

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1106

H.P. 767

House of Representatives, March 26, 2015

An Act To Compensate Beekeepers for Hive Losses

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative McCABE of Skowhegan.

Cosponsored by Representatives: DUNPHY of Old Town, HARLOW of Portland, HICKMAN of Winthrop, McELWEE of Caribou.

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

2 **Sec. 1. 7 MRSA Pt. 6-A, c. 519** is enacted to read:

3 **CHAPTER 519**

4 **DEFINITIONS**

5 **§2691. Definitions**

6 As used in this Part, unless the context otherwise indicates, the following terms have
7 the following meanings.

8 **1. Apiary.** "Apiary" means a place where a collection of one or more hives or
9 colonies of honeybees or the nuclei of honeybees are kept.

10 **2. Colony.** "Colony" means the aggregate of worker honeybees, drones, the queen,
11 and developing young honeybees living in a hive or other dwelling.

12 **3. Hive.** "Hive" means a frame hive, box hive, box, barrel, log gum, skep or any
13 other receptacle or container, natural or artificial, or any part of one, that is used to house
14 honeybees.

15 **4. Honeybee.** "Honeybee" means any stage of the common honeybee, *Apis*
16 *mellifera*.

17 **5. Honeybee owner.** "Honeybee owner" means a person who owns an apiary.

18 **Sec. 2. 7 MRSA §2871**, as enacted by PL 1985, c. 572, is amended to read:

19 **§2871. Rules**

20 The commissioner shall adopt rules to implement and enforce this Part in accordance
21 with the Maine Administrative Procedure Act, ~~Title 5, chapter 375~~. Rules adopted under
22 this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

23 **Sec. 3. 7 MRSA c. 533** is enacted to read:

24 **CHAPTER 533**

25 **COMPENSATION FOR HONEYBEES KILLED BY PESTICIDES**

26 **§2891. Compensation for honeybees killed by pesticides**

27 A person may be compensated for an acute pesticide poisoning resulting in the death
28 of honeybees or loss of honeybee colonies owned by the person in accordance with this
29 section.

30 **1. Compensation.** If the department determines that honeybee death or loss of a
31 honeybee colony was caused by an acute pesticide poisoning and the pesticide applicator:

1 identified or the pesticide applicator applied the pesticide product in a manner consistent
2 with the pesticide product's label, the Department of Agriculture, Conservation and
3 Forestry may compensate the honeybee owner for the fair market value of the honeybees
4 or honeybee colony. If the pesticide applicator can be identified and the applicator
5 applied the pesticide product in a manner inconsistent with the product's label, the
6 department may collect a penalty from the pesticide applicator sufficient to compensate
7 the honeybee owner for the fair market value of the honeybees or honeybee colony and
8 shall award the money to the honeybee owner. The bill provides that fair market value is
9 determined by the department upon recommendation by academic experts and honeybee
10 owners.