S T A T E O F N E W Y O R K

7453

I N S E N A T E

May 15, 2014

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

AN ACT to amend the agriculture and markets law, in relation to bee diseases

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

Section 1. This act shall be known and may be cited as the "honeybee infectious disease verification and eradication (HIVE) act".

S 2. Section 174 of the agriculture and markets law is amended by adding a new subdivision 10 to read as follows:

10. ANY PERSON WHO OWNS BEES OR HIVES KNOWN OR DETERMINED BY THE COMMISSIONER TO BE INFESTED WITH, OR EXPOSED TO, CONTAGIOUS OR INFECTIOUS DISEASES SHALL CAUSE SUCH SAMPLES OF SUCH BEES OR HIVES TO BE PLACED IN A SEALED CONTAINER TO BE HELD FOR COLLECTION BY THE COMMISSIONER OR HIS OR HER DULY AUTHORIZED REPRESENTATIVES. THE COMMISSIONER OR HIS OR HER DULY AUTHORIZED REPRESENTATIVES SHALL COLLECT SUCH SAMPLES FOR THE PURPOSE OF TESTING, ANALYSIS AND RECORD-KEEPING. THE COMMISSIONER SHALL MAINTAIN DATA ON, AS A MINIMUM, THE FOLLOWING:

(A) THE DATE SUCH SAMPLES WERE ACQUIRED;

(B) THE LOCATION FROM WHICH SUCH SAMPLES WERE ACQUIRED;

(C) THE ORIGIN OF THE HIVE FROM WHICH SUCH SAMPLES DERIVE AND ALL LOCATIONS OF SUCH HIVE WITHIN THE LAST FIVE YEARS;

(D) THE CHAIN OF CUSTODY THE HIVE FROM WHICH SUCH SAMPLES DERIVE;

(E) THE TYPE OF DISEASE OR DISEASES IDENTIFIED IN THE SAMPLES;

(F) THE NAME AND CONTACT INFORMATION OF THE PERSON OR BUSINESS THAT SUPPLIED SUCH SAMPLES; AND

(G) ANY FURTHER INFORMATION DEEMED NECESSARY BY THE APIARY INDUSTRY ADVISORY COMMITTEE AND/OR THE COMMISSIONER TO ASSESS THE HEALTH OF THE WILD AND CAPTIVE HONEY BEE POPULATIONS IN THE STATE.

S 3. Section 169-d of the agriculture and markets law is amended by adding a new subdivision 5 to read as follows:

5. THE ADVISORY COMMITTEE SHALL PREPARE A REPORT ON THE WILD AND CAPTIVE HONEY BEE POPULATION IN THE STATE. SUCH REPORT SHALL ADDRESS NO FEWER THAN THE FOLLOWING ISSUES RELATED TO SUCH BEE POPULATIONS:

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

LBD15176-02-4

(A) THE ESTIMATED TOTAL HONEY BEE POPULATION;
(B) SEASONAL BEHAVIOR OF BEES;
(C) MOVEMENTS OF HIVES;
(D) ANY CAUSES OF DISRUPTION IN HONEY BEE POPULATIONS;
(E) DATA MAINTAINED AND RESULTS OF TESTS PERFORMED PURSUANT TO SUBDIVISION TEN OF SECTION ONE HUNDRED SEVENTY-FOUR OF THIS CHAPTER;
(F) AGRICULTURAL, RECREATIONAL, AND OTHER USES OF THE HONEY BEE POPULATION;
(G) ECONOMIC VALUE AND IMPACT OF THE HONEY BEE POPULATION;
(H) THE IMPACT TO THE AGRICULTURE INDUSTRY THAT RESULTS FROM A SIGNIFICANT DECREASE IN THE HONEY BEE POPULATION; AND
(I) ANY OTHER ISSUES AS DETERMINED BY THE COMMISSIONER.

IN ADDITION TO THESE ISSUES, THE REPORT SHALL ALSO INCLUDE, AS A MINIMUM, THE FOLLOWING:

(I) A DISCUSSION OF THE IMPACTS AND CAUSES OF DISEASES AND WAYS TO ALLEVIATE THEM;
(II) THE IMPACT OF CHEMICALS SUCH AS PESTICIDES AND HERBICIDES, INDUSTRIAL EMISSIONS AND AIR QUALITY ON BEES;
(III) RECOMMENDATIONS FOR FURTHER STUDY AND POLICY OPTIONS TO PROTECT HONEY BEE POPULATIONS.

SUCH REPORT SHALL BE COMPLETED NO LATER THAN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION AND SHALL BE UPDATED EVERY FIVE YEARS THEREAFTER. SUCH REPORT SHALL BE MAINTAINED ON THE WEBSITE OF THE DEPARTMENT AND DELIVERED TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY.

S 4. This act shall take effect immediately.