

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 779

H.P. 586

House of Representatives, March 1, 2011

An Act To Implement Standards Concerning Animal Welfare and Research Institutions

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative HARLOW of Portland.
Cosponsored by Senator GERZOFKY of Cumberland and
Representatives: BEAVERS of South Berwick, BLODGETT of Augusta, CHIPMAN of
Portland, LOVEJOY of Portland, Senator: PATRICK of Oxford.

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

2 **Sec. 1. 7 MRSA §3991-A, sub-§2-A** is enacted to read:

3 **2-A. Standards for licensure.** A research or teaching institution licensed under this
4 section shall ensure that animals used, housed or transported for research, testing or
5 educational purposes are not subjected to conditions or procedures that result in severe
6 and unrelieved pain or distress. The research or teaching institution:

7 A. May not perform experimental procedures or maintain conditions that are likely
8 to result in severe and unrelieved pain or distress;

9 B. Shall have standard operating procedures and backup systems in place to prevent
10 severe and unrelieved pain or distress during all aspects of animal care and use,
11 including, but not limited to, a standard operating procedure for routinely monitoring
12 animals to assess their levels of pain and distress in order to ensure that animals are
13 not experiencing severe and unrelieved pain or distress and to immediately alleviate
14 those states if necessary; and

15 C. Shall adhere to standards of licensure adopted by the United States Secretary of
16 Agriculture under 7 United States Code, Section 2143.

17 **Sec. 2. 7 MRSA §3991-A, sub-§6, ¶A,** as enacted by PL 2003, c. 452, Pt. B, §23
18 and affected by Pt. X, §2, is amended to read:

19 A. A person who violates this subsection commits a civil violation for which a fine
20 of not more than \$100 may be adjudged. If the violation resulted in severe and
21 unrelieved pain or distress to an animal, a fine of \$1,000 per animal affected per day
22 may be assessed.

23 **Sec. 3. 7 MRSA §3991-A, sub-§6, ¶B,** as enacted by PL 2003, c. 452, Pt. B, §23
24 and affected by Pt. X, §2, is amended to read:

25 B. A person who violates this subsection after having previously violated this
26 subsection commits a civil violation for which a fine of not more than \$250 may be
27 adjudged. If the violation resulted in severe and unrelieved pain or distress to an
28 animal, a fine of \$2,000 per animal affected per day may be assessed.

29 **Sec. 4. 7 MRSA §3991-A, sub-§9** is enacted to read:

30 **9. Definitions.** As used in this section, unless the context otherwise indicates, the
31 following terms have the following meanings.

32 A. "Animal" means any living vertebrate animal.

33 B. "Distress" means an adverse state in which an animal fails to cope or adjust to
34 various stressors with which it is presented.

35 C. "Pain" means an unpleasant sensory and emotional experience associated with
36 actual or potential tissue damage.

37 D. "Severe," with respect to distress or pain, means lasting longer than one minute
38 and of significant intensity.

