

MAINE STATE LEGISLATURE

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R.S.

L.D. 204

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AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE HOUSE OF REPRESENTATIVES 122ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 155, L.D. 204, Bill, "An Act To Protect Dogs That Are Left Outside"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 7 MRSA §4015, sub-§2, ¶B, as amended by PL 1997, c. 456, §8, is further amended to read:

B. Except as provided in subsections 5 and 6, shelter from inclement weather must be as follows.

(1) An artificial shelter, with a minimum of 3 sides and a waterproof roof, appropriate to the local climatic conditions for the species concerned must be provided as necessary for the health of the animal.

(2) If a dog is tied or confined unattended outdoors under weather conditions that adversely affect the health of the dog, a shelter of suitable size with a floor above ground and waterproof roof must be provided to accommodate the dog and protect it from the weather and, in particular, from severe cold. Inadequate shelter may be indicated by the shivering of the dog due to cold weather for a continuous period of 30 minutes.

COMMITTEE AMENDMENT

2 **Sec. 2. 7 MRSA §4015, sub-§6** is enacted to read:

4 **6. Dogs confined by tethering for long time periods.** In
6 addition to the requirements of subsection 2, paragraph B,
8 subparagraph (2), when tethering is the primary means of
 confinement for a dog, the standards for shelter and tethering
 are as follows:

10 A. A shelter must be provided that is fully enclosed except
12 for a portal. The portal must be of a sufficient size to
14 allow the dog unimpeded passage into and out of the
16 structure. For dogs other than arctic breeds, the portal
 must be constructed in a manner that keeps wind and
 precipitation out of the interior. The shelter must have
 clean bedding material sufficient to retain the dog's normal
 body heat; and

18 B. The chain or tether must be attached to both the dog and
20 the anchor using swivels or similar devices that prevent the
22 chain or tether from becoming entangled or twisted. The
24 chain or tether must be attached to a well-fitted collar or
 harness on the dog. For dogs other than arctic breeds, the
 chain or tether must be at least 5 times the length of the
 dog measured from the tip of its nose to the base of its
 tail. For arctic breeds, the chain or tether must be at
 least 2.5 times the length of the dog measured from the tip
 of its nose to the base of its tail.

30 For the purposes of this subsection, "primary means of
32 confinement" means the method used to confine a dog for periods
34 of time that exceed 12 hours in a 24-hour period. For the
 purposes of this subsection, "arctic breeds" means Siberian
 Huskies, Alaskan Huskies, Alaskan Malamutes and other dogs with a
 double-layered coat and bred to live in an arctic climate.

36 **Sec. 3. 17 MRSA §1037, sub-§2, ¶B**, as amended by PL 1997, c.
38 456, §18, is further amended to read:

40 B. Except as provided in subsections 5 and 7,
42 shelter from inclement weather must be as follows.

44 (1) An artificial shelter, with a minimum of 3 sides
46 and a waterproof roof, appropriate to the local
 climatic conditions for the species concerned must be
 provided as necessary for the health of the animal.

48 (2) If a dog is tied or confined unattended outdoors
50 under weather conditions that adversely affect the
 health of the dog, a shelter of suitable size with a
 floor above ground and waterproof roof must be provided

2 to accommodate the dog and protect it from the weather
and, in particular, from severe cold. Inadequate
4 shelter may be indicated by the shivering of the dog
due to cold weather for a continuous period of 30
6 minutes.

8 **Sec. 4. 17 MRSA §1037, sub-§7** is enacted to read:

10 7. Dogs confined by tethering for long time periods. In
addition to the requirements of subsection 2, paragraph B,
12 subparagraph (2), when tethering is the primary means of
confinement for a dog, the standards for shelter and tethering
are as follows:

14 A. A shelter must be provided that is fully enclosed except
16 for a portal. The portal must be of a sufficient size to
allow the dog unimpeded passage into and out of the
18 structure. For dogs other than arctic breeds, the portal
must be constructed in a manner that keeps wind and
20 precipitation out of the interior. The shelter must have
22 clean bedding material sufficient to retain the dog's normal
body heat; and

24 B. The chain or tether must be attached to both the dog and
26 the anchor using swivels or similar devices that prevent the
chain or tether from becoming entangled or twisted. The
28 chain or tether must be attached to a well-fitted collar or
harness on the dog. For dogs other than arctic breeds, the
30 chain or tether must be at least 5 times the length of the
dog measured from the tip of its nose to the base of its
32 tail. For arctic breeds, the chain or tether must be at
least 2.5 times the length of the dog measured from the tip
of its nose to the base of its tail.

34 For the purposes of this subsection, "primary means of
36 confinement" means the method used to confine a dog for periods
of time that exceed 12 hours in a 24-hour period. For the
38 purposes of this subsection, "arctic breeds" means Siberian
Huskies, Alaskan Huskies, Alaskan Malamutes and other dogs with a
40 double-layered coat and bred to live in an arctic climate.'

42 **SUMMARY**

44 This amendment replaces the bill. It establishes tethering
46 and shelter standards specific to dogs that are confined outside
on tethers for long periods. It establishes standards that are
48 appropriately different for arctic breeds.