

which by their abundance or habits are declared a nuisance, and these species shall not be protected. Rules adopted shall include, but are not limited to, a provision that states that any bat, except for the Indiana bat, which is found within a building that is occupied by human beings is not a protected nongame species.

Approved April 5, 1993

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## CHAPTER 21

### BEES AND BEEKEEPING

*H.F. 401*

**AN ACT** relating to bees and beekeeping, repealing a section, and making penalties applicable.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 160.1A, subsection 2, Code 1993, is amended by striking the subsection.

Sec. 2. Section 160.1A, Code 1993, is amended by adding the following new subsection:  
**NEW SUBSECTION. 5.** "Package" means a shipping cage exclusively containing adult bees, without beeswax combs.

Sec. 3. Section 160.2, Code 1993, is amended to read as follows:  
**160.2 DUTIES.**

The state apiarist shall ~~give~~ do all of the following:

a. Give lectures and demonstrations in the state on the production of honey, the care of the apiary, the marketing of honey, and upon other kindred subjects relative to the care of bees and the profitable production of honey; ~~shall examine.~~

b. Examine bees, combs, and ~~appliances~~ equipment in any locality which the apiarist may suspect of being African in origin or ~~infected~~ infested with a parasite or foulbrood or any other contagious or infectious disease common to bees; ~~and shall regulate.~~

c. Regulate bees, combs, and used ~~appliances~~ equipment moving across state borders.

Sec. 4. Section 160.5, unnumbered paragraph 3, Code 1993, is amended to read as follows:

A person who desires to move a colony, ~~package,~~ or a used ~~appliance~~ equipment with combs into this state shall apply to the state apiarist for a written entry permit at least sixty days prior to the proposed entry date. A statement must accompany each application for an entry permit describing each offense related to beekeeping for which the person has been subject to a penalty by a state, federal, or foreign government. The written entry permit must accompany all such shipments when they enter the state. Entry into this state without a permit is unlawful and is punishable pursuant to section 160.14. However, entry requirements of this section shall not apply to a package shipped by the United States postal service.

Sec. 5. Section 160.5, subsection 1, Code 1993, is amended to read as follows:

1. A valid Iowa certificate of inspection must be on file with the department or a valid certificate of inspection or certificate of health dated within the last sixty days must have been submitted by the state apiarist or inspector of the state of origin indicating. A certificate must indicate the absence of any contagious diseases, parasites, or Africanized bees in the colony or package to be shipped.

Sec. 6. Section 160.6, Code 1993, is amended to read as follows:

**160.6 NOTICE TO TREAT, DISINFECT, REMOVE, OR DESTROY.**

A notice The state apiarist shall be issued by the state apiarist provide a notice in writing to any an owner of bees or bee supplies equipment infested with contagious diseases,

parasites, or Africanized bees to complete disinfection or destruction within ten days with immediate action in emergency cases treat, disinfect, destroy, or remove a colony or equipment in a manner and by a time specified by the state apiarist in the order.

Sec. 7. Section 160.7, Code 1993, is amended to read as follows:

160.7 APIARIST TO DISINFECT OR DESTROY – COSTS.

If the owner fails to comply with ~~said notice~~ the notice provided in section 160.6, the state apiarist ~~or the apiarist's assistants shall carry out such disinfection or shall declare the diseased, parasite-infested or Africanized colonies a nuisance, and administer the destruction, and or disinfection of the bee colonies or equipment required to eliminate the source of the disease, parasites, or Africanized bees.~~ The state apiarist shall keep an account of the cost thereof costs related to the destruction.

Sec. 8. Section 160.9, Code 1993, is amended to read as follows:

160.9 RULES.

The state apiarist shall ~~issue~~ adopt rules prohibiting the transportation without a permit of any bees, combs, or used beekeeping appliances, into any area in which clean-up work is being conducted or which has been declared free of any diseases or parasitic infestations relating to the inspection, regulation of movement, sale, and cleanup of bee colonies and used beekeeping equipment, that is infested with a contagious disease, harmful parasites, or an undesirable subspecies of honey bees.

Sec. 9. Section 160.14, subsections 1 through 3, Code 1993, are amended to read as follows:

1. A person who knowingly sells, barter, gives away, ~~or~~ moves, or allows to be moved, a diseased or parasite-infested colony, ~~appliance~~ package, equipment, or combs without the consent of the state apiarist, or exposes infected honey or infected ~~appliance~~ equipment to the bees, or who willfully fails or neglects to give proper treatment to a diseased or parasite-infested colony, or who interferes with the state apiarist or the apiarist's assistants in the performance of official duties or who refuses to permit the examination of bees or their destruction as provided in this chapter or violates another provision of this chapter, except as provided in subsection 2, is guilty of a simple misdemeanor.

2. A person who knowingly moves or causes to be moved into this state a colony, package, used appliance equipment, or combs in violation of section 160.5, is guilty of a serious misdemeanor.

3. Each day a colony, ~~a~~ package, used appliance equipment, or combs moved into this state in violation of section 160.5 ~~remains~~ remain in this state constitutes a separate offense. A colony, package, used appliance equipment, or combs brought into this state in violation of section 160.5 may be declared a nuisance. The department shall provide written notice to the person owning the land where the colony, package, used appliance equipment, or combs are located, and, if known, to the person owning the colony, package, used appliance equipment, or combs. The notice shall state that the owner of the colony, package, used appliance equipment, or combs must remove the colony, package, used appliance equipment, or combs from this state within five days of the notification. After the five days have lapsed the department may seize the colony, package, used appliance equipment, or combs. The department may secure a warrant if the owner of the land objects to the seizure. The department shall maintain the seized property until a court, upon petition by the department, determines the disposition of the property. The court shall render a decision concerning the disposition of the property by the court within ten days of the filing of the petition. Upon conviction of a violation of section 160.5, a person shall forfeit all interest in property moved in violation of that section and the department may immediately destroy the property.

Sec. 10. Section 160.10, Code 1993, is repealed.

**CHAPTER 22**  
ADOPTION EXCHANGE  
*S.F. 97*

**AN ACT** relating to the Iowa adoption exchange system.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 232.119, subsection 3, Code 1993, is amended to read as follows:

3. To register a child on the Iowa exchange, the department adoption worker or the private agency worker shall submit all register the pertinent information concerning the child, a brief description and on the exchange. A photo of the child, and other necessary information needed to be compatible with the national adoption exchange. The exchange shall include a shall be forwarded to the department to be included in the photo-listing book which shall be updated regularly. The department adoption worker or the private agency which worker who places a child on the exchange shall provide updated update the registration information within ten working days after a change in the information previously submitted occurs.

Approved April 6, 1993

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**CHAPTER 23**  
UNEMPLOYMENT COMPENSATION — EMPLOYER CONTRIBUTIONS  
*S.F. 239*

**AN ACT** relating to unemployment compensation by establishing a minimum highest benefit cost ratio, by changing the contribution rate tables, and by extending the duration of the unemployment administrative contribution surcharge.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 96.7, subsection 2, paragraph d, subparagraph (2), Code 1993, is amended to read as follows:

(2) The highest benefit cost ratio is the highest of the resulting ratios computed by dividing the total benefits paid, excluding reimbursable benefits paid, during each consecutive twelve-month period, during the ten-year period ending on the computation date, by the total wages, excluding reimbursable employment wages, paid in the four calendar quarters ending nearest and prior to the last day of such twelve-month period; however, the highest benefit cost ratio shall not be less than .02.

Sec. 2. Section 96.7, subsection 2, paragraph d, the contribution rate tables, Code 1993, are amended by striking the contribution rate tables and inserting in lieu thereof the following:

Benefit Rank	Approximate Cumulative Taxable Pay-roll Limit	Contribution Rate Tables							
		1	2	3	4	5	6	7	8
1	4.8%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2	9.5%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3	14.3%	0.1	0.1	0.1	0.1	0.1	0.0	0.0	0.0
4	19.0%	0.4	0.3	0.3	0.2	0.1	0.1	0.1	0.1
5	23.8%	0.6	0.5	0.4	0.3	0.3	0.2	0.1	0.1
6	28.6%	0.9	0.8	0.6	0.5	0.4	0.3	0.2	0.1