

Date of Hearing: May 19, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Lorena Gonzalez, Chair
AB 719 (Committee on Agriculture) – As Amended April 22, 2021

Policy Committee: Agriculture Vote: 11 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill updates the Apiary Protection Act (APA). Specifically, this bill:

- 1) Increases the membership of the Apiary Board (Board), from five to eight members, requires six of the eight board members to be registered California beekeepers that represent specified industry functions, requires the California Agricultural Commissioners and Sealers Association to annually designate one of its members to serve as the seventh non-voting board member and authorizes the Secretary of the California Department of Food and Agriculture (CDFA) to appoint an eighth public board member. This bill authorizes the Board to vote to terminate a board member, with or without cause, with final approval by the CDFA secretary.
- 2) Allows the CDFA secretary to revise the definition of “pest,” in consultation with the Board and the association representing the beekeeping industry.
- 3) Extends certain requirements under the APA to a broker, defined as a person engaged in pollinating agricultural crops for a fee using hives owned by another person. Under existing law, failure to comply with a requirement of the APA, which this bill expands, is a crime.
- 4) Finds that the CDFA’s pest inspection program should include training for inspectors or commissioners in apiculture, with curriculum approved by the CDFA secretary.
- 5) Specifies that an apiary inspection, as specified, can occur only if: (a) the beekeeper is given 48-hour advance notice, (b) the beekeeper or the beekeeper’s approved person is present during the inspection and (c) the inspector uses proper sanitation protocols.
- 6) Authorizes the CDFA secretary or a county agricultural commissioner (CAC) to impose an administrative civil penalty for violations of the law relating to honey production.
- 7) Allows the CDFA secretary to consult with the Board, instead of the University of California, to approve voluntary colony management training programs for beekeepers, inspectors or commissioners.

FISCAL EFFECT:

Costs of an unknown amount, but likely in excess \$150,000 (General Fund), to CDFA to revise the definition of “pest,” update pest inspection and bee training programs and consult with the Board, as specified. In particular, expanding the definition of “pest,” without a clearer scope of

what is intended, may require increased staff time for inspections, diagnostics and abatement activities for CDFA and CACs. This bill does not grant CDFA authority to adjust assessments and fees to cover increased costs.

COMMENTS:

- 1) **Purpose.** This bill is sponsored by the California State Beekeepers Association. According to the author, most of the Food and Agricultural Code related to apiary dates back to the 1980s and no longer represents the industry's best practices. The intent of this bill is to update important definitions and notification requirements due in part to technological changes in the beekeeping industry.
- 2) **Apiary Board.** California has the largest beekeeping industry of any state in the nation, with 400 commercial and semi-commercial beekeepers operating nearly 500,000 colonies of bees. California is also the national leader in honey production, producing over 3.2 million pounds of honey each year. The Board advises CDFA on all beekeeping matters, and makes recommendations to CDFA regarding oversight of the industry. AB 719 makes a number of changes to the APA, including expanding Board membership and authorizing the Board to vote to terminate a board member, with or without cause. While outdated statutes governing the beekeeping industry warrant revision, addition of this provision to terminate a board member without cause appears unprecedented and unnecessary.

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