

Introduced: 1/28/83
Referred: Resources and
Finance

1 IN THE HOUSE

BY MALONE AND PHILLIPS

2

HOUSE BILL NO. 139

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act providing a penalty for violation of a law or
7 regulation relating to bees and beekeeping equip-
8 ment."

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10

* Section 1. AS 03.47 is amended by adding a new section to read:

11

Sec. 03.47.035. PENALTY. A person who violates this chapter or

12

a regulation adopted under this chapter is guilty of a class B misde-

13

meanor.

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 139
Title Penalty for violation re: bees and beekeeping equipment
Requested by House Resources Date 2/22/83

II. FISCAL DETAIL

Agency Affected Department of Natural Resources
Program Category Affected Division of Agriculture
BRU, Program, Or Subprogram(s) Affected _____
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		-				
TOTAL	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						
	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE Feb 22, 1983 PREPARED BY John Ringstad

AGENCY House Resources

Original: Legislative Finance PHONE 465-3715

cc: Budget and Management
Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)

The following individuals are expected to testify on HB 139:

Rep. Hugh Malone, prime sponsor

Bob Arnold, Deputy Commisioner, Department of Natural Resources

slaughtered or destroyed and the name of the inspector who ordered the animal slaughtered or destroyed. The Department of Administration, with the approval of the Department of Environmental Conservation, shall pay the owner of the animal slaughtered or destroyed two-thirds of the difference between the appraised value and the salvage value of the animal slaughtered or destroyed. The appraised valuation of each slaughtered animal may not exceed \$175 in the first judicial district and not more than \$200 in the second and third judicial districts and not more than \$250 in the fourth judicial district. No payment may be made if at the time of inspection, test or destruction, the animal was upon the premises of any person to which it had been sold, shipped or delivered for the purpose of being slaughtered. No payment may be made unless the owner has complied with all lawful quarantine regulations. (§ 33-3-18 ACLA 1949; am Executive Order No. 51, § 14 (1981))

Effect of amendments. — The 1981 amendment substituted "Department of Environmental Conservation" for "Department of Natural Resources" following "approval of the" in the second sentence.

Chapter 47. Bees and Beekeeping Equipment.

Section	Section
10. Importation	30. Duties of the division
20. Importation of bees	40. Definitions

Sec. 03.47.010. Importation. The importation into the state of bees on bee combs and used beekeeping equipment is prohibited. Section comb honey for human consumption may be imported into the state. (§ 1 ch 55 SLA 1982)

Sec. 03.47.020. Importation of bees. All bees imported into the state shall be accompanied by a health certificate that states that the bees come from an apiary apparently free of bee diseases and that is signed by an apiary inspector determined to be qualified by the division. (§ 1 ch 55 SLA 1982)

Sec. 03.47.030. Duties of the division. (a) The division shall investigate reported cases of diseased bees and cases of diseased bees discovered by the division.

(b) The division shall take action necessary to prevent the spread of bee diseases. Bees or used beekeeping equipment found to contain the causative organisms of American foulbrood (*Bacillus larvae*) or European foulbrood (*Streptococcus pluton*) shall be immediately quarantined and treated within five days by

(1) chamber fumigation using ethylene oxide or other gases approved by the division;

(2) sterilization by boiling in lyewater for at least 15 minutes; or

7.030
ed the
ation,
ation,
birds
line of
each
strict
s and
ay be
l was
ed or
ay be
regu-
§ 14
ources"
second
bees
ction
state.
p the
t the
at is
divi-
ives-
bees
ad of
n the
) or
uar-
ases
or

(3) destruction of bees, bee combs, and frames by burning followed by burying 18 inches deep.

(c) Notwithstanding (b) of this section, hive boxes, top and bottom boards found to contain the causative organisms of American foulbrood (*Bacillus larvae*) or European foulbrood (*Streptococcus pluton*) may be salvaged by scorching inside surfaces and edges using a flame to produce a light brown charring of the wood unless the boxes, top and bottom boards are in poor condition due to weathering, rotting or ant tunneling.

(d) A quarantine imposed under this section may not be removed until infected bees and used beekeeping equipment are destroyed or the division determines through testing that the used beekeeping equipment is free of the disease.

(e) The division shall adopt regulations necessary to carry out the purposes of this chapter. (§ 1 ch 55 SLA 1982)

Sec. 03.47.040. Definitions. In this chapter

(1) "bees" means honey-producing insects of the genus *Apis* and includes the adults, eggs, larvae, pupae, and other immature stages of the insect;

(2) "division" means the division of agriculture, Department of Natural Resources;

(3) "used beekeeping equipment" means equipment that has been used to feed or house bees, including hive boxes, frames, pollen traps, queen excluders, inner covers, supers, tops, bottom boards, slatted racks, and bee combs, or other wooden or plastic beehive parts that have been in contact with honeybees. (§ 1 ch 55 SLA 1982)

Chapter 53. Transportation of Animals.

Section

10. Transportation of animals on state ferries: Health certificates

Sec. 03.53.010. Transportation of animals on state ferries: Health certificates. (a) No animals may be transported into the state aboard a ferry operated by the division of marine transportation of the Department of Transportation and Public Facilities unless the animal's owner, custodian or attendant possesses a valid health certificate for the animal. This certificate shall accompany the animal or be in the possession of the animal's owner, custodian or attendant aboard the ferry and shall be presented when requested by an employee of the state ferry system at the time the owner, custodian or attendant makes arrangements to transport the animal, boards the ferry with the animal, or at any other time.

(b) For the purpose of this section, "health certificate" means a legible certificate executed on an official form of the state or province of

Edmund K Knutsen
Box 1525
Soldotna, Ak 99669
Feb. 4, 1983

Representative Hugh Malone
Pouch V
Juneau, Ak 99811

Dear Hugh,

I want to thank you personally for the quick response to the problems in Beekeeping.

I have read the copy of HB 139 and think it is what we need. I also called Dave Tozier and John Cramer and they both were pleased about the bill. Dave was going to call others in the Fairbanks area.

Please let us know when the hearings are scheduled.

Thank you for your interest in Alaska Beekeeping.

Sincerely,

Ed. Knutsen
Ed Knutsen

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

February 21, 1983

SUBJECT: Class B misdemeanors

TO: Representative John Ringstad
Attn: John Manley

FROM: James H. Lear
Legislative Counsel



The following list lists references to those crimes in the Alaska Statutes punishable as class B misdemeanors:

AS 08.13.190 -- practicing barbering, hairdressing, or cosmetology without a license; temporary permit or student permit.

AS 08.36.340 -- violation of AS 08.32 (dental hygienists) or 08.36.340 (dentistry) when no specific penalty is provided.

AS 08.68.340 -- violation of nursing license laws (usually without "knowingly or intentionally" doing so).

AS 08.70.170 -- violation of AS 08.70 (nursing home administrators).

AS 08.71.180 -- practicing as a dispensing optician without a license.

AS 08.80.460 -- violation of AS 08.80 (pharmacy act).

AS 08.86.210 -- violation of AS 08.86 (psychologists and psychological associates).

AS 11.31.100(d)(5) -- attempt to commit a class A or class B misdemeanor.

AS 11.31.110(c)(5) -- solicitation to commit a class A or class B misdemeanor.

AS 11.46.150 -- theft in the fourth degree.

AS 11.46.220 -- concealment of merchandise with a value of less than \$50.

AS 11.46.260 -- removal of identification marks with a value of less than \$50.

AS 11.46.270 -- unlawful possession of property with a value of less than \$50.

AS 11.46.280 -- issuing a bad check with a face amount of less than \$50.

AS 11.46.285 -- fraudulent use of a credit card to obtain property or services with a value of less than \$50.

AS 11.46.330 -- criminal trespass in the second degree.

AS 11.46.486 -- criminal mischief in the fourth degree.

AS 11.46.530 -- criminal simulation of object of less than \$50.

AS 11.56.350 -- unlawful evasion in the second degree.

AS 11.56.780 -- hindering prosecution in the second degree.

AS 11.56.830 -- impersonating a public servant.

AS 11.61.110 -- disorderly conduct.

AS 11.61.120 -- harassment.

AS 11.61.145(d)(2) -- second and subsequent offenses of promoting an exhibition of fighting animals by attending exhibition.

AS 11.61.150 -- obstruction of highways.

AS 11.61.220 -- misconduct involving weapons in the third degree.

AS 11.61.240 -- criminal possession of explosives to commit a class A or class B misdemeanor.

AS 11.66.100 -- prostitution.

AS 11.66.200 -- second and subsequent offenses of gambling.

AS 11.71.060 -- misconduct involving controlled substances in the sixth degree.

AS 15.56.020 -- campaign misconduct in the second degree.

AS 15.56.090 -- improper subscription to petition.

AS 16.10.265 -- purchase of fish from seller who does not hold entry permit.

AS 16.10.267 -- failure by fish seller to possess an entry permit and identification.

AS 16.43.360 -- violation of AS 16.43 (regulation of entry into Alaska commercial fisheries).

AS 23.20.115 -- unauthorized disclosure of labor information.

AS 23.20.485 -- false statement to secure benefits under AS 23.20 (Alaska employment security act)

AS 28.10.493 -- transferring vehicle ownership in violation of AS 28.10.271 or 28.10.291.

AS 46.03.790 -- violation of AS 46.03 (environmental conservation) or AS 46.04 (oil pollution control).

AS 46.06.080 -- littering.

AS 47.17.068 -- failure to file report of abuse or neglect of a child as required under AS 47.17.020.

AS 47.25.610 -- violation of AS 47.25.430 - 47.25.615 (old age assistance).

JHL:ljb

Introduced: 1/28/83
Referred: Resources and
Finance

1 IN THE HOUSE

BY MALONE AND PHILLIPS

2

HOUSE BILL NO. 139

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act providing a penalty for violation of a law or

7

regulation relating to bees and beekeeping equip-

8

ment."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 03.47 is amended by adding a new section to read:

11

Sec. 03.47.035. PENALTY. A person who violates this chapter or

12

a regulation adopted under this chapter is guilty of a class B misde-

13

meanor.