

RESOLUTION # 71

BEEKEEPING AND STATE PRE-EMPTION

1 **WHEREAS**, non-commercial, and commercial beekeepers all contribute
2 significantly to the agriculture and quality of life for all residents of the State through
3 production of honey and hive products, crop pollination, and pollination of wildlife-
4 dependent crops; and

5 **WHEREAS**, since 2006, there has been a tremendous increase in public
6 awareness of the extreme honeybee colony losses routinely suffered by beekeepers
7 around the country, and of the threat that the loss of honeybees and other pollinators
8 poses to our food supply and quality of life;

9 **WHEREAS**, increased public awareness has resulted in a corresponding
10 increase in the numbers of beekeepers in New Jersey, who now number in the
11 thousands; and

12 **WHEREAS**, many of the State's increasing number of beekeepers are non-
13 commercial or do not operate on a scale or in a location that could make them eligible
14 for exemptions from local regulation of beekeeping practices under the Right to Farm Act;
15 and

16 **WHEREAS**, despite daily proof of the capacity for properly managed bees to be
17 kept in developed areas where they can come into contact with the public, including the
18 White House lawn, the Cape May County Zoo, the Burlington County Institute of
19 Technology, and rooftops in New York and Jersey City, local authorities in New Jersey
20 without an understanding of bee biology and behavior increasingly seek to regulate
21 beekeeping; and

22 **WHEREAS**, such local regulation often effectively prohibits beekeeping to the
23 detriment of affected beekeepers, and wildlife, home gardeners and farmers, all of whom
24 rely on such bees for pollination; and

25 **WHEREAS**, because honeybees forage over airsheds measured in square miles,
26 and have known flight and foraging behaviors, much local regulation imposes burdens
27 upon or prohibits beekeeping without actually providing any corresponding benefit to
28 public health and safety; and

29 **WHEREAS**, the Department of Agriculture’s State Apiarist and the New Jersey
30 Beekeeper’s Association now expend significant time and resources to respond to over-
31 restrictive local regulatory efforts and to educate local regulators about appropriate
32 beekeeping best management practices; and

33 **WHEREAS**, there is a clear need for adoption by the Department of Agriculture,
34 pursuant to new, exclusive statutory authority, of new uniform comprehensive statewide
35 standards to regulate beekeepers and guide local authorities to proper enforcement; and

36 **WHEREAS**, such standards should be developed by the Department of
37 Agriculture in order to regulate beekeeping throughout the State in all the differing types
38 of communities, and must be based upon the sound understandings of honeybee
39 biology and behavior of qualified experts within and without the Department; and

40 **WHEREAS**, once adopted, municipalities should be encouraged to enable
41 themselves to enforce the new comprehensive standards through adoption of
42 ordinances which incorporate them by reference.

43 **NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 100th
44 State Agricultural Convention, assembled in Atlantic City, New Jersey, on February 4-5,
45 2015, urge the New Jersey Legislature to support New Jersey’s beekeepers, hobbyists
46 and commercial beekeepers alike, and the State’s many home gardeners and

47 commercial growers of honeybee-dependent crops, through adoption of legislation that
48 provides for the States' exclusive authority to regulate apiary activities.

49 **BE IT FURTHER RESOLVED**, that we strongly urge the Legislature to adopt
50 Legislation that would implement the State's exclusive authority to regulate apiary
51 activities through development of uniform statewide standards for the regulation of
52 beekeeping by the State Department of Agriculture.

53 **BE IT FURTHER RESOLVED**, that we urge the Legislature to adopt Legislation
54 that would permit delegation to municipalities of the State's exclusive authority to
55 regulate apiary activities through enactment of municipal ordinances that adopt by
56 reference the uniform statewide standards for the regulation of beekeeping developed
57 by the State Department of Agriculture.