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

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

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

§ 3967. Equine slaughter for human consumption

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

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

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

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

2. Prohibition against horse slaughter. A person may not slaughter or otherwise cause or procure the death of, or have another person slaughter or otherwise cause or procure the death of, a horse if that person knows or should know that any of the horseflesh is intended for human consumption.

3. Prohibition against possession of horse for slaughter. A person may not sell, barter, give away or purchase or offer to sell, barter or purchase or possess, transport, deliver or receive a horse with the intent of slaughtering or otherwise causing or procuring the death of, or having another person slaughter or otherwise cause or procure the death of, the horse if that person knows or should know that any of the horseflesh is intended for human consumption.

4. Prohibition against export or import of horse for slaughter. A person may not import into or export from this State a live horse when that person knows or should know that the horse is intended for slaughter for human consumption.

5. Prohibition against sale, purchase, possession, import or export of horseflesh. A person may not sell, barter, give away or purchase or offer to sell, barter or purchase or possess, transport, deliver, receive or import into or export from this State horseflesh if that person knows or should know that any of the horseflesh is intended for human consumption.

6. Prohibition against construction or operation of horse slaughtering facility. A person may not construct or operate a facility if that person knows or should know that the facility is used or will be used for the slaughter of horses for human consumption.

7. Penalty. A person who violates this section commits a Class C crime. A court may also order any person convicted of violating this section to submit to a mental health evaluation as determined by the court and undergo any recommended counseling or treatment. In addition to any other penalty provided by law, a person convicted under this section may be barred from owning or possessing any animals, or living on the same property with someone who owns or possesses animals, for a period of time considered appropriate by the court and required to take humane education classes as ordered by the court.

Sec. 2. 22 MRSA §2163, as amended by PL 1979, c. 731, §19 and PL 2011, c. 657, Pt. W, §6, is repealed.

Sec. 3. 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. 4. 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. 5. 22 MRSA §2523, sub-§3, as enacted by PL 1999, c. 777, §1, is repealed.

SUMMARY

This bill prohibits the slaughter of horses for human consumption and:

1. Bans the possession, sale, purchase, transportation and import into or export out of this State of a horse if the person knows or should know that the horse is meant to be slaughtered for human consumption;
2. Bans the possession, sale, purchase, transportation, import into or export out of this State of horseflesh if the person knows or should know that the horseflesh is for human consumption;
3. Bans the construction or operation of a facility that the person knows or should know is used or will be used for the slaughter of horses for human consumption; and
4. Repeals current law that allows horsemeat to be sold in this State as long as it is plainly and conspicuously labeled as such.