

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1045

S. P. 319

In Senate, February 9, 1965

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

EDWIN H. PERT, Secretary

Presented by Senator Carter of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Revising the Dog Laws.

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

Sec. 1. R. S., T. 7, § 3401, repealed. Section 3401 of Title 7 of the Revised Statutes is repealed.

Sec. 2. R. S., T. 7, § 3402, amended. Section 3402 of Title 7 of the Revised Statutes is amended to read as follows :

§ 3402. Copies of law posted

The commissioner shall seasonably forward to the clerks of the several municipalities copies of sections ~~3401~~ 3451, 3452, 3501 and 3701 to 3703, and each clerk shall annually, at least 20 days before the first day of ~~April~~ **January**, post said copies in the usual places of posting notices of the annual municipal or town elections.'

Sec. 3. R. S., T. 7, § 3451, amended. Section 3451 of Title 7 of the Revised Statutes is amended to read as follows :

§ 3451. Fees; tags; guide dogs; duties of animal husbandry expert

On or before the first day of ~~April~~ **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. Such application shall state the breed, sex, color and markings of such dogs and the name and address of the last previous owner.

A fee of ~~\$1.15~~ **\$1.00** shall be paid the city or town clerk for each license issued on male dogs, and a fee of ~~\$5.15~~ **\$5.00** shall be paid for all female dogs

capable of bearing young. All female dogs shall be considered capable of producing young unless a certificate issued by any licensed veterinarian, or any previous license record, is presented from a licensed veterinarian stating that such female was made incapable of bearing young by spaying by him. When such certificate accompanies the application, a fee of ~~\$1.15~~ \$1.00 shall then be paid on such spayed females. In addition to the amount paid for license and tag, each applicant shall pay the city or town clerk ~~25c~~ 50¢ for recording and making a return to the Commissioner of Agriculture, except that a license and tag shall be issued by the city or town clerk, upon application, for any trained guide dog owned or kept by a blind person without payment of any fee required under this section. When any such dog has not been previously registered or licensed by the town or city clerk to whom such application is being made, such town or city clerk shall not register such dog nor issue to the owner or keeper a license and tag therefor unless written evidence shall be exhibited to him that the dog is trained and educated and intended in fact to perform such guide service for such applicant.

Such licenses shall be made in triplicate, the original copy shall be mailed to the commissioner, one copy given to the person applying for the license and one copy retained by the city or town clerk.

A suitable tag showing the year such license is issued and bearing such other data as the commissioner may prescribe shall be given with each license and must be securely attached to a leather or metal collar which must be worn at all times by the dog for which the license was issued, and it shall be unlawful for any person to remove such tag or to place either collar or tag on any dog not described or for which the license was not issued.

All license blanks and tags shall be furnished by the commissioner. The representatives of the Department of Agriculture in charge of animal husbandry shall be known as the Animal Husbandry Specialist and the assistant animal husbandry specialist, who shall carry out the dog licensing laws and the adjustment of claims for damages to livestock and poultry by dogs and wild animals, and to the promotion of animal husbandry within the State. The expense of furnishing the blanks and tags, and the necessary clerk hire and travel, and the salary of the Animal Husbandry Specialist and the assistant animal husbandry specialist shall be paid from the funds received from the licensing of dogs. Money is appropriated out of the dog license receipts for the purposes of this section.

Any person becoming the owner or keeper of a dog after the first day of ~~April~~ **January**, not duly licensed as required, shall, within 10 days after he becomes the owner or keeper of said dog, cause said dog to be described and licensed as provided.

Every owner or keeper of dogs, kept for breeding, hunting, show, field trials and exhibition purposes, may receive annually a special kennel license authorizing him to keep said dogs for said purpose, provided he keeps said dogs within a proper enclosure. Such special kennel license shall permit such owner, keeper or authorized agent to transport under control and supervision said dogs to and from places of hunting or exhibition within or without the State. When

the number of dogs so kept does not exceed 10, the fee for such license shall be ~~\$9.00~~ \$10.00, and in addition ~~25c~~ 50¢ for each such license as a fee for recording and making the return required by law; when the number of dogs so kept exceeds 10, the fee for such license shall be ~~\$19.00~~ \$20.00, and in addition ~~25c~~ 50¢ for each such license as a fee for recording and making the return required by law, and no fees shall be required for the dogs of such owner or keeper under the age of 6 4 months. Dogs covered by kennel license shall be furnished suitable kennel tags as prescribed by the commissioner or his agent.'

Sec. 4. R. S., T. 7, § 3702, amended. The first paragraph of section 3702 of Title 7 of the Revised Statutes is amended to read as follows:

'The municipal officers of each municipality shall annually within 10 days from the first day of June issue a warrant, returnable on ~~July 15th~~ August 1st following, to one or more police officers or constables ~~or State Humane Agents~~, directing him or them to proceed forthwith to enter complaint and summons to court the owner or keeper of any unlicensed dog. The said police officer ~~or constable or State Humane Agent~~ shall, before entering such complaint and obtaining said summons, call on the owner or keeper of said dog and demand that he conform with the law and pay the license fees due, and if the owner pays such license fees, he shall pay in addition thereto the officer's fee of \$3, which the officer shall retain and make return and pay over to the city or town clerk the license fees received by him.'

Sec. 5. R. S., T. 7, § 3702, amended. The 2nd paragraph of section 3702 of Title 7 of the Revised Statutes is repealed.

Sec. 6. R. S., T. 7, § 3703, amended. The first sentence of section 3703 of Title 7 of the Revised Statutes is amended to read as follows:

'Each police officer ~~or constable or State Humane Agent~~ to whom the warrants named in section 3702 are issued shall return the same at the time specified.'