

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

Kennebec Journal
Augusta, Maine
1979

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND NINTH LEGISLATURE
1979

17-A MRSA § 510, sub-§ 1, ¶ B, as enacted by PL 1975, c. 499, § 1, is amended to read:

B. He overworks, tortures, **torments**, abandons, gives poison to, cruelly beats or mutilates any animal, or exposes a poison with the intent that it be taken by an animal;

Effective September 14, 1979

CHAPTER 121

H. P. 77 — L. D. 85

AN ACT Concerning Euthanasia of a Sick or Injured Dog Brought to a Veterinarian, to a Humane Society or to a Shelter.

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

7 MRSA § 3406, as last amended by PL 1969, c. 242, is repealed and the following enacted in its place:

§ 3406. Dogs brought to veterinarian

1. Normal procedure. Any person finding a sick, stray, injured or abandoned dog may take that dog to any licensed veterinarian, humane society or shelter within the State and the veterinarian, humane society or shelter may accept the dog, providing the shelter has been approved by the Commissioner of Agriculture or his agent. Any licensed veterinarian, humane society or shelter accepting a sick, stray, injured or abandoned dog shall keep that dog for a period of 10 days and shall be entitled to receive from the State the sum of \$1.50 per day for the period or part thereof for which food and shelter are furnished for that dog, provided that the licensed veterinarian, humane society or shelter shall notify the clerk of the respective municipality within 24 hours after accepting the dog. The notice shall include a detailed description of the dog and the circumstances of its finding. Upon the expiration of the 10 days, if the owner of the dog has not appeared to claim the dog, then the licensed veterinarian, humane society or shelter may give away, sell or otherwise humanely dispose of the dog. No dog shall leave any boarding agency until licensed by the person accepting the dog in accordance with section 3451. Proceeds from any sale shall be deducted from any claim for board made to the State. In the event the owner of the dog shall appear and claim the dog while still in possession of the keeper, the owner may have and receive the dog upon payment of all charges provided for in this subsection. All moneys paid by the State to the keepers shall be taken from the fund received from dog licenses.

2. **Animal severely injured.** A veterinarian or a humane agent or a state approved humane shelter manager may authorize in writing, the immediate euthanasia of a severely injured or sick animal if the following conditions are met.

- A. The clerk of the municipality has been notified in accordance with subsection 1 of the animal's presence.
- B. The animal is not rabid or suspected of rabies.
- C. The animal's recovery from his injury or illness, given reasonable time and care, is doubtful.

3. **Dog sick or injured.** A veterinarian may authorize in writing euthanasia of a sick or injured dog received by him, by a humane agent or by a shelter manager within the State if:

- A. Forty eight hours have elapsed since receipt of the sick or injured dog by him, by the humane agent or by the shelter;
- B. The clerk of the municipality has been notified in accordance with subsection 1 of the dog's presence;
- C. The dog is not rabid or suspected of rabies; and
- D. The dog's recovery from his sickness or injury, given reasonable time and reasonable care, is doubtful.

A veterinarian, a humane agent or a shelter manager shall not be civilly liable to any party for authorization made in accordance with this subsection, nor shall any person performing euthanasia under that authorization.

Effective September 14, 1979

CHAPTER 122

H. P. 827 — L. D. 1025

AN ACT Concerning the Governor and Council of the Penobscot Indian Tribe.

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

22 MRSA § 4793, 4th ¶, last sentence, as enacted by PL 1973, c. 130, § 2, is repealed as follows: