

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

m
R.S.

L.D. 1853

DATE: 3/17/06

(Filing No. H-853)

AGRICULTURE, CONSERVATION AND FORESTRY

Minority

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1293, L.D. 1853, Bill, "An Act To Amend Certain Animal Health Laws"

Amend the bill by striking out the title and substituting the following:

'An Act To Establish a Maine Livestock and Poultry Identification Program'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 7 MRSA §1760 is enacted to read:

§1760. Maine livestock and poultry identification program

The commissioner shall develop an identification program in accordance with this section to facilitate the tracking of livestock and poultry that have been exposed to diseases or pathogens.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Livestock" means cattle, sheep, goats, swine, equines, members of the genus lama, bison, ratites, domesticated cervids or other animals raised for food or fiber.

2 B. "Lot" means a group of animals raised, transported or
3 sold as a unit.

4 C. "Poultry" means domesticated birds kept for food or
5 fiber.

6 2. Rulemaking. The commissioner shall adopt rules to
7 establish a system for:

8 A. The identification and registration of premises where
9 livestock or poultry are kept, slaughtered or exhibited; and

10 B. The identification of individual animals and lots.

11 Rules adopted pursuant to this section are major substantive
12 rules as defined in Title 5, chapter 375, subchapter 2-A. Except
13 as provided in subsection 4, amendments to rules adopted under
14 this section are major substantive rules as defined in Title 5,
15 chapter 375, subchapter 2-A.

16 3. Considerations during rulemaking. Rules adopted under
17 subsection 2 must:

18 A. Regard livestock registered in a nationally recognized
19 animal identification system as in compliance with
20 identification requirements;

21 B. Define circumstances in which premises registration only
22 is necessary;

23 C. Define circumstances in which premises registration and
24 lot identification are necessary without identification of
25 individual animals;

26 D. Allow more than one type of animal identification,
27 including, but not limited to, ear tags, tattoos, microchips
28 and branding, as long as each animal is uniquely identified
29 and the identification meets criteria established in rule;

30 E. Consider exemptions for livestock and poultry that are
31 kept for noncommercial purposes; and

32 F. Provide an exemption from the identification
33 requirements to owners of livestock or poultry who object to
34 identification on religious grounds.

35 4. Consistency with federal regulations. If the United
36 States Department of Agriculture or any other federal agency
37 takes action to require registration of premises where livestock
38 takes action to require registration of premises where livestock

2 or poultry are kept or identification of livestock or poultry,
3 the commissioner shall amend the rules adopted under subsection 2
4 to be in compliance with federal law or regulation. Amendments
5 adopted in accordance with this subsection are routine technical
6 rules as defined in Title 5, chapter 375, subchapter 2-A.

7 5. Information held by department. The commissioner shall
8 designate information provided to the department in accordance
9 with this section or rules adopted pursuant to this section as
10 confidential in accordance with section 20.'

12
14

SUMMARY

16 This amendment is the minority report of the Joint Standing
17 Committee on Agriculture, Conservation and Forestry. This
18 amendment replaces the bill. It directs the Commissioner of
19 Agriculture, Food and Rural Resources to develop an animal
20 identification program and requires rulemaking to establish a
21 system for registering premises where livestock and poultry are
22 kept and for the identification of individual animals and lots of
23 animals. It specifies certain elements to be included in the
24 rules and directs the commissioner to amend the rules to be
consistent with any future federal requirements for premises
registration and animal identification.

FISCAL NOTE REQUIRED
(See attached)



Approved: 03/16/06 *MAC*

122nd MAINE LEGISLATURE

LD 1853

LR 2728(02)

An Act To Amend Certain Animal Health Laws

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund