affecting bees, or for the eradication of species or
14 subspecies of bees which have been determined by him to cause injury,
15 directly or indirectly, to this state's useful bee population, crops, or
16 other plants and he may plan and execute appropriate methods for such
17 eradication.
18 The commissioner shall have access to all apiaries, structures, appli-
19 ances or premises where bees or honey or comb used in apiaries may be.
20 He may open any hive, colony, package or receptacle of any kind contain-
21 ing or which he has reason to believe contains any bees, comb, bee
22 products, used beekeeping appliances, or anything else which is capable
23 of transmitting contagious or infectious diseases of bees or which is
24 capable of harboring insects or parasitic organisms adversely affecting
25 bees, or species or subspecies of bees which have been determined by him

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD14954-02-9

1 to cause injury, directly or indirectly, to this state's useful bee
2 population, crops, or other plants.
3 [The commissioner may cause surveys of beekeepers and apiary yard
4 locations within the state to be conducted for the purpose of assessing
5 the size and condition of the state's honeybee population. When
6 requested by the commissioner, beekeepers shall disclose the location of
7 their apiary yards and provide any other information required for such
8 surveys. Department records containing information relating to beekeep-
9 ers including, but not limited to, apiary yard locations, shall be
10 exempt from disclosure to the extent authorized by article six of the
11 public officers law. Each beekeeper shall obtain an identification
12 number from the department and post such identification number in a
13 conspicuous place at each apiary yard location.]
14 S 2. This act shall take effect immediately.