

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A " to COMMITTEE AMENDMENT "A" to S.P. 198, L.D. 634, Bill, "An Act to Extend the Repeal Date of the Laws Governing Biosynthetic Bovine Somatotropin"

Amend the amendment by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Amend the bill by striking everything after the enacting clause and before the emergency clause and inserting in its place the following:

'Sec. 1. 7 MRSA §3105-A is enacted to read:

§3105-A. Restrictions on biosynthetic bovine somatotropin

A veterinarian or a registered animal technician under the supervision of a veterinarian may use or administer biosynthetic bovine somatotropin, known as BST, for research purposes only. It is unlawful for a person who is not a veterinarian or a registered animal technician under the supervision of a veterinarian to use or administer BST. In addition to other penalties provided by law, if BST is present on a dairy farm, except in possession or control of a veterinarian or a registered animal technician under the supervision of a veterinarian using or administering BST for research purposes, the commissioner shall suspend the farm's operating permit issued under section 2902-A. The suspension may be for a period of up to 30 days and must be in accordance with Title 5, section 10004.

For the purposes of this section, "research" means a class of activities designed to develop or contribute to generalizable knowledge or the accumulation of data that can be corroborated by accepted scientific observation and inferences. A veterinarian

2 using or administering BST for research purposes or supervising a
3 registered animal technician using or administering BST for
4 research purposes subsequent to commercial approval of BST by the
5 federal Food and Drug Administration, pursuant to 21 Code of
6 Federal Regulations, Part 514, must submit to the department
7 prior written notice identifying the owner and location of the
8 animals to which BST will be administered, the explicit
9 objectives of the research and the procedures of investigation
10 designed to reach those objectives. Such notices are public
11 records within the meaning of Title 1, section 402, subsection
12 3. The department shall provide a copy of such notices to each
13 dealer licensed pursuant to section 2955.

14 This section is repealed February 1, 1994.'


16 Further amend the bill by inserting at the end before the
17 statement of fact the following:

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19
20 **FISCAL NOTE**

22 The Department of Agriculture, Food and Rural Resources will
23 incur some minor additional costs to continue administering the
24 restrictions on the use of biosynthetic bovine somatotropin.
25 These costs can be absorbed within the department's existing
26 budgeted resources.'

27
28 **STATEMENT OF FACT**

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31 This amendment is offered on behalf of the Committee on
32 Bills in Second Reading to correct a technical error in committee
33 amendment "A". The committee amendment removed the retroactivity
34 section of the bill and attempted to revive the substantive
35 provision of law effective on the effective date of this
36 emergency measure. The substantive provision, however, was
37 repealed by its own terms on February 1, 1993 and can not
38 therefore be simply revived. This amendment reenacts the same
39 language but with a repeal date of February 1, 1994, thereby
40 giving effect to the intent of the committee amendment.

42
43
44 (Senator CAREY)
45 SPONSORED BY: 
46 COUNTY: Kennebec
47
48

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