

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2013**

**CHAPTER 322**  
**H.P. 190 - L.D. 229**

**An Act To Simplify and  
Encourage the Sale of Hunting  
and Fishing Licenses and  
Permits**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** it is important to update the Department of Inland Fisheries and Wildlife's online system for persons to purchase licenses and registrations as soon as possible to increase its efficiency and usability; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 12 MRSA §11152, sub-§5,** as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §122 and affected by §422, is further amended to read:

**5. Hunter permit transfers.** ~~A junior hunter or a person 65 years of age or older resident~~ may take an antlerless deer if ~~a person another resident~~ who holds a valid antlerless deer permit transfers the permit to ~~the junior hunter or person 65 years of age or older that resident~~ by identifying the name, age and address of the transferee on the permit as well as any other information reasonably requested by the commissioner and then returns the permit to the department prior to the start of the firearm season on deer. A nonresident may take an antlerless deer if another nonresident who holds a valid antlerless deer permit transfers the permit to that nonresident by identifying the name and address of the transferee on the permit as well as any other information reasonably requested by the commissioner and then returns the permit to the department prior to the start of the firearm season on deer. The commissioner shall record ~~the~~ a transfer under this subsection and return the permit to the ~~junior hunter or person 65 years of age or older transferee~~. A valid permit must be in the possession of the transferee in order for the transferee to take an antlerless deer.

**Sec. 2. 12 MRSA §11152, sub-§6,** as enacted by PL 2003, c. 655, Pt. B, §123 and affected by §422, is repealed.

**Sec. 3. Updating of the Maine Online Sportsman's Electronic System.** The Department of Inland Fisheries and Wildlife shall survey users of

its online system for purchasing licenses and registrations, known as the Maine Online Sportsman's Electronic System, and, based on the information obtained from those users, develop a plan for updating that system. The plan must focus on updating the system's user interface and provide options for online renewal of trapping licenses and guide licenses. The department shall submit its plan, together with a proposed budget for implementing the plan, to the Joint Standing Committee on Inland Fisheries and Wildlife by December 1, 2013. The committee may report out a bill related to the subject matter of the report to the Second Regular Session of the 126th Legislature.

**Sec. 4. Improving the laws governing inland fisheries and wildlife.** The Department of Inland Fisheries and Wildlife shall develop a plan to simplify and streamline:

**1. Complimentary licenses.** The eligibility requirements for and issuance of complimentary licenses;

**2. Revocation of licenses.** The laws governing license revocations; and

**3. Hunting licenses.** The laws governing hunting, including age restrictions, equipment restrictions and supervision requirements. The plan must extend the supervisory requirements for apprentice hunters to junior hunters and make supervisory requirements for hunting consistent with those that apply to trapping.

The department shall submit a report including the plan it develops under this section to the Joint Standing Committee on Inland Fisheries and Wildlife by December 1, 2013, together with draft legislation necessary to implement the plan. The committee may report out a bill related to the subject matter of the report to the Second Regular Session of the 126th Legislature.

**Sec. 5. Lifetime licenses; study established.** The Department of Inland Fisheries and Wildlife shall commission an actuarial review of expanding the availability of lifetime hunting and fishing licenses. The department shall submit a report with the findings, along with an explanation of the study methodology and any proposed modifications to the lifetime license system, to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2014. The committee may report out a bill related to the subject matter of the report to the Second Regular Session of the 126th Legislature.

**Sec. 6. Appropriations and allocations.** The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE,  
DEPARTMENT OF**

**Licensing Services - Inland Fisheries and Wildlife  
0531**

Initiative: Provides one-time funding for an actuarial study to review expanding the availability of lifetime hunting and fishing licenses.

OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
All Other	\$10,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$0

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 21, 2013.

## CHAPTER 323 H.P. 179 - L.D. 218

### An Act To Promote Small-scale Poultry Farming

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

**Sec. 1. 22 MRSA §2511, sub-§41-A** is enacted to read:

**41-A. Registered establishment.** "Registered establishment" means a person registered under section 2515.

**Sec. 2. 22 MRSA §2511, sub-§45-A** is enacted to read:

**45-A. Small enterprise.** "Small enterprise" means a person licensed under section 2514 that processes 20,000 birds or fewer in a calendar year and that elects to operate under an exemption pursuant to section 2517-C, subsection 1-B.

**Sec. 3. 22 MRSA §2514, sub-§1, ¶G-1** is enacted to read:

G-1. Mobile poultry processing unit operators;

**Sec. 4. 22 MRSA §2515** is enacted to read:

#### **§2515. Registration**

**1. Registration permitted.** A person that is not licensed under section 2514 may engage in intrastate commerce in the business of buying, selling, preparing, processing, packing, storing, transporting or otherwise handling meat, meat food products or poultry products, if that person is registered under this section, and that person is a:

A. Custom slaughterer, except that an itinerant custom slaughterer that slaughters solely at a customer's home or farm and that does not own, op-

erate or work at a slaughtering plant is exempt from the registration provisions of this section;

B. Custom processor; or

C. Producer that processes fewer than 1,000 birds annually under section 2517-C.

The commissioner may by rule establish additional categories of registrants.

**Sec. 5. 22 MRSA §2517-C**, as enacted by PL 2009, c. 354, §3, is amended to read:

#### **§2517-C. Slaughter and inspection; producer exemptions for poultry**

**1. Exemption for processing fewer than 1,000 birds annually.** Notwithstanding section 2512 and whether or not the poultry are intended for human consumption, inspection is not required for the slaughter of poultry or the preparation of poultry products as long as the poultry are slaughtered or the poultry products are prepared on the farm where the poultry were raised and:

A. Fewer than 1,000 birds are slaughtered annually on the farm;

B. No birds are offered for sale or transportation in interstate commerce;

C. Any poultry products sold are sold only as whole birds;

~~D. The poultry producer has a valid license issued under section 2514;~~

D-1. The poultry producer is registered under section 2515;

~~E. The facilities for slaughtering and processing are in compliance with rules adopted under subsection 4;~~

F. The poultry producer assigns a lot number to all birds sold and maintains a record of assigned lot numbers and the point of sale; ~~and~~

G. The poultry are sold in accordance with the restrictions in subsection 2-;

H. The poultry are sold at the farm on which the poultry were raised or delivered to a consumer's home by the poultry producer; and

I. The poultry products are labeled with:

(1) The name of the farm, the name of the poultry producer and the address of the farm including the zip code;

(2) The statement "Exempt under the Maine Revised Statutes, Title 22, section 2517-C NOT INSPECTED"; and

(3) Safe handling and cooking instructions as follows: "SAFE HANDLING INSTRUCTIONS: Keep refrigerated or frozen. Thaw in