

# MAINE STATE LEGISLATURE

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5/24/13  
ROBS

L.D. 1286

Date: 6/6/13

(Filing No. H-376)

Minority

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3                   **AGRICULTURE, CONSERVATION AND FORESTRY**

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5                                   **STATE OF MAINE**  
6                                   **HOUSE OF REPRESENTATIVES**  
7                                   **126TH LEGISLATURE**  
8                                   **FIRST REGULAR SESSION**

9           COMMITTEE AMENDMENT "A" to H.P. 913, L.D. 1286, Bill, "An Act To  
10           Protect Maine Communities by Prohibiting Horse Slaughter for Human Consumption and  
11           the Transport of Horses for Slaughter"

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

13           '**An Act To Protect Maine Communities by Prohibiting Horse Slaughter for Sale or**  
14           **Barter for Human Consumption and by Prohibiting the Transport of Horses for**  
15           **Slaughter'**

16           Amend the bill by striking out everything after the enacting clause and before the  
17           summary and inserting the following:

18           '**Sec. 1. 17 MRSA §3967** is enacted to read:

19           **§3967. Equine slaughter for sale or barter prohibited for human consumption**

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

22           A. "Horse" includes all members of the genus Equus, including horses, ponies,  
23           donkeys, mules, asses and burros.

24           B. "Horseflesh" or "horsemeat" means the flesh of a dead horse and includes the  
25           animal's viscera, skin, hair, hide, hooves and bones.

26           C. "Person" means an individual, corporation, partnership, trust, association or other  
27           legal entity.

28           **2. Prohibition against horse slaughter for sale or barter.** A person may not  
29           slaughter a horse to sell, barter or offer for sale or barter, at wholesale or retail, for human  
30           consumption.

31           **3. Prohibition against transport of a horse for slaughter.** A person may not  
32           knowingly transport a horse for the purpose of slaughter for human consumption and may  
33           not knowingly transport horsemeat, or any product made in whole or in part from  
34           horsemeat, for human consumption.

**COMMITTEE AMENDMENT**

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**4. Prohibition against construction or operation of horse slaughtering facilities.**  
A person may not knowingly construct a facility if that facility will be used, or operate a facility if that facility is used, to slaughter horses for human consumption.

**5. Penalty.** A person who violates this section commits a civil violation for which a fine of not less than \$500 and not more than \$1,000 may be adjudged for each horse slaughtered for sale or for barter or transported for the purpose of slaughter for human consumption or for each horse carcass or horsemeat product transported, sold or bartered or offered for sale or barter.

**Sec. 2. 22 MRSA §2511, sub-§25,** as enacted by PL 1999, c. 771, §1, is amended to read:

**25. Livestock.** "Livestock" means cattle, domesticated deer, sheep, swine, goats, domestic rabbits, ~~horses, mules, other equines~~ or other designated animals, whether live or dead.

**Sec. 3. 22 MRSA §2511, sub-§27,** as enacted by PL 1999, c. 771, §1, is amended to read:

**27. Meat.** "Meat" means the part of the muscle of cattle, domesticated deer, sheep, swine, goats, ~~horses, mules, other equines~~ or other designated animals that is skeletal or that is found in the tongue, diaphragm, heart or esophagus, with or without the accompanying and overlying fat, and the portions of bone, skin, sinew, nerve and blood vessels that normally accompany the muscle tissue but does not include the muscle found in the lips, snout or ears.

**Sec. 4. 22 MRSA §2523, sub-§3,** as enacted by PL 1999, c. 777, §1, is amended to read:

**3. Plainly identified.** In intrastate commerce, a person may not sell, transport, offer for sale or transportation or receive for transportation any carcass of horses, mules or other equines or parts of these carcasses, or the meat or meat food products of these carcasses, ~~unless they are plainly and conspicuously marked or labeled or otherwise identified as required by rules established by the commissioner to show the kinds of animals from which they were derived.'~~

**SUMMARY**

This amendment is the minority report. It amends the title and strikes and replaces the bill. The amendment prohibits the slaughter of horses for sale or barter for human consumption. It also prohibits the sale or barter of any product made in whole or in part from the flesh of a horse if a person knows or should reasonably have known that the flesh or the product made of the flesh was from a horse. The amendment also bans the transport of horses for the purposes of slaughter for human consumption and bans the construction or operation of horse slaughtering facilities. Violations of these prohibitions are civil violations for which a fine of not less than \$500 and not more than \$1,000 may be adjudged for each violation.

**FISCAL NOTE REQUIRED**

(See attached)



# 126th MAINE LEGISLATURE

LD 1286

LR 984(02)

## An Act To Protect Maine Communities by Prohibiting Horse Slaughter for Human Consumption and the Transport of Horses for Slaughter

Fiscal Note for Bill as Amended by Committee Amendment  
Committee: Agriculture, Conservation and Forestry  
Fiscal Note Required: Yes

*A' (H-376)*

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### Fiscal Note

Potential current biennium cost increase - General Fund  
Minor revenue increase - General Fund

#### Correctional and Judicial Impact Statements

Increases the number of civil violations.

The collection of additional fines may also increase General Fund revenue by minor amounts.

#### Fiscal Detail and Notes

The Department of the Attorney General may require additional General Fund appropriations for litigation costs. The amounts cannot be predicted at this time.