MAINE STATE LEGISLATURE

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(NEW DRAFT OF H.P. 1499, L.D. 2049) (NEW TITLE) SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

1

NO: 2592

Original bill sponsored by Representative KILKELLY of Wiscasset. Cosponsored by Representatives BEGLEY of Waldoboro, THISTLE of Dover-Foxcroft and MAYO of Thomaston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT to Allow the Propagation and

2 Sale of Certain Deer for Food.	
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4 Be it enacted by the People of the State of Maine as follows:

6 Sec. 1. 7 MRSA c. 202 is enacted to read:

CHAPTER 202

Page 1-LR5096

28.

- §1331. Propagation and sale
- 1. Definition. As used in this section, unless the context indicates otherwise, the following terms have the following meanings.
 - A. "Domesticated deer" means fallow deer, family Cervidae, sub-family Cervinae, genus Dama, kept as domestic animals for the purpose of either breeding stock or for sale as food.
- License. The Commissioner of Agriculture, Food and Rural Resources may issue a license for the propagation, possession, purchase or sale domesticated deer and for the sale of meat of domesticated deer. Any holder of such a license may raise domesticated deer at any season of the year for purposes of propagation. Appropriate certification shall accompany any meat from domestic deer offered for sale. The fee for the license shall be \$20 a year.
 - 3. Propagation and sale. Domesticated deer raised by any person holding such a license may be propagated, possessed, transported, bought or sold as food. A license shall not be required of any person purchasing from a licensed seller the meat of such deer for food.
 - 4. Penalties. Any person engaged in the business of propagating, possessing, buying or selling domesticated deer without a license as provided for in section 2 is guilty of a class E crime.
- Revocation. A license issued to any person for the propagation, possession, purchase or sale of domesticated deer, or for the sale of meat from domesticated deer, may be revoked at any time for violation of this chapter. Upon revocation, similar license may be reissued for a minimum of 5 years. Any person who violates or refuses to comply with this chapter commits a civil violation for which a forfeiture not to exceed \$200 may be adjudged at the discretion of the commissioner.

1 2 3 4	6. Rules. The commissioner in consultation with Commissioner of Inland Fisheries and Wildlife shall issue any rules necessary to the administration of this chapter.
5 6	Sec. 2. 12 MRSA §7235, sub-§4, ¶C, as enacted by PL 1979, c. 543, §24, is repealed.
7 8 -	Sec. 3. 12 MRSA §7458, sub-§15, ¶A, as amended by PL 1985, c. 369, §20, is further amended to read:
9 10 11 12 13	A. Notwithstanding subsection 3, the head, antlers, feet and hide of any deer may be sold, and the meat from domesticated deer may be possessed, bought and sold for use as food only in accordance with Title 7, chapter 202.
14 15 16	Sec. 4. Application. Meat from domesticated deer shall not be sold as food under the provisions of this Act until January 1, 1990.
17	STATEMENT OF FACT
18 19 20 21 22 23 24 25 26 27 28 29 33 33 33 33 36	This new draft clarifies the type of deer that may be raised under the provisions of this new draft and clarifies the relationship between the Department of Agriculture, Food and Rural Resources and the Department of Inland Fisheries and Wildlife. The new draft allows the Commissioner of Agriculture, Food and Rural Resources to issue licenses which allow the propagation, possession, purchase and sale of fallow deer and for the sale of the meat of fallow deer. Fallow deer is defined in the dictionary as a small European deer having a yellowish coat. The commissioner is to promulgate necessary rules in conjunction with the Commissioner of Inland Fisheries and Wildlife. The sale of the meat of deer raised under the provisions of this new draft is not authorized until January 1, 1990, in order that Maine residents may begin a propagation program and the department may develop procedures for identifying fallow deer meat.