

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 540

Introduced by Holdcroft, 36.

Read first time January 22, 2025

Committee: Agriculture

- 1 A BILL FOR AN ACT relating to the Nebraska Apiary Act; to amend sections
2 81-2,165.01 and 81-2,166, Reissue Revised Statutes of Nebraska; to
3 define a term; to create the Nebraska Apiary Advisory Board and
4 provide objectives and duties for such board; to provide a
5 requirement for the Board of Regents of the University of Nebraska
6 to create a full-time educator position as prescribed; to harmonize
7 provisions; and to repeal the original sections.
8 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 81-2,165.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 81-2,165.01 Sections 81-2,165 to 81-2,180 and sections 3 to 6 of
4 this act shall be known and may be cited as the Nebraska Apiary Act.

5 **Sec. 2.** Section 81-2,166, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 81-2,166 For purposes of the Nebraska Apiary Act, unless the context
8 otherwise requires:

9 (1) Abandoned apiary means shall—mean any apiary not regularly
10 attended in accordance with good beekeeping practices and which
11 constitutes a disease, parasite, or pest hazard to the beekeeping
12 industry;

13 (2) Apiary means shall—mean any place where one or more colonies of
14 bees or nuclei of bees are located;

15 (3) Bee equipment means shall—mean hives, supers, frames, veils,
16 gloves, or any other apparatus, tool, machine, vehicle, or device used in
17 the handling, moving, or manipulating of bees, honey, wax, or hives,
18 including containers of honey or wax which may be used in any apiary or
19 in transporting bees and their products and apiary supplies;

20 (4) Beekeeper means a person who engages in beekeeping;

21 (5) (4) Beekeeping means shall—mean the moving, raising, and
22 producing of bees, beeswax, and honey which is an agricultural pursuit;

23 (6) (5) Bees means shall—mean any stage of the common honeybee, *Apis*
24 *mellifera* L;

25 (7) (6) Colony means shall—mean the aggregate of worker bees,
26 drones, the queen, and developing young bees living together as a family
27 unit in a hive or other dwelling;

28 (8) (7) Department means shall—mean the Department of Agriculture;

29 (9) (8) Director means shall—mean the Director of Agriculture or his
30 or her designated representative, employee, or authorized agent;

31 (10) (9) Disease means shall—mean American foulbrood, European

1 foulbrood, chalkbrood, sacbrood, paralysis, or any other abnormal
2 condition of egg, larva, pupa, or adult stages of bees;

3 (11) ~~(10)~~ Exotic disease, parasite, or pest means shall mean any
4 disease, parasite, or pest not known to be established in this state;

5 (12) ~~(11)~~ Hive means shall mean a frame hive, box hive, box, barrel,
6 log gum, skep, or any other receptacle or container, natural or
7 artificial, or any part thereof, which is used or employed as a domicile
8 for bees;

9 (13) ~~(12)~~ Nuclei means shall mean a small mass of bees and combs of
10 brood used in forming a new colony;

11 (14) ~~(13)~~ Parasite means shall mean any harmful organism living in
12 or on bees, including, but not limited to, Varroa jacobsoni, Acarapis
13 woodi, and Tropilaelaps clareae; and

14 (15) ~~(14)~~ Pest means shall mean any harmful subspecies of the
15 honeybee Apis mellifera, including, but not limited to, Apis mellifera
16 scutellata.

17 Words used in the act shall be construed to import either the plural
18 or singular, as the case demands.

19 **Sec. 3.** (1) The Nebraska Apiary Advisory Board is created.

20 (2) The Nebraska Apiary Advisory Board shall consist of the director
21 and the following members appointed by the director:

22 (a) At least one beekeeper who keeps at least one apiary in Nebraska
23 and is also an active member of a beekeeping club or organization;

24 (b) At least one commercial beekeeper who resides in Nebraska; and

25 (c) At least one beekeeper who keeps bees either as a hobbyist, with
26 little to no income generated, or as a sideliner, for whom beekeeping
27 serves as a secondary source of income.

28 (3) The Nebraska Apiary Advisory Board may include up to one
29 representative from the University of Nebraska who specializes in
30 entomology and posses apiculture expertise. Any such representative shall
31 be invited by the director to be a member of the Nebraska Apiary Advisory

1 Board. Any such representative shall not be required to serve as a
2 member.

3 (4) In the event of a vacancy by an appointed member of the Nebraska
4 Apiary Advisory Board, the director shall appoint a replacement member to
5 serve the remainder of the vacating member's term.

6 (5) The director shall serve as chairperson of the Nebraska Apiary
7 Advisory Board.

8 (6) Members of the Nebraska Apiary Advisory Board shall serve
9 without compensation but shall be entitled to receive reimbursement for
10 expenses pursuant to sections 81-1174 to 81-1177.

11 **Sec. 4.** The objectives of the Nebraska Apiary Advisory Board
12 include, but are not limited to:

13 (1) Provide feedback to identify research gaps and prioritize needs
14 to improve the health and habitat of managed and wild bees in Nebraska;

15 (2) Provide feedback to determine actionable steps and protection
16 plans focused on resolving issues identified by the Apiary Advisory
17 Board; and

18 (3) Work with the Legislature to achieve a healthy and sustainable
19 bee population in Nebraska.

20 **Sec. 5.** The Nebraska Apiary Advisory Board shall examine existing
21 statutes, rules, regulations, policies, and practices in Nebraska and the
22 United States relating to bee populations and make recommendations that
23 include the following:

24 (1) How the state should focus efforts relating to understanding,
25 preventing, and recovering from bee population losses;

26 (2) The food production systems in Nebraska that rely on bee
27 populations and the impact on such systems without sufficient bee
28 populations; and

29 (3) How the state should develop and coordinate education programs
30 to promote public knowledge about the effects of the loss of the bee
31 population and how private individuals and businesses can help address

1 the loss of the bee populations.

2 **Sec. 6.** The Board of Regents of the University of Nebraska shall
3 create a full-time educator position in the extension service at the
4 University of Nebraska at Lincoln. In addition to empirical knowledge in
5 the field of entomology, this educator shall have specific knowledge in
6 the area of apiculture, and shall be an educational and informational
7 resource to all patrons of the university system, including hobbyist,
8 sideliner, and commercial beekeepers.

9 **Sec. 7.** Original sections 81-2,165.01 and 81-2,166, Reissue Revised
10 Statutes of Nebraska, are repealed.