

**2017 HOUSE AGRICULTURE**

**HB 1342**

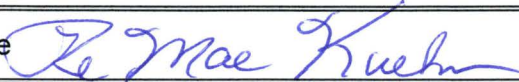
# 2017 HOUSE STANDING COMMITTEE MINUTES

**Agriculture Committee**  
Peace Garden Room, State Capitol

HB 1342  
2/2/2017  
Job #27812

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to beekeeping

## Minutes:

Attachments 1a & 1b

**Samantha Brunner, State Apiary Inspector, North Dakota Dept. Of Agriculture:**  
(Attachments 1a & 1b)

Two years ago we rewrote the apiary law. (Attachment 1a)  
Over the past seven years we have grown by almost 100 beekeepers and nearly 200,000 hives in the state. We are the number one honey producing state in the nation. We are producing about twice as much as the number two ranked state.

In June of 2016 we launched the North Dakota Bee Map which has all the registered apiary locations on a map. It has the ability for a pesticide applicator to enter a location and the map will bring up apiaries within two miles of the field with contact information. We will be making it easier for beekeepers to mark which apiaries are inactive or active.

Our staff is at 1 ½ FTEs. There are two summer temps brought in. The amount of complaints has gone down but the amount of violations handed out has gone up.

**Representative Boschee:** Are you seeing a growth in urban apiaries?

**Samantha Brunner:** We are seeing an increase in small operations.

**Representative McWilliams:** When a farmer lets a beekeeper know that he is about to spray, what is the proximity to the hive that they need to alert the beekeeper?

**Samantha Brunner:** We recommend two miles. It depends on what they are spraying and what the label says. The language is unclear.

**Representative McWilliams:** That looks challenging with very little space between apiaries.

**Samantha Brunner:** A lot of beekeepers will choose to leave their bees where they are at because there isn't a safe place to move them. We can make the communication part easier.

**Representative Schreiber-Beck:** Years ago the beekeepers would lock up their bees. Is that practice still used?

**Samantha Brunner:** They would rather move them.

**Representative Schreiber-Beck:** It is also impossible to spray a field with insecticide because of the close locations.

**Samantha Brunner:** It is a good option.

**Chairman Dennis Johnson:** I was impressed with the program and how they register on the computer. When they register, are they automatically in the system to be contacted by email?

**Samantha Brunner:** They can apply with a paper application. Their phone number will be in the system. The email feature only gets activated if they create an account and sign up for that notification.

**Chairman Dennis Johnson:** It is still the responsibility of the applicator to notify beekeepers.

**Representative McWilliams:** On the map the organic farms are marked in green. How is that significant to the bees?

**Samantha Brunner:** We added sensitive areas to the map. Applicators have all the information in one spot. Towers are also shown for aerial applicators.

(12:00)

Continues with Attachment 1b.

(14:42)

**Chairman Dennis Johnson:** Has confiscation of the hives been an issue?

**Samantha Brunner:** We did come close to confiscating some hives this last summer. But we haven't had to go through that. We are more concerned with the limited budget that we have and that the cost of confiscating a colony could be around \$2,500 and up.

**Vice Chair Trottier:** What is the total production in North Dakota of honey?

**Samantha Brunner:** In 2015 it was 36.26 million pounds. That is recorded by NASS (National Agricultural Statistic Service).

**Vice Chair Trottier:** Is it a problem for beekeepers to blend or mix hives from one colony to another? If you confiscate someone's bees, are they concerned about bringing them into another colony?



**Samantha Brunner:** We would confiscate the bees and place them in a separate location. They would still have their own yard.

**Representative McWilliams:** Under what conditions would you confiscate a hive?

**Samantha Brunner:** We had a landowner that had hives on his property and he did not know who they belonged to. In another situation a homeowner was having an issue with bees in their swimming pool and the beekeeper would not respond.

**Representative Oliver:** I have a constituent that had hives on land and couldn't find the owner. Is the landowner responsible if the hives would have been destroyed?

**Samantha Brunner:** If we can't figure it out, we follow a process and remove them.

**Representative Hogan:** Under Section 1—the denial of a license. How often do you suspend, revoke, or deny a license?

**Samantha Brunner:** We haven't had to do that. We do not issue a license if they have fees or fines from the previous year.

**Representative Hogan:** Adding the appeal mechanism to the Commissioner, do you think many will be appealed?

**Samantha Brunner:** That is new language so I don't know.

(20:14)

**Bonnie Woodworth, Beekeeper from Halliday, Director for the Beekeepers' Association:** We have 4,000 colonies. We had trouble with the wind taking the signs off so am in favor of the bill.

**Representative Headland:** There are metal signs that work in the wind. Would you consider adding that to this bill?

**Bonnie Woodworth:** Metal signs would be expensive. We use a weather proof plastic. We have 125 locations.

**Representative Headland:** I posted my land for \$20. That includes the sign and post and would be useable for years.

**Bonnie Woodworth:** Our biggest problem is fixing them to the hives. They would have to be custom made name, address, phone number, etc.

Also in reference to spraying when bees are present, the label dictates all pollinators. So even if we move our hives, they still would have to be compliant with wild bees in the area.

**Representative McWilliams:** With the growth of honey bees, are we seeing a decline of aerial applicators?

**Bonnie Woodworth:** I wouldn't know. We have sunflowers that are sprayed. It depends on the chemical.

**Representative Schreiber-Beck:** What is your practice when an aerial applicator communicates with you?

**Bonnie Woodworth:** We try to move the hives but it is hard to find a safe zone. We try to communicate use of more bee-friendly pesticides. Last year we received zero calls. We did not see damage.

**Representative Skroch:** Do you have data/history on reports of beehives being damaged by aerial applicators?

**Bonnie Woodworth:** We have had bee kills. We reported to the Agriculture Department with samples taken.

**Representative Skroch:** Would you be able to produce that data?

**Bonnie Woodworth:** I think the Agriculture Department could give data. Many beekeepers don't report it though because they want to get along with their landowners.

We ask for a Do Pass on the bill.

**Marcia Gifford, Beekeeper from Mandan:** I am in support of the number not having to be on the top box. The boxes get moved around over the summer. It would be easier to be displayed elsewhere.

**Representative Schreiber-Beck:** Can you stencil on the boxes?

**Marsha Gifford:** You move them so frequently. I staple it to the top box. Sometimes the wind blows off the top boxes.

**Representative Schreiber-Beck:** Is it easier on a post?

**Marsha Gifford:** In some locations it would be. Sometimes there is a fence post.

**Representative Schreiber-Beck:** I hear from the aerial applicators that there is a site listed but nothing is there. How often do you go back and edit the sites?

**Marsha Gifford:** When you register your bee locations, you maybe don't use that spot for that year. We haven't worked with editing the map yet.

**Representative Schreiber-Beck:** Is there a way to make sure those are active sites?

**Chairman Dennis Johnson:** Metal signs stay bright year after year. Put it on a steel post and it could be moved to another site.

**Representative McWilliams:** If there was a bee colony not registered, is there liability?

**Samantha Brunner:** Beekeepers register all the sites whether they use them or not. We have discussed using rulemaking changes to push for updates on the map. We are working on purchasing GPS units to let beekeepers check out so they can upload the location of their yards which increases accuracy.

One problem with metal signs is they get bullet holes.

**Representative McWilliams:** If there was a bee colony that was not registered and an aerial applicator sprayed in that field, is there liability to the applicator?

**Samantha Brunner:** It is the EPA that regulates what the label says. The department takes a different approach. But the beekeeper has the option of suing the applicator.

**Opposition:** None

**Representative Headland:** Moved Do Pass

**Representative Howe:** Seconded the motion

A Roll Call vote was taken: Yes 13, No 0, Absent 1.

Do Pass carries.

**Representative Howe** will carry the bill.



**2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1342**

House **Agriculture** Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

**Recommendation**

- Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
**Other Actions:**     Reconsider     \_\_\_\_\_

Motion Made By Rep. Headland Seconded By Rep. Howe

Representatives	Yes	No	Representatives	Yes	No
Chairman Dennis Johnson	X		Rep. Joshua Boschee	X	
Vice Chairman Wayne Trottier	X		Rep. Kathy Hogan	X	
Rep. Jake Blum	X				
Rep. Craig Headland	X				
Rep. Michael Howe	X				
Rep. Dwight Kiefert	X				
Rep. Jeffery Magrum	AB				
Rep. Aaron McWilliams	X				
Rep. Bill Oliver	X				
Rep. Bernie Satrom	X				
Rep. Cynthia Schreiber Beck	X				
Rep. Kathy Skroch	X				

**Total**    **Yes**    13                      **No**    0

**Absent**    1

Floor Assignment    Rep. Howe

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1342: Agriculture Committee (Rep. D. Johnson, Chairman)** recommends **DO PASS**  
(13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1342 was placed on the  
Eleventh order on the calendar.



**2017 SENATE AGRICULTURE**

**HB 1342**

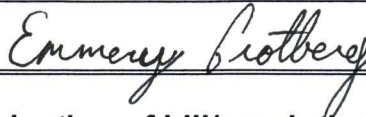
# 2017 SENATE STANDING COMMITTEE MINUTES

**Agriculture Committee**  
Roosevelt Park Room, State Capitol

HB 1342  
3/2/2017  
Job # 28619

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to beekeeping

## Minutes:

Attachments: #1 - 2

**Chairman Luick:** Opened the hearing on HB 1342.

**Samantha Brunner, State Apiary Inspector, NDDA:** Introduced HB 1342. Miss Brunner provided the committee with an update of the apiary industry in ND (See Attachment #1b).

(3:20) **Chairman Luick:** Is there some coordination to running this program or is it all online?

**Samantha Brunner:** We do manage it so we can still put stuff into the map. If a beekeeper decides they don't want anything to do with the map, they still have to register all of their stuff with us and we put it into the map. We play an active role with it and that is how we manage our licensing now.

**Chairman Luick:** But you don't have to get in the middle of those conversations?

**Samantha Brunner:** Correct. It will automatically go and we can see after the fact that it went but we are not in the middle of that.

Miss Brunner continued her summary of the program (See Attachment #1b).

(6:30) **Senator Piepkorn:** Do any of these diseases/viruses/pathogens cause a concern for public health?

**Samantha Brunner:** No, there are no concerns.

Miss Brunner continued her summary of the program (See Attachment #1b) and Testified in Support of HB 1342 (See Attachment #1a).

(10:38) **Senator Piepkorn:** Regarding that last paragraph, do you find that you or the agriculture department have to do some of the removing/confiscation/disposal?

**Samantha Brunner:** No, we have not had to confiscate any bees or equipment but it could be a costly venture.

**Senator Piepkorn:** So this is a preventative measure?

**Samantha Brunner:** Yes. This is new language and we haven't had to implement it yet but it is something that we have come close enough to that we are aware could be a problem.

**Senator Klein:** The concern is always about the identification. Can you physically check every placement and is it part of your job to make sure they are complying with the law?

**Samantha Brunner:** Yes. We have been able to be reactive but not proactive. If we get a complaint, we have been able to get out and look at that. If we drive by hives while looking at other things, we do stop and look. Up until now, we haven't been able to devote time specifically to do random checks of beekeepers and their compliance.

**Senator Klein:** Two years ago, we had concern about the nuisance in district 10. Are those complaints slowing down? Are the bad actors concentrated in particular areas?

**Samantha Brunner:** I don't know if those bad actors are centered in any particular area. I have seen complaints slowdown from that northeast part of the state and I think that is due to beekeeper's response. The beekeepers in that area have done a great job of making sure that their hives are registered and identified. I did receive a couple calls from that area this last summer but the beekeepers were very responsive. I would usually get the call after they talked to the beekeeper and I never received a follow-up call. It seems the beekeepers are doing a good job.

**Senator Myrdal:** Most of the complaints I have heard is that the hives are too close to the road. Were those the complaints you were getting?

**Samantha Brunner:** Yes and no. I think the people from that area understand we can't do anything about that. Most of the complaints we received in the past were issues of bees in yards or just that the hives were not registered.

**Senator Piepkorn:** Could 4H kids be involved in hive checking?

**Samantha Brunner:** Right now the beekeepers pay a \$0.15 fine and a \$5 license fee and those fees were being deposited into the state's general fund. House Appropriations has put in the bill that those funds would actually be deposited into an account that we could access so in upcoming years, we will have money to hire more temporary staff to help us cover the state and be more proactive. It would come to approximately \$180,000 per biennium so we could easily hire two more temps to do that proactive checking.

**Senator Klein:** Is there any requirement where they can place the bees?

**Samantha Brunner:** They are often coming in with big equipment and it is sometimes more difficult to get the bees off the road. I know there has been a big push with the beekeeper's



association to tell their members to get them off the road as far as they can so that we do not run into these legislative issues.

**Chairman Luick:** In reality, at what distance can the hives be located away from the road to keep them from hitting vehicles?

**Samantha Brunner:** It depends on what is around the road but I don't think I can give you a good answer to that. It would be situation by situation.

**Committee Discussion:** The committee discussed the habits of bees and the benefit bees are to health and crops.

**Senator Larsen:** What is the fine for not have the boxes identified?

**Samantha Brunner:** We start with a \$50 fine and we issue the fine for not having identification. If they fix it, they don't have to pay the \$50 fine. If they don't fix it within the allotted time, they would be responsible for the fine and still be required to fix the signage.

**Senator Larsen:** Is that just per incident or box that isn't identified?

**Samantha Brunner:** They have to have one sign in each location. We have been proactive and when our pesticide inspectors are driving around, they look at

**Chairman Luick:** Do you think the laws are sufficient to address the concerns in this testimony?

Chairman Luick provided the committee with Opposition testimony from **Kevin Hermann, Beulah, ND** (See Attachment #2).

**Samantha Brunner:** I understand where he is coming from. The challenge is that the law is that the signage needs to be facing the entrance of the apiary but depending on the way you approached the hives, you may not see that identification.

**Chairman Luick:** Do you think the changes we made a few years ago is sufficient at this point?

**Samantha Brunner:** I think the increased sizing on the name and phone number makes a difference, it makes some people feel more comfortable to know that they are licensed and they have a number. When we go out, we can see both and we always know who it is. I haven't had any situation where I felt that the requirements we had in law weren't working. One of the reasons I feel like we are getting fewer calls is because the beekeepers are getting more calls and taking care of the problems.

**Chairman Luick:** Closed the hearing on HB 1342.

**Senator Piepkorn:** Moved Do Pass on HB 1342.

**Senator Myrdal:** Seconded the motion.



**Senator Larsen:** I am concerned about the number of hives that are not identified and it is only a \$50 fine. Do we need to consider raising the fee?

**Senator Piepkorn:** Well perhaps this change in not having it on the top box but having it simply prominently displayed will help alleviate some of those problems.

**Tom Bodine, ND Agriculture Department:** We have a guide we go by. It starts at \$50 but for every violation after the first offense it goes up so we can go all the way to \$5,000 in those cases. We do give the discretion first. We want people to fix it but if it comes to a situation where they are not, we have the ability to increase violations and we have.

**A Roll Call Vote Was Taken: 5 yeas, 0 nays, 1 absent.**

**Motion carried.**

**Senator Piepkorn will carry the bill.**

Date: 3/2  
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1342

Senate Agriculture Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Sen. Piepkorn Seconded By Sen. Myrdal

Senators	Yes	No	Senators	Yes	No
Senator Luick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Senator Piepkorn	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Senator Myrdal	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Senator Klein	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Senator Larsen	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Senator Osland	<input type="checkbox"/>	<input type="checkbox"/>			

Total Yes 5 No 0

Absent 1

Floor Assignment Sen. Piepkorn

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1342: Agriculture Committee (Sen. Luick, Chairman)** recommends **DO PASS**  
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1342 was placed on the  
Fourteenth order on the calendar.

**2017 TESTIMONY**

**HB 1342**



COMMISSIONER  
DOUG GOEHRING



2/2/17  
ndda@nd.gov  
www.nd.gov/ndda

HB 1342

**NORTH DAKOTA  
DEPARTMENT OF AGRICULTURE**

STATE CAPITOL  
600 E BOULEVARD AVE DEPT 602  
BISMARCK ND 58505-0020

**Apiary Program**

**Beekeeping in North Dakota**

	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
Registered Colonies	440,473	478,027	484,398	482,660	522,940	587,430	601,441
Apiaries	10,136	10,252	10,618	11,149	12,521	13,830	14,780
Licensed Beekeepers	182	197	201	206	228	264	277

**North Dakota Pollinator Plan- Updated version**

**National Agricultural Genomics Center- Fargo, ND**

- 2016
  - Collected 276 honey bee samples
  - Tested for 9 viruses, 2 bacterial pathogens
  - Results
    - 26%- NO PATHOGENS
    - 32%- European Foulbrood (bacterial infection-treatable)
    - 27%- Deformed Wing Virus (strongly related to Varroa Mite levels)
    - Other viruses found, symptoms are difficult to identify
      - 39%- Lake Sinai Virus-1
      - 17%- Black Queen Cell Virus
      - 7% - Lake Sinai Virus-2
      - 3%- Chronic Bee Paralysis Virus
    - 4 viruses and 1 pathogen were NOT found
      - American Foulbrood (bacterial infection- best treatment is burning of hive and equipment)
      - Acute Bee Paralysis Virus
      - Kashmir Bee Virus
      - Israeli Acute Bee Paralysis Virus
      - Slow Bee Paralysis Virus

- 2017
  - The Department was Granted \$20,000 from the Farm Bill to pay for genomics testing
  - Use 100% of funding to pay for sample testing – 400 Samples
  - Cover travel and supplies out of our budget
- The lab is working on adding more honey bee pathogens to the list for testing and the ability to determine the quantity of the virus or pathogen that is present

### Violations and Complaints

	2014	2015	2016
<b>Complaints</b>			
Total	25	97	53
Too close to roads		9	7
No landowner permission		18*	14*
No/improper ID		6	3
Bothersome		13	10
Unregistered		19	15
Other		32	5
Number of people who filed complaints	18	55	37
<b>Violation letters</b>			
Total number of locations	112	72	120
Number of beekeepers receiving violations		36	45
Types of violations			
No landowner permission (locations)	6	8	9
No/Improper ID (locations)		31	89
Unregistered (locations)	106	49	83
No Beekeeper License (beekeepers)	0	1	8

\*Some beekeepers did not receive violations for no landowner permission because the issue had been settled to the landowner's satisfaction prior to further involvement by the department.

### ND Bee Map

- Launched June 2016
- All locations were uploaded into the map
- Current Features
  - Beekeepers
    - Register hive locations
    - Apply for licenses
    - Sign up for pesticide notifications

- Differentiate between active and inactive locations
- Pesticide Applicators
  - Locate beekeepers near application areas
  - Send notifications through the map
  - Receive notifications on new bee locations
- Public
  - Locate hives
  - Identify beekeepers and contact information
- **Future Plans**
  - Mass upload of apiary locations and changes- will be able to edit spreadsheets and upload them
  - This feature should allow increased accuracy in hive locations and should assist in increasing communication between beekeepers, applicators and NDDA.

16

COMMISSIONER  
DOUG GOEHRING



ndda@nd.gov  
www.nd.gov/ndda

**NORTH DAKOTA**  
**DEPARTMENT OF AGRICULTURE**  
STATE CAPITOL  
600 E BOULEVARD AVE DEPT 602  
BISMARCK ND 58505-0020

**Testimony of Samantha Brunner**  
**State Apiary Inspector**  
**House Bill 1342**  
**House Agriculture Committee**  
**Peace Garden Room**  
**February 2, 2017**

Chairman Johnson and members of the House Agriculture Committee, I am Samantha Brunner, State Apiary Inspector for the North Dakota Department of Agriculture (NDDA) here representing Agriculture Commissioner Doug Goehring. I am here today in support of HB 1342, which will make a few changes to the beekeeping law in North Dakota.

The NDDA regulates all beekeepers in the state through licensing and registration of beekeepers and apiary (hive) locations.

Language has been added to the section on denial of a beekeeping license which would make the beekeeping law consistent with language used in other agriculture chapters. It would allow the Commissioner more options for not issuing a license and gives the beekeeper the option to request a hearing if their license was not issued.

The proposed changes to the identification of an apiary would remove the language requiring beekeepers to place their 3 digit identification number on the top box. To ensure that the number is still placed in a location that will be easily identifiable the language "prominently displayed" was added. This language was also added to the requirements for the beekeeper's name and phone number. Throughout the summer beekeepers are constantly moving honey supers, which during the summer make up the top 2-5 boxes of a hive. They will add new boxes to the top of

1



the stack, take some off or just swap boxes around. During the summer that top box could easily change over a dozen times. Keeping the identification number at the top not only became challenging because of all this movement but it also does not allow them other placement options that would meet the intent of the law such as placing the number on a sign hanging on a post in the yard.

After many discussions with the North Dakota Beekeeper's Association Board members and numerous other beekeepers we came to an agreement on language and decided that removing the language requiring them to keep that number on the top box would be agreeable to most involved. The language in this bill would maintain the requirement that they post that 3 digit beekeeper identification number however, they would have more freedom on where that number is located. The wording in this bill will still ensure that the number is placed in a location that is easily identifiable.

The last change in this bill, under confiscation and disposal, would make the beekeeper responsible for costs incurred while moving their hives due to illegal activities. They would have to pay all costs as well as any other civil penalties imposed prior to the return of their equipment and bees. The Department currently does not have the money budgeted to cover the cost of confiscation and maintenance. The department would like to request the fees collected from a seizure be returned to the department to replace the cost of enforcement action.

Chairman Johnson and committee members, I urge a do pass on HB 1342. I would be happy to answer any questions you may have.

COMMISSIONER  
DOUG GOEHRING



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**NORTH DAKOTA  
DEPARTMENT OF AGRICULTURE**

STATE CAPITOL  
600 E BOULEVARD AVE DEPT 602  
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**Testimony of Samantha Brunner  
State Apiary Inspector  
House Bill 1342  
Senate Agriculture Committee  
Roosevelt Park Room  
March 2, 2017**

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  - The Department was Granted \$20,000 from the Farm Bill to pay for genomics testing
  - Use 100% of funding to pay for sample testing – 400 Samples
  - Cover travel and supplies out of our budget
- The lab is working on adding more honey bee pathogens to the list for testing and the ability to determine the quantity of the virus or pathogen that is present

### Violations and Complaints

	2014	2015	2016
<b>Complaints</b>			
Total	25	97	53
Too close to roads		9	7
No landowner permission		18*	14*
No/improper ID		6	3
Bothersome		13	10
Unregistered		19	15
Other		32	5
Number of people who filed complaints	18	55	37
<b>Violation letters</b>			
Total number of locations	112	72	120
Number of beekeepers receiving violations		36	45
Types of violations			
No landowner permission (locations)	6	8	9
No/Improper ID (locations)		31	89
Unregistered (locations)	106	49	83
No Beekeeper License (beekeepers)	0	1	8

\*Some beekeepers did not receive violations for no landowner permission because the issue had been settled to the landowner's satisfaction prior to further involvement by the department.

### ND Bee Map

- Launched June 2016
- All locations were uploaded into the map
- Current Features
  - Beekeepers
    - Register hive locations
    - Apply for licenses
    - Sign up for pesticide notifications

- Differentiate between active and inactive locations
- Pesticide Applicators
  - Locate beekeepers near application areas
  - Send notifications through the map
  - Receive notifications on new bee locations
- Public
  - Locate hives
  - Identify beekeepers and contact information
- **Future Plans**
  - Mass upload of apiary locations and changes- will be able to edit spreadsheets and upload them
  - This feature should allow increased accuracy in hive locations and should assist in increasing communication between beekeepers, applicators and NDDA.

**Luick, Larry E.**

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**From:** Kevin Herrmann <kherrmann@bepc.com>  
**Sent:** Thursday, March 2, 2017 2:48 AM  
**To:** Luick, Larry E.  
**Cc:** Myrdal, Janne; Klein, Jerry J.; Larsen, Oley L.; Osland, Arne; Piepkorn, Merrill  
**Subject:** Senate Agriculture committee hearing on House Bill 1342

**CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Chairman Luick

Please include this email as my written testimony on House Bill 1342.

Thank you

Kevin Herrmann  
300 Fair St. SW  
Beulah, ND  
701-873-4163

Chairman Luick and Agriculture committee members. My name is Kevin Herrmann, 300 Fair St. SW, Beulah, ND. I was not able to make to the hearing today due to working my scheduled dayshift. I oppose House Bill 1342 section 2 of this bill. The wording change to 4.1-16-09 Identification of apiary will not improve in identifying the beekeeper number, beekeeper name and phone number. For the 2016 bee apiary season, I did notice some bee apiaries have no notice of identification or there was just the beekeeper number without beekeeper name or phone number. I did email Samantha Brunner with some locations of violation of 4.1-16-09. Once the inspector is done checking any of the bee apiary, the beekeeper knows the inspector probably will not be back throughout the rest of season. As the summer season continue, I notice the identification of bee apiary box was no longer on top according to the current century code or the bee apiary box was at the bottom or no identification on any of boxes period. There needs to be more part-time inspectors in North Dakota in order for the beekeepers to follow the century code. In 2015 64<sup>th</sup> legislative session, Senate Bill 2925 was the rewrite of 4.1-16 Bee Apiaries in the century code. It did not

improve in getting the beekeepers to follow the identification of apiary. Beekeepers know in this state that it is easier to not follow the century code due to no hard violations to hurt the beekeeper financially.

There is still a problem with areas that have bee apiaries too close to roads. In 2013 63<sup>rd</sup> legislative session, House Bill 1343 would had an apiary setback which did not pass.

Why aren't the beekeepers enforced to follow the century code?

Thank you for taking the time in reading my testimony.

Kevin Herrmann