

MAINE STATE LEGISLATURE

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(New Title)
New Draft of: H. P. 394, L. D. 580

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1752

H. P. 1336

House of Representatives, May 19, 1971

Reported by Mr. Evans from Committee on Agriculture and printed under
Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Boarding Kennels or Pet Shops.

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

Sec. 1. R. S., T. 7, § 3451, amended. The last 4 paragraphs of section 3451 of Title 7 of the Revised Statutes, as enacted by section 4 of chapter 193 of the public laws of 1965, and as amended, are repealed and the following enacted in place thereof:

The commissioner, his authorized agent or a veterinarian employed by the State may, at any reasonable time, enter any boarding kennel or pet shop, excepting any building used for human habitation heretofore recognized as not subject to search warrant and make examination and conduct any recognized test for the existence of any contagious or infectious diseases or conditions. A veterinarian employed by the State or any licensed veterinarian may quarantine such pet shop or boarding kennel in person or by registered mail, and such quarantine shall be maintained as long as the Commissioner of Agriculture deems necessary.

The commissioner may revoke or suspend a pet shop or boarding kennel license providing any person, firm or corporation maintaining such pet shop or boarding kennel violates any quarantine or maintains animals or birds contrary to the rules and regulations promulgated by the commissioner or fails to keep records required by the commissioner.

Any person, firm or corporation aggrieved by any order under this section may, by petition, appeal within 30 days to the Superior Court where said person resides, or where the firm or corporation is located. Such petition

shall, in substance, state the findings by the commissioner and the grounds of appeal, and said court shall consider said proceedings de novo and the parties thereto shall have right of exception and appeal as in civil matters.

The receipts and costs of carrying out this section shall become a part of the receipts and expenses of the dog license administration.

Humane societies' shelters and shelters approved by the commissioner under section 3406 shall be exempt from the licensing provisions of this section, but shall be subject to any rules and regulations promulgated by the commissioner as to sanitation, enclosure, records, health requirements and such other procedures as he may deem necessary.

Upon written complaint made to the Commissioner of Agriculture by any person, firm or corporation, alleging violation of this section, or any of the rules and regulations pursuant thereto by any licensee, the Commissioner of Agriculture shall cause an investigation to be made upon matters related in said complaint.

Any person, firm or corporation maintaining a pet shop or boarding kennel without having obtained a license for the same, or after any license has been revoked or suspended, shall be punished by a fine of not more than \$50 per day.

Sec. 2. **Effective date.** This Act shall become effective January 1, 1972.

STATEMENT OF FACT

This bill is intended to spell out rules and regulations for inspection of boarding kennels and pet shops by the Department of Agriculture and penalties for violations of any such rules and regulations.