

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature

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CHAPTER 74

AN ACT Relating to Equine Infectious Anemia (Swamp Fever) in Equidae.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, all of the states and the Secretary of the United States Department of Agriculture have now approved the Agar gel immuno/diffusion test (Coggins Test) as the official test for Equine Infectious Anemia (Swamp Fever) thereby providing a reliable test for this disease; and

Whereas, the United States Department of Agriculture has established a standard protocol for testing and approved laboratories to conduct such tests, licensed the manufacture of antigen and adopted regulations on the identification of reactor animals and their interstate movement; and

Whereas, as the permanent identification of reactors will reduce or eliminate certain fraudulent practices which are contributing to the spread of the disease; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 7, § 1819, additional. Title 7 of the Revised Statutes is amended by adding a new section 1819, to read as follows:

§ 1819. Equine infectious anemia

Any horse found by the commissioner, after testing, to be infected with equine infectious anemia (swamp fever) may be freeze branded, or otherwise permanently identified, in a manner prescribed by the commissioner. Upon notification of the results of such test, the owner, custodian or harbinger of any animal found by the commissioner to be infected with equine infectious anemia shall confine, present and restrain such animal for freeze branding or other permanent identification by any duly authorized agent of the commissioner at such time as he may direct.

Notwithstanding any other provision of law, the owner, harbinger or custodian of any horse freeze branded, or permanently identified, pursuant to this section shall not be indemnified for any loss in value of such animal.

The term "horse" as used in this section shall apply to the entire family of equidae.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.