

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Implement Standards Concerning Animal Welfare and Research Institutions

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

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

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

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

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

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

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

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

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

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

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

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

A. "Animal" means any living vertebrate animal.

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

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

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

Sec. 5. 7 MRSA §3991-A, sub-§10 is enacted to read:

10. Evidence of pain or distress. Depending on the species in question, a range of clinical signs could indicate that an animal is in severe and unrelieved pain or distress, including marked behavioral abnormalities, prolonged anorexia, dehydration, extreme lethargy and signs of advanced systemic infection.

Sec. 6. 7 MRSA §3991-A, sub-§11 is enacted to read:

11. Alleviation of pain or distress. This section does not prohibit procedures or conditions accompanied by the provision of adequate anesthetics, analgesics, palliative care, positive reinforcement training, euthanasia or other measures to avoid a state of severe and unrelieved pain or distress in animals. This section does not prevent the use of nonanimal or other alternative methods of research and testing, such as those scientifically validated and recommended by the United States Department of Health and Human Services, National Institute of Environmental Health Sciences, Interagency Coordinating Committee on the Validation of Alternative Methods or its successor.

SUMMARY

This bill provides standards of animal treatment for institutions engaged in laboratory research and testing.