
By: **Delegates Glassman and Parrott**
Introduced and read first time: February 5, 2003
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture - Regulation of Domesticated Reindeer**

3 FOR the purpose of requiring the Department of Agriculture to regulate the
4 husbandry of domesticated reindeer in the State; requiring the Department of
5 Agriculture to govern the protection of the health of domesticated reindeer, the
6 prevention of the spread of certain diseases, the control of certain biological
7 products derived from domesticated reindeer, domesticated reindeer dealers and
8 the importation of domesticated reindeer into the State, the herding of
9 domesticated reindeer, and the slaughter of domesticated reindeer; repealing
10 the authority of the Department of Natural Resources to regulate domesticated
11 reindeer in the State, including the authority to adopt regulations prohibiting or
12 restricting the importation, exportation, sale, release, or possession of
13 domesticated reindeer; altering certain definitions; and generally relating to the
14 regulation of domesticated reindeer in the State.

15 BY repealing and reenacting, without amendments,
16 Article - Agriculture
17 Section 1-101(a), 3-101, 3-105(a), 3-201, 3-201.1(a)(1), 3-301(a), 3-303(a),
18 3-502, and 4-123.1(a)(1) and (d)
19 Annotated Code of Maryland
20 (1999 Replacement Volume and 2002 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - Agriculture
23 Section 1-101(e), 3-301(d), and 4-123.1(a)(3)
24 Annotated Code of Maryland
25 (1999 Replacement Volume and 2002 Supplement)

26 BY repealing and reenacting, without amendments,
27 Article - Natural Resources
28 Section 10-101(a)
29 Annotated Code of Maryland
30 (2000 Replacement Volume and 2002 Supplement)

1 BY repealing and reenacting, with amendments,
2 Article - Natural Resources
3 Section 10-101(cc) and 10-903
4 Annotated Code of Maryland
5 (2000 Replacement Volume and 2002 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
7 MARYLAND, That the Laws of Maryland read as follows:

8 **Article - Agriculture**

9 1-101.

10 (a) In this article the following words have the meanings indicated.

11 (e) "Livestock" means living or dead cattle, equines, goats, DOMESTICATED
12 REINDEER, sheep, or swine, unless otherwise provided.

13 3-101.

14 (a) The Secretary shall protect the health of the domestic animals of the State
15 from all contagious or infectious diseases. For this purpose, the Secretary may:

16 (1) Adopt and enforce quarantine, sanitary, or other rules and
17 regulations he deems necessary;

18 (2) Make and prosecute diligent inquiries in the several counties to
19 ascertain the exact condition of the health of the livestock; and

20 (3) Notwithstanding § 3-102, prohibit the importation from another
21 state of any animal he has reason to believe is infected with or has been exposed to a
22 contagious or infectious disease and detain the animal at any place for inspection or
23 quarantine.

24 (b) The Secretary may establish, maintain, and enforce a quarantine order if
25 he determines it is urgent and necessary for the prompt performance of the provisions
26 provided in this section.

27 (c) The Secretary may adopt rules and regulations governing the importation
28 of domestic animals into the State from another state.

29 3-105.

30 (a) To prevent the spread of contagious or infectious diseases, the Secretary, or
31 his agent, may:

32 (1) Visit at any time the location in any county where he has reason to
33 believe any contagious or infectious disease may exist;

34 (2) Test any animal for any contagious disease by any method;

1 (3) Order every animal which has been exposed to a contagious or
2 infectious disease to be isolated in the manner he deems necessary to prevent the
3 spread of the disease;

4 (4) Order any location where any contagious or infectious disease has
5 existed or presently exists to be quarantined, so that no domestic animal of the same
6 species may be removed from or brought to the quarantined premises until it is
7 properly disinfected;

8 (5) Issue any order he deems necessary or expedient to prevent the
9 communication of any infectious or contagious disease from the quarantined area;

10 (6) Issue an order requiring the destruction of any animal infected with
11 or exposed to an infectious or contagious disease, and for the proper destruction of its
12 hide or carcass, and any object which might carry infection or contagion;

13 (7) Issue an order requiring disinfection of every building, premises,
14 vehicle, and every object which may breed or convey any infectious or contagious
15 disease;

16 (8) Destroy any building or article that is contaminated and incapable of
17 proper disinfection;

18 (9) Modify, cancel, or withdraw the terms of any order the Secretary
19 issues pursuant to this subtitle; and

20 (10) Institute a livestock patrol along the State borders to prevent any
21 livestock affected with any contagious or infectious disease from being brought into
22 the State contrary to the laws regulating shipment of livestock into the State.

23 3-201.

24 (a) In this subtitle the following words have the meanings indicated.

25 (b) "Biological product" means any product derived from or containing
26 microorganisms or animal tissues removed from the animal and used for diagnosing,
27 treating, or immunizing against livestock or poultry diseases.

28 3-201.1.

29 (a) (1) Except as provided in this subsection, a person may not possess, sell,
30 donate, or distribute any biological product that is usable for the treatment or
31 prevention of a disease transmissible to a human being.

32 3-301.

33 (a) In this subtitle, the following words have the meanings indicated.

34 (d) "Livestock" means cattle, swine, sheep, horses, asses, mules,
35 DOMESTICATED REINDEER, or goats notwithstanding any other provision of this
36 article.

1 3-303.

2 (a) No person may be a livestock dealer without first obtaining an annual
3 livestock dealer's license from the Secretary. No person may operate a livestock
4 market without first obtaining an annual livestock market license from the Secretary
5 for each market he operates.

6 3-502.

7 (a) No person may permit a herd of livestock upon any improved highway of
8 the State unless the herd is attended by competent persons.

9 (b) At least one attendant shall precede the herd at a distance of not more
10 than 100 yards, and there shall be a driver not more than 100 yards in the rear of the
11 herd.

12 4-123.1.

13 (a) (1) In this section the following words have the meanings indicated.

14 (3) (i) "Livestock" means cattle, calves, sheep, swine, horses, mules,
15 DOMESTICATED REINDEER, goats, or other animals that may be used in the
16 preparation of a meat product.

17 (ii) "Livestock" does not include poultry or other fowl.

18 (d) A slaughterer, packer, or stockyard operator may not, unless by a humane
19 method:

20 (1) Shackle, hoist, or otherwise bring livestock into position for
21 slaughter; or

22 (2) Bleed or slaughter livestock.

23 **Article - Natural Resources**

24 10-101.

25 (a) In this title the following words have the meanings indicated.

26 (cc) (1) "Wildlife" means every living creature, not human, wild by nature,
27 endowed with sensation and power of voluntary motion.

28 (2) "Wildlife" includes mammals, birds, amphibians, and reptiles which
29 spend a majority of their life cycle on land or any part, egg, offspring, or dead body of
30 any of them.

31 (3) "WILDLIFE" DOES NOT INCLUDE DOMESTICATED REINDEER.

1 10-903.

2 (A) The Secretary may adopt regulations prohibiting or restricting the
3 importation, exportation, sale, release, or possession of wildlife not native to
4 Maryland on a finding that the wildlife is harmful to native wildlife or to natural
5 ecosystems.

6 (B) THE SECRETARY MAY NOT ADOPT REGULATIONS PROHIBITING OR
7 RESTRICTING THE IMPORTATION, EXPORTATION, SALE, RELEASE, OR POSSESSION OF
8 DOMESTICATED REINDEER.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2003.