

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT
INTERIM COMMITTEE**

Wednesday, August 19, 2015 – 10:30 A.M. – Room 30 House Building

Members Present:

Sen. Scott K. Jenkins, Senate Chair
Rep. Lee B. Perry, House Chair
Sen. Allen M. Christensen
Sen. Margaret Dayton
Sen. Jani Iwamoto
Sen. Peter C. Knudson
Sen. Evan J. Vickers
Rep. Scott H. Chew
Rep. Jack R. Draxler
Rep. Susan Duckworth
Rep. Stephen G. Handy
Rep. Mike K. McKell

Rep. Justin J. Miller
Rep. Michael E. Noel
Rep. Kraig Powell
Rep. Douglas V. Sagers
Rep. Mike Schultz

Members Absent:

Rep. Melvin R. Brown

Staff Present:

Mr. J Brian Allred, Policy Analyst
Ms. RuthAnne Frost, Associate General Counsel
Ms. Katie LeFevre, Legislative Assistant

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Perry called the meeting to order at 10:44 a.m.

MOTION: Sen. Jenkins moved to approve the minutes of the July 10, 2015, July 11, 2015, and July 15, 2015, meetings. The motion passed unanimously with Sen. Iwamoto, Rep. Noel, and Rep. Schultz absent for the vote.

2. R.S. 2477 Report

Ms. Kathleen Clarke, Coordinator, Public Lands Policy Coordinating Office, reported on state efforts to identify and designate R.S. 2477 rights-of-way. She said that the R.S. 2477 plan, adopted the Constitutional Defense Council, has been established for the purpose of asserting, defending, and litigating state and local government rights and claims.

Ms. Clarke and Mr. Anthony Rampton, Assistant Attorney General, Public Lands Section Chief, answered questions from the committee about possible appeals. Mr. Rampton informed the committee that the federal government could appeal a decision regarding R.S. 2477.

3. Public Lands Policy Coordinating Office Activities and Expenditures

Ms. Clarke gave an update on the implementation of the state sage grouse plan. She explained the Public Policy Coordinating Office's efforts in negotiating with the federal government. She outlined the potential economic impact of the sage grouse being listed as endangered. Ms. Clarke reviewed the activities and expenditures of the Public Lands Policy Coordinating Office.

4. Beekeeping

Rep. Marc Roberts explained that the number of people keeping bees as a hobby has increased. He outlined the benefits of urban beekeeping and talked about its growth. Rep. Roberts identified mandatory hive registration as a challenge facing hobbyist beekeepers.

Mr. Stan Moulton, Licensed Beekeeper, Utah, explained foulbrood to the committee. He informed the committee that it is a disease affecting honey bee hives and can be transferred to other hives. He explained that antibiotics can keep foulbrood under control, but can't eradicate it.

Rep. Roberts outlined his proposed legislation "Beekeeping Modifications" (2016FL-0403/004).

Ms. LuAnn Adams, Commissioner, Utah Department of Agriculture and Food, and Mr. Joey Caputo, Apiary Inspector, Utah Department of Agriculture and Food, addressed the committee. Comm. Adams discussed the importance of bees to agriculture in Utah. She clarified that a beekeeper with 1-20 hives is considered a hobbyist beekeeper. She explained how the Utah Department of Agriculture and Food works with the counties to inspect beehives. She also discussed the collaborative process of using pesticides.

Mr. Caputo explained the current loss of hives and various factors contributing to the decline in bees. He discussed how the Utah Department of Agriculture and Food supports beekeepers in maintaining healthy hives.

Mr. Caputo provided additional information on foulbrood explaining that it is highly contagious and recovery is unlikely without antibiotics. He informed the committee that because foulbrood is a spore disease, the spores can be active for 40 years and therefore requires beekeepers to destroy contaminated equipment. Mr. Stephen Stanko, Utah Department of Agriculture and Food, demonstrated a healthy hive sample and hive sample with foulbrood.

Mr. Caputo reported that less than 1% of hives in the state have foulbrood. He discussed the methods used by the Utah Department of Agriculture and Food to achieve a low rate of foulbrood, including antibiotics, registration and inspections, and beekeeper awareness. He urged the committee to act in a way that supports the current methods for maintaining healthy beehives.

Rep. Draxler expressed his support for bee registration.

Mr. Sterling Brown, Vice President, Utah Farm Bureau, informed the committee that members of Future Farmers of America may keep a beehive as a summer project and asked the committee to consider how these beekeepers would be affected by registration. The Farm Bureau's primary concern is protecting farmers and possible penalties for unregistered bees.

Mr. Connor Boyack, President, Libertas Institute, explained that he is also a beekeeper and suggested that bee associations and social media currently provide the education and information beekeepers need.

Mr. Richard Homer, President, Davis County Beekeeper Association, explained that he used to believe bee registration was not helpful. He then shared his appreciation for the support and assistance that the Utah Department of Agriculture and Food provided. He appreciates having their expertise as a resource. He also spoke in favor of the \$10 registration fee and the importance of having city ordinances related to beekeeping.

Mr. Jim Jones, owner, Mountain Spring Honey Company, shared his experience with bees. He explained that he rarely had foulbrood cases in the past, but now sees foulbrood cases more frequently. He outlined how destructive two hives with foulbrood can be. As a business owner, he voiced his fear of deregulation of bees. He supports Comm. Adams and the Utah Department of Agriculture and Food.

Mr. Kurt Stembridge, member of the public and beekeeper, emphasized he was representing his personal views, though he is a registered lobbyist. He expressed his concern that the Utah Department of Agriculture and Food to receive the funding they need to help keep bees healthy. He said that he once lost 27 of 50 hives to foulbrood. He updated the committee on the current health of his hives since using the antibiotics and expressed his appreciation for the department's efforts.

Mr. Michael Stevenson, owner, Stevenson Honey Company, informed the committee that there were about five other commercial beekeeping companies in his area. He explained that he operates over 2,000 colonies and that a hobbyist beekeeper unaware of potential diseases threatens his business.

Mr. Gaylon Yack, owner, Yack Brothers Honey Company, informed the committee that the honey company has about 7,000 to 10,000 colonies. He explained that they depend on the state to uphold laws and regulate bees. He outlined the benefits of commercial beekeeping to the state and how deregulating bees is a serious safety concern.

Mr. Albert Shuback, Utah Director, Western Agricultural Society, informed the committee that deregulating beehives will impact other states. He informed the committee that he teaches classes on beehives and the majority of people who buy from him are first time beekeepers. He shared an example of some unmaintained and uncontrolled hives that spread foulbrood in the surrounding area. He explained that the owners did nothing to treat the infected hives. He emphasized the hazard of foulbrood and stressed the importance of regulation.

Rep. Roberts shared his closing thoughts on his proposal that registration be voluntary.

5. Committee Conclusions and Recommendations on "A Performance Audit of Projections of Utah's Water Needs" (Report #2015-01)

This item was not discussed and will be on the agenda for the October meeting.

6. Other Items/Adjourn

MOTION: Sen. Jenkins moved to adjourn the meeting. The motion passed unanimously with Sen. Christensen, Sen. Dayton, and Sen. Vickers absent for the vote.

Chair Perry adjourned the meeting at 12:29 p.m.