

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

CHAPTER 444

AN ACT Concerning Weekly Benefits Paid to Persons who are Partially Unemployed.

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

26 MRSA § 1191, sub-§ 3, as last amended by PL 1975, c. 710, § 1-A, is further amended by adding at the end the following:

On and after January 1, 1978, each eligible individual who, affirmatively terminated from his regular employment for a period in excess of 4 consecutive calendar weeks, is employed less than 40 hours for a period not exceeding 2 consecutive calendar weeks or performs odd jobs shall be paid an amount equal to his weekly benefit amount less:

A. 50% of his earnings paid or payable to him with respect to such week in excess of \$10 up to \$35, plus any fraction of a dollar; and

B. 100% of his earnings paid or payable to him with respect to such week in excess of \$35, plus any fraction of a dollar.

Effective October 24, 1977

CHAPTER 445

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 dogs and cats by authorized agencies and licensed veterinarians

No cat or dog shall be destroyed by any authorized agency or licensed veterinarian 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 barbituate overdose. The administration of succinylcholine chloride or any other curariform drug to destroy cats and dogs is hereby prohibited. The preferred method of euthanasia shall be implemented according to 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 only and according to the directions of the manufacturers for intravenous injection. T-61 shall only be used intravenously; and
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;
 - D. A means for cooling and removing gas if 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; and

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, ether, halothane or fluothane. Cats, kittens and newborn dogs may be destroyed by chloroform, ether, halothane or fluothane provided the following requirements are met:

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;

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

F. Veterinarians only may destroy dogs and cats following terminal operations by the use of an overdose of ether or other anesthetic gasses.

3. By shooting. By shooting, provided that:

A. The animal is restrained in a humane manner ;

B. A weapon and ammunition of suitable caliber and other characteristics to produce instantaneous death by a single shot ; and

C. Maximum precaution is taken to protect employees and other animals.

§ 1229. Tranquilizing cats and dogs

Prior to the euthanasia of cats and dogs, sedatives may be administered to these animals. Curariform 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.

Effective October 24, 1977

CHAPTER 446

AN ACT to Provide Exemptions from Licensure for Certain Insurance Agents and Officers of Benefit Societies and Amend the Procedure for Licensing.

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

Sec. 1. 24-A MRSA § 4128, as enacted by PL 1969, c. 132, § 1 and as amended by PL 1973, c. 585, & 12, is repealed and the following enacted in its place:

§ 4128. Licensing of agents

Agents of societies shall be licensed in accordance with chapter 17 provided the examination requirements of chapter 17 shall not be applicable to any agent who was in the service of a society on January 1, 1978, and provided that no insurance agent's license shall be required of the following: