

\* \* \* Apiaries \* \* \*

Sec. 5. 6 V.S.A. § 3023 is amended to read:

§ 3023. REGISTRATION; REPORT

(a) Registration. A person who is the owner of any bees, apiary, colony, or hive in the State shall register with the Secretary in writing on a form provided by the Secretary.

(b) Report. Annually the owner of any bees, apiary, colony, or hive registered under subsection (a) of this section shall submit a report to the Secretary that includes all of the following information:

(1) The location of all apiaries and number of colonies that the person owns. The location of an apiary shall become its registered location upon approval of the Secretary under section 3034 of this title.

(2) Whether the location of any apiary will change within two weeks of the date that the report is submitted unless the change of location is to provide pollination services and the colonies will be returned to a registered apiary. Hives from a registered apiary may be moved to another registered apiary without reregistering.

(3) Whether a serious disease was discovered within any hive or colony in a registered apiary.

(4) Whether the owner transported into the State any colonies or used equipment, except as authorized under subsection 3032(c) of this title.

(5) Whether the owner is engaged in the rearing of queen bees or any other bees for sale, if applicable.

(6) A current varroa mite and pest mitigation plan for each registered apiary.

( C ) Report. Upon detection, the discovery of American Foul Brood or any disease determined serious by the secretary

Sec. 6. 6 V.S.A. § 3025 is amended to read:

§ 3025. SECOND INSPECTION OF DISEASED COLONIES;

DESTRUCTION

The Secretary or his or her inspectors shall inspect all diseased apiaries a second time no less than 10 days after the first inspection. If the existence of disease within the apiary has been confirmed by a ~~an accredited~~ federal laboratory, the inspector may destroy any colonies of bees if he or she finds them not cured of such disease, or not treated or handled according to his or her instructions, together with honey combs, hives, or other equipment, without recompense to the owner thereof. This section shall not preclude an inspector from destroying diseased colonies at any time with the consent of the owner or his or her agent.

Sec. 7. 6 V.S.A. § 3028 is amended to read:

§ 3028. TRAFFIC IN BEES; INSPECTION; CERTIFICATION

A person engaged in the rearing of bees for sale shall have his or her apiary inspected by the Secretary ~~prior to sale~~ at least ~~twice during~~ ~~once each~~ summer season and, if any disease is found which is injurious to bees, shall at once cease to ship bees from such diseased apiary until the Secretary declares, in writing, such apiary free from all such diseases, and whenever the Secretary shall find the apiary rearing bees for sale free from disease, he or she shall furnish the owner with a certificate to that effect.

Sec. 8. 6 V.S.A. § 3032 is amended to read:

§ 3032. TRANSPORTATION OF BEES OR USED EQUIPMENT INTO

THE STATE

(a) Except as provided under subsections (c) and (d) of this section, bees, used equipment, or colonies shall not be brought into the State of Vermont unless approved by the Secretary by permit. The Secretary shall not approve the import of bees, used equipment, or colonies from out of state unless accompanied by a valid certificate of inspection within the previous 60 days from the state or country of origin stating that the bees, used equipment, or bee colonies are free from bee disease.

(b) Any person, other than a common carrier, who knowingly transports or causes to be transported used equipment or colonies to a point within this State shall provide the Secretary with ~~a copy of the certificate of inspection not more than 72 hours after an approved import permit and certificate of inspection no less than 10 days prior to~~ entry into this State.

(c) This section shall not apply to a shipment of bees, equipment, or colonies that originated outside the State and is destined for another point that is also located outside this State.

(d) The Secretary shall not require an import permit or a valid certificate of inspection under subsection (a) of this section for bees, used equipment, or colonies that:

(1) are registered in Vermont;

(2) were transported not more than 75 miles from the registered location of the owner of the bees or colonies; and

(3) are imported back into the State within ~~90~~ 30 days of the date of original transport.

Sec. 9. 6 V.S.A. § 3033 is amended to read:

§ 3033. SHIPPING BEES OR EQUIPMENT INTO ANOTHER STATE OR

COUNTRY; APPLICATION FOR INSPECTION; EXPENSES;

## CERTIFICATE

(a) If an owner wishes to ship bees or equipment into another state or country he or she may apply to the Secretary for an inspection for ~~serious~~ bee diseases likely to prevent the acceptance of the bees or beekeeping equipment in the state or country.

(b) Upon receipt of the application, or as soon thereafter as may be conveniently practicable, the Secretary shall comply with the request.

Sec. 10. 6 V.S.A. § 3034 is amended to read:

### § 3034. ESTABLISHING AN APIARY LOCATION

No person shall locate an apiary within two miles of an existing apiary registered to a different person, with the following exceptions:

(1) a person may locate an apiary anywhere on ~~his or her own~~ property ~~that the person owns or controls~~;

(2) beekeepers with a total ownership of ten hives or less shall be exempt from this restriction;

(3) existing apiaries so long as they are properly registered with the State are exempt;

(4) a person may locate an apiary within two miles of another existing apiary provided the owner of the existing apiary gives written permission or the existing apiary has less than 15 hives;

(5) if a registered apiary of 15 or more hives should fall below and remain below 15 hives, anyone can petition the State and establish an apiary within two miles of the existing apiary provided the number of hives in the existing apiary stays below 15 for two years from the time of the petition. An apiary that loses the protection of the two-mile limit in this manner cannot be built back above the number of hives it had at the end of the two-year period.

