

MAINE STATE LEGISLATURE

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July 25, 1968

S. F. Dorrance, Div. of Animal Industry Agriculture
John W. Benoit, Assistant Attorney General
Licensing of dogs; Owners residing on military base.

SYLLABUS:

Military personnel living on Government-owned bases or property are exempt from paying dog licensing fees.

FACTS:

We have been asked to opine whether military personnel living on Government-owned bases or property are exempt from paying dog licensing fees.

QUESTION:

Are military personnel living on Government-owned bases or property exempt from paying dog licensing fees?

ANSWER:

Yes.

REASONS:

The first sentence of 7 M.R.S.A. § 3451 reads as follows:

"On or before the first day of January of each year, the owner or keeper of any dog 4 months old or over shall apply to the city or town clerk either orally or in writing for a license for each such dog owned or kept by him." (Emphasis supplied.)

The tenor of § 3451 is that a city has jurisdiction to levy such a licensing fee on their respective residents only. Military personnel living on Government-owned bases or property are not residents of local municipalities; therefore, the municipalities have no jurisdiction to levy such licensing fees.

JOHN W. BENOIT
Assistant Attorney General

JWB/eh