

**Sixty-fifth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2017**

HOUSE BILL NO. 1342
(Representatives D. Johnson, Boschee, Monson, Schreiber-Beck)
(Senators Luick, Oban, Piepkorn)

AN ACT to amend and reenact sections 4.1-16-05, 4.1-16-09, and 4.1-16-11 of the North Dakota Century Code, relating to beekeeping.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4.1-16-05 of the North Dakota Century Code is amended and reenacted as follows:

4.1-16-05. License - Grounds for denial.

1. The agriculture commissioner may suspend, revoke, or refuse to grant a license to any person who:
 1. a. Has repeatedly violated this chapter;
 2. b. Failed to pay an adjudicated civil penalty for violating this chapter, within thirty days after a final determination that the civil penalty is owed; or
 3. c. Provided false or misleading information in connection with any application or notification required by this chapter.
2. Any person denied a license under this section may request a hearing before the commissioner within thirty days after the date of the denial.

SECTION 2. AMENDMENT. Section 4.1-16-09 of the North Dakota Century Code is amended and reenacted as follows:

4.1-16-09. Identification of apiary.

1. A beekeeper shall identify each apiary for which the beekeeper is responsible by:
 - a. Affixing a three-digit identification number, assigned by the agriculture commissioner, ~~to the uppermost box of a hive that is~~ prominently displayed and visible upon approach to the apiary's main entrance, provided each digit is at least three inches [7.62 centimeters] high, one-half inch [1.27 centimeters] wide, and weather-resistant; and
 - b. Displaying the beekeeper's name and phone number in a location that is prominently displayed and visible upon approach to the apiary's main entrance, provided the numbers and letters used are at least one and one-half inches [3.81 centimeters] high and weather-resistant.
2. Any apiary that is not identified, as required by this section, may be subject to seizure by the commissioner.

SECTION 3. AMENDMENT. Section 4.1-16-11 of the North Dakota Century Code is amended and reenacted as follows:

4.1-16-11. Confiscation and disposal.

Except as provided for in section 4.1-16-10, the agriculture commissioner or a law enforcement officer may confiscate bees, hives, or beekeeping equipment, being transported or maintained in

violation of this chapter. Any bees, hives, or beekeeping equipment, confiscated under this section, must be disposed of pursuant to a court order or an administrative order issued by the commissioner, unless the beekeeper or other responsible person appears to claim the property and pay any costs incurred by the commissioner due to the confiscation and any civil penalties imposed under this section.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1342.

House Vote: Yeas 86 Nays 4 Absent 4

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2017.

Approved at _____ M. on _____, 2017.

Governor

Filed in this office this _____ day of _____, 2017,

at _____ o'clock _____ M.

Secretary of State