

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1106

H.P. 759

House of Representatives, March 1, 2005

An Act To Amend Certain Animal Health Laws

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TWOMEY of Biddeford.
Cosponsored by Representatives: JODREY of Bethel, MAREAN of Hollis.

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

4 **Sec. 1. 7 MRSA §1751, first ¶,** as amended by PL 1977, c. 78,
§29, is further amended to read:

6 As used in this chapter and chapters 201, 202, 202-A, 207,
8 301,--303 and 305, unless the context otherwise indicates, the
following words shall have the following meanings+.

10 **Sec. 2. 7 MRSA §1760** is enacted to read:

12 **§1760. Confidentiality of records**

14 Records and test results relating to diagnostic tests for
16 livestock or poultry diseases performed on samples submitted to
18 or obtained by the commissioner pursuant to this chapter, and any
20 information reported to the commissioner by any person pursuant
22 to this chapter that pertains to diseases among livestock and
24 poultry within the State, are confidential, except when such
information concerns diseases that are specifically regulated for
mandatory control and eradication by the State or the United
States Department of Agriculture or when release of such
information is determined necessary by the commissioner or a
state veterinarian to protect the public health, other livestock
or wildlife. If disclosed pursuant to this section, livestock or
poultry disease diagnostic test results may not be disclosed in a
form that identifies the owner unless the commissioner or a state
veterinarian determines that the disclosure of the owner's
identity is necessary. The department may not disclose records
the department has collected or obtained for the purposes of the
United States Department of Agriculture's National Animal
Identification System unless the commissioner or a state
veterinarian determines that the disclosure is necessary to
protect the public health, other livestock or wildlife.

36 **Sec. 3. 7 MRSA c. 307** is enacted to read:

38 **CHAPTER 307**

40 **STATE OF MAINE ANIMAL RESPONSE TEAM**

42 **§1901. State of Maine Animal Response Team**

44 The commissioner shall develop a State of Maine Animal
46 Response Team, referred to in this section as "the team," to
support a unifying network that protects human and animal health
through preparation, response and recovery for animal emergencies
in the State. The team shall facilitate a prompt, coordinated
and effective response to a natural or man-made disaster
50 affecting animals; decrease the health and safety threat to

2 humans and animals during animal emergencies; and minimize the
3 economic and environmental impacts of animal emergencies.

4 **§1902. State of Maine Animal Response Team Fund**

6 The Treasurer of State shall establish a separate account
7 known as the State of Maine Animal Response Team Fund. This fund
8 does not lapse but must be carried forward. Funds from this
9 account may be used to pay for administrative costs associated
10 with section 1311.

12
13 **SUMMARY**

14
15 The bill establishes the State of Maine Animal Response Team
16 to prepare for and respond to emergencies and disease outbreaks
17 involving animals. It establishes the State of Maine Animal
18 Response Team Fund. It corrects a minor chapter omission
19 necessary for enforcement. Finally, it establishes a
20 confidentiality clause to protect records and test results
21 relating to diagnostic tests for livestock or poultry diseases
22 performed on samples submitted to or obtained by the Commissioner
23 of Agriculture, Food and Rural Resources and any information
24 reported to the commissioner or the commissioner's duly
25 authorized agents by any person that pertains to diseases among
26 livestock and poultry within the State.