

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1092

S. P. 333

In Senate, March 23, 1977

Referred to the Committee on Agriculture. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Hichens of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Concerning Euthanasia of Cats and Dogs.

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

17 MRSA c. 43, sub-c. VI is enacted to read:

SUBCHAPTER VI

EUTHANASIA OF CATS AND DOGS

§ 1226. Acceptable methods of euthanasia of cats and dogs

No cat or dog shall be destroyed by any method, agent, or device except as described in this subchapter.

§ 1227. Preferred method

The preferred method of euthanasia of cats and dogs shall be the administration of a barbiturate overdose to a cat or dog in accordance with the following methods and under the following conditions:

1. Intravenous or intracardial injection. Intravenous or intracardial injection of a lethal solution in dogs;
2. Oral ingestion. Oral ingestion by dogs of powdered sodium pentobarbital in capsules mixed with food;
3. Intraperitoneal or intracardial injection. Intraperitoneal or intracardial injection in cats, kittens and puppies when location of and injection into the vein is difficult or impossible;

4. Use of undamaged hypodermic needle. Use of an undamaged hypodermic needle of a size suitable for the size and species of animal;

5. Intravenous. If it is impossible to obtain sufficient supply of sodium pentobarbital or other barbiturates for injection, euthanasia solution, T-61, may be substituted for intravenous injection into adult dogs according to the directions of the manufacturers for intravenous injection. T-61 shall only be used intravenously; or

6. Administration by a licensed veterinarian. Administration to be only by a licensed veterinarian or by a person trained for this purpose and subject to regular observation concerning continued efficiency.

§ 1228. Conditional methods

The following methods shall be used only in an emergency situation in which the safety of people or other animal life is threatened or in a situation in which the preferred method of euthanasia of cats and dogs cannot be implemented expeditiously and will cause undue suffering:

1. By the use of carbon monoxide gas. Cats and dogs, except cats and dogs under 6 weeks of age, may be destroyed by carbon monoxide gas administered in a tightly enclosed chamber equipped with:

A. Internal lighting and a window providing direct visual observation of any animal within the chamber at all times;

B. A gas generation process adequate to achieve a carbon monoxide gas concentration throughout the chamber of at least 5%;

C. A suitable gauge or gas concentration indicator or recording device making possible easy and instantaneous visual determination of the carbon monoxide concentration in the chamber; or

D. A means for cooling and removing gas generated by an internal combustion engine according to the following methods:

(1) A means of cooling the gas to a temperature not to exceed 115° fahrenheit at the point of entry into the chamber and not to exceed 90° fahrenheit at any point in the chamber as determined by temperature gauges permanently installed at point of entry and inside chamber;

(2) A means of removing or filtering out all noxious fumes, irritating acids and carbon particles from the gas before it enters the chambers;

(3) A means of substantially deadening the sound and vibration transmission from the engine to the chamber, by placing them in separate rooms or sound proof compartments connecting them with flexible tubing or pipe at least 24 inches in length, so that the noise level within the chamber shall not exceed 70 dBA; and

(4) A means for exhausting internal combustion engine gas during period of engine warm-up.

(a) All equipment and the chamber used for gas generated from an internal combustion engine shall be properly maintained and routinely inspected.

E. A means for segregating animals in the chamber except for small compatible dogs, young pups and kittens, 6 weeks of age and older may be placed together perhaps with their female parent in one cage in the chamber;

F. An exhaust fan connected by a gas-tight duct to the outdoors, capable of completely evacuating the gas from the chamber before it is opened after each use, except that this provision shall not apply to chambers located out-of-doors.

2. By the use of chloroform. Cats, kittens and newborn dogs may be destroyed with chloroform provided the following requirements are observed:

A. The animal to be destroyed shall be placed in an individual cage except that small compatible animals of the same species or litter mates with their femal parent may be placed together in the same cage. The cage shall be placed in an airtight chamber or in a transparent plastic bag which can be tightly sealed following introduction of the chloroform;

B. The chloroform, in sufficient dosage to destroy the animal, shall be placed on a paper towel, piece of gauze or ball of cotton, and inserted into the chamber or bag in such a position that the animal shall not be able to come in direct contact with it;

C. The chamber or box shall contain a transparent section of sufficient size to permit unobstructed observation of the animal;

D. The animal shall remain in the chamber or bag until rigor mortis has occurred; or

E. The room in which the chloroform is administered shall have forced ventilation to remove all fumes after each use.

3. By shooting, provided that:

A. The animal is restrained in a humane manner;

B. A 22 rifle, captive bolt pistol, revolver or a 12 or 20-bore shotgun is used; or

C. Death is produced instantaneously by a single shot.

§ 1229. Tranquilizing cats and dogs

Prior to the euthanasia of cats and dogs, sedatives may be administered to these animals. Curari-form immobilizers shall not be used to sedate cats and dogs prior to euthanasia.

§ 1230. Inspection

The Commissioner of Agriculture or his designee may inspect or investigate any facility in which cats and dogs are destroyed.

§ 1231. Penalty for violation

Any person, firm or corporation found in violation of this subchapter shall be guilty of a Class E crime.

STATEMENT OF FACT

The purpose of this bill is to ensure a humane death for the large numbers of dogs and cats that must continually be destroyed because of illness or injury, or simply because they are surplus, unwanted animals. Such a purpose is in accordance with our State's policy of humane treatment of animals.