

CHAPTER 115

(HB 369)

AN ACT relating to cervid meat disposal.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 150.722 is amended to read as follows:

(1) As used in this section:~~{,}~~

(a) "Cervid meat processor" means any person or business entity that:

1.~~{(a)}~~ ~~{Only}~~ Butchers or makes meat products from meat that is not amenable under the Federal Meat Inspection Act, 21 U.S.C. secs. 601 et seq., and is exempt from mandatory inspection by the United States Department of Agriculture's Food Safety and Inspection Service;

2.~~{(b)}~~ Has not been inspected and passed under voluntary Food Safety and Inspection Service inspection; and

3.~~{(c)}~~ Is paid to butcher or make meat products for human consumption from ten (10) or more animals that are members of the animal family Cervidae per calendar year; ~~and~~~~{,}~~

(b) "*Butcher or meat processor*" means any person or business entity that:

1. *Butchers or makes meat products from meat that is amenable under the Federal Meat Inspection Act, 21 U.S.C. secs. 601 et seq., and is not exempt from mandatory inspection by the United States Department of Agriculture's Food Safety and Inspection Service; and*

2. *Has been inspected and passed under voluntary Food Safety and Inspection Service inspection.*

(2) Cervid meat processors, *butchers or meat processors, and licensed taxidermists* shall dispose of any unused *cervid* carcass material or *cervid* waste produced as a result of butchering,~~{ or }~~ making meat products, *or preparing, stuffing, or mounting wildlife* ~~{from cervid meat}~~ by:

(a)~~{~~ Complete incineration of the entire carcass and all of its parts and products;

(b)~~{~~ Boiling the carcass and all of its parts and products in water or heating it with steam at a temperature above boiling, continuously for two (2) hours or more;

~~{(c)}~~ Burying the carcass and all of its parts and products in the earth at a point which is never covered with the overflow of ponds or streams and which is not less than one hundred (100) feet distant from any watercourse, sinkhole, well, spring, public highway, residence, or stable. The carcass shall be placed in an opening in the earth at least four (4) feet deep, the abdominal and thoracic cavities opened wide their entire length, and the entire carcass covered with two (2) inches of quicklime and at least three (3) feet of earth;

~~{(d)}~~(b) Removal of the carcass by a duly licensed rendering establishment; *or*

~~{(e)}~~(c) Deposition of the carcass in a contained landfill approved pursuant to KRS Chapter 224.~~{,}~~

~~{(f)}~~ Composting of the carcass in a facility according to the Board of Agriculture's administrative regulations and approved in accordance with KRS Chapter 224;

~~{(g)}~~ Any combination of the methods set forth in paragraphs (a) to (f) of this subsection; *or*

~~{(h)}~~ Any other scientifically proven method of disposal approved by the Board of Agriculture.~~{,}~~

➔Section 2. KRS 150.010 is amended to read as follows:

As used in this chapter, unless the context otherwise requires:

(1) "Angling" means the taking or attempting to take fish by hook and line in hand, rod in hand, jugging, setline, or sport fishing trotline;

(2) "Buy" includes offering to buy, acquiring, or possessing through purchase, barter, exchange, or trade;

- (3) "Commercial trotline" means a line to which are attached more than fifty (50) single or multibarbed baited hooks, which shall not be placed closer than eighteen (18) inches;
- (4) "Commission" means the Department of Fish and Wildlife Resources Commission;
- (5) "Commissioner" means the commissioner of the Department of Fish and Wildlife Resources;
- (6) "Conservation officer" means any member of the Kentucky Department of Fish and Wildlife Resources Law Enforcement Division, pursuant to KRS 150.090, who possesses the powers of a peace officer;
- (7) "Daylight hours" means the period from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset;
- (8) "Device" means any article, instrument, or equipment of whatever nature or kind which may be used to take wild animals, wild birds, or fishes;
- (9) "Department" means the Department of Fish and Wildlife Resources;
- (10) "Fishing" means to take or attempt to take in any manner, whether the fisherman has fish in possession or not;
- (11) "Gigging" means the taking of fish by spearing or impaling on any pronged or barbed instrument attached to the end of any rigid object;
- (12) "Grabbing" means the taking of fish, frogs, or turtles directly by hand or with the aid of a handled hook;
- (13) "Hunting" means to take or attempt to take in any manner, whether the hunter has game in possession or not;
- (14) "Identification tag" means a marker made of specified material upon which a name and address or number is placed and attached to unattended gear to designate ownership or responsible operator;
- (15) "Impounded waters" means any public waters backed up behind a dam and includes all water upstream from the dam to the first riffle or shoal;
- (16) "Jugging" means a means of fishing by which a single baited line is attached to any floating object;
- (17) "License" means any document issued by the department authorizing its holder to perform acts authorized by the license and includes any other form of authorization in addition to or in lieu of an actual document which may be authorized by the department by administrative regulation;
- (18) "Light geese" means snow geese and Ross's geese;
- (19) "Light geese conservation order" means a wildlife management action needed to control populations of light geese for a period of time established pursuant to 50 C.F.R. sec. 21.60;
- (20) "Livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes, and any other animals of the bovine, ovine, porcine, caprine, equine, or camelid species;
- (21) "Migratory shore or upland game birds" means all species of migratory game birds except waterfowl;
- (22) "Minnows" means all fish under six (6) inches in length, except basses, either largemouth, smallmouth or Kentucky; rock bass or goggle-eye; trout; crappie; walleye; sauger; pike; members of the striped bass family; and muskellunge;
- (23) "Navigable waters" means any waters within this state under lock and dam;
- (24) "Nonresident" means a person who has not established a permanent domicile in this state and has not resided in this state for thirty (30) days immediately prior to his application for a license;
- (25) "Permit" means any document issued by the department authorizing its holder to perform acts authorized by the permit and includes tags or devices as evidence of holding a permit and includes any other form of authorization in addition to or in lieu of an actual document authorized by the department by administrative regulation;
- (26) "Possess" means the act of having or taking into control;
- (27) "Prescribed by the department" means established by an administrative regulation;
- (28) "Processed wildlife" means any wildlife specimen or parts thereof that have been rendered into a permanently preserved state;
- (29) "Protected wildlife" means all wildlife except those species declared unprotected by administrative regulations promulgated by the department;

- (30) "Public roadway" includes rural roads, highways, bridges, bridge approaches, city streets, viaducts, and bridges which are normally traveled by the general public and are under the jurisdiction of a state, federal, county, or municipal agency;
- (31) "Public waters" means all waters within the state flowing in a natural stream channel or impounded on a natural stream;
- (32) "Raw fur" means a hide, fur, or pelt of a fur-bearing animal which has not been processed. Skinning, stretching, oiling, or coloring of the pelt of the animal shall not be considered processing;
- (33) "Administrative regulation" means a written regulation promulgated, pursuant to KRS Chapter 13A, by the commissioner with the approval of the commission;
- (34) "Resident" means any person who has established permanent domicile and legal residence and has resided in this state for thirty (30) days immediately prior to his application for a license. All other persons shall be classed as nonresidents, except students enrolled for at least six (6) months in an educational institution as full-time students and military personnel of the United States who are under permanent assignment, shall be classified as residents while so enrolled or assigned in this state;
- (35) "Resist" means to leave the scene, intimidate or attempt to intimidate in any manner, or further interfere in any manner with any officer in the discharge of his duties;
- (36) "Rough fish" means all species of fishes other than those species designated by administrative regulation as sport fishes;
- (37) "Sell" includes offering to sell, having or possessing for sale, barter, exchange, or trade;
- (38) "Setline" means a line to which is attached one (1) single or multibarbed hook. This line may be attached to a tree limb, tree trunk, bank pole, or other stationary object, on the bank of a stream or impoundment;
- (39) "Snagging" means the taking of fish or other aquatic animals through the use of a hand-held pole and attached line with single or multiple fish hooks in which the fish is hooked by a rapid drawing motion rather than enticement by bait;
- (40) "Sports fishing trotline" means a line to which are attached no more than fifty (50) single or multibarbed baited hooks which shall not be placed closer together than eighteen (18) inches;
- (41) "Take" includes pursue, shoot, hunt, wound, catch, kill, trap, snare, or capture wildlife in any way and any lesser act designed to lure, attract, or entice for these purposes; and to place, set, aim, or use any device, animal, substance, or agency which may reasonably be expected to accomplish these acts; or to attempt to do these acts or to assist any other person in the doing of or the attempt to do these acts;
- (42) "Tenant" means any resident sharecropper, lessee, or any other person actually engaged in work upon a farm or lands and residing in a dwelling on the farms or lands including noncontiguous lands, but shall not include any other employee or tenant unless actually residing on the property and engaged or employed as above mentioned;
- (43) "Transport" means to carry, move, or ship wildlife from one place to another;
- (44) "Waterfowl" means all species of wild ducks, geese, swans, mergansers, and coots; ~~and~~
- (45) "Wildlife" means any normally undomesticated animal, alive or dead, including without limitations any wild mammal, bird, fish, reptile, amphibian, or other terrestrial or aquatic life, whether or not possessed in controlled environment, bred, hatched, or born in captivity and including any part, product, egg, or offspring thereof, protected or unprotected by this chapter; *and*
- (46) *"Cervid" means a hoofed mammal from the family Cervidae, including but not limited to white-tailed deer, mule deer, elk, moose, and caribou.*

Signed by Governor April 24, 2020.