

MAINE STATE LEGISLATURE

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Revocation of kennel license

SYLLABUS:

The Commissioner of Agriculture may not revoke a kennel license, issued by a town clerk under the provisions of 7 M.R.S.A. § 3451, on a showing that the licensee has failed to properly enclose the licensed dogs. Revocation can only take place for the specific causes enumerated in the reference statute.

FACTS:

A town official has requested the Commissioner of Agriculture to revoke a kennel license issued under 7 M.R.S.A. § 3451, on the grounds that the licensee has failed to properly enclose the licensed dogs.

QUESTION:

Are these grounds sufficient for revocation of the license?

ANSWER:

No.

REASON:

7 M.R.S.A. § 3451 provides:

"The Commissioner of Agriculture may revoke or suspend a kennel license providing any person, firm or corporation maintaining a kennel violates any quarantine or maintains dogs in an insanitary or inhumane manner, or fails to comply with laws or orders of the commissioner by not keeping records required by law."

It is evident from the face of the statute that failure to properly enclose the dogs is not grounds under the statute for revocation of a kennel license.

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