

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1184

S.P. 359

In Senate, March 22, 2011

An Act To Limit Liability of Apiary Owners and Operators

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator PATRICK of Oxford.

Cosponsored by Representative KNIGHT of Livermore Falls and

Senator: JACKSON of Aroostook, Representatives: BLACK of Wilton, CRAY of Palmyra, EDGECOMB of Caribou, McCABE of Skowhegan, SARTY of Denmark, TIMBERLAKE of Turner, VALENTINO of Saco.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA c. 533** is enacted to read:

3 **CHAPTER 533**

4 **LIABILITY**

5 **§2881. Liability of apiary owner or operator**

6 The owner or operator of an apiary is not liable for personal or property damage that
7 occurs in connection with the operation of that apiary, including the keeping and
8 maintaining of honeybees and honeybee equipment, queen breeding equipment, apiaries
9 and appliances, as long as:

10 **1. Licensed.** The apiary is licensed pursuant to section 2701; and

11 **2. Operation and practice.** The apiary is operated in good faith, in a reasonable
12 manner and in conformance with best management practices.

13 **§2882. Rules**

14 The commissioner shall adopt rules to establish best management practices for the
15 operation of apiaries. Rules adopted pursuant to this section are routine technical rules as
16 defined in Title 5, chapter 375, subchapter 2-A.

17 **SUMMARY**

18 This bill exempts the owner or operator of an apiary from liability for personal or
19 property damage arising from the operation of that apiary as long as the apiary is licensed
20 and is operated in good faith, in a reasonable manner and in conformance with best
21 management practices, as determined by the Commissioner of Agriculture, Food and
22 Rural Resources.