

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
107TH LEGISLATURE

COMMITTEE AMENDMENT "A" to H.P. 238, L.D. 294, Bill, "AN ACT Relating to the Shipment of Dogs and Cats and Prohibiting the Use of Dogs or Cats in Commercial Promotions.

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'Sec. 1. 7 MRSA §1809, first 2 paragraphs, as repealed and replaced by PL 1973, c. 625, §40, are amended to read:

Any person or persons bringing horses, cattle, mules, asses, sheep, goats, swine, cats and dogs, wild animals, avian species or fertile eggs of such species, amphibians or reptiles into the State may be required by the commissioner to obtain a permit previous to the time of entry, said permit to accompany shipment. Such animals, avian species or the fertile eggs of such species, amphibians or reptiles offered for entry into the State that do not have health status satisfactory to the commissioner, or do not comply with the Inland Fisheries and Game laws or by rules and regulations of the Commissioner of Inland Fisheries and Game, the commissioner may refuse to grant a permit or may issue one subject to quarantine at destination. The commissioner may require the owner to have such horses, cattle, mules, asses, sheep, goats, swine, cats and dogs, wild animals, avian species or the fertile eggs of such species, amphibians or reptiles tested or examined by a veterinarian at the owner's expense. The commissioner shall release such horses, cattle, mules, asses, sheep, goats, swine, cats and dogs, wild animals, avian species or the fertile eggs of such species, amphibians or reptiles from quarantine only after he is satisfied that such horses, cattle, mules, asses, sheep, goats, swine, cats and dogs, wild animals, avian species or the fertile eggs of such species, amphibians or reptiles are not a menace to other wild or domestic animals, avian species or fertile eggs of such species, amphibians, reptiles or humans of the State.

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Horses, cattle, mules, asses, sheep, goats, swine, cats and dogs, wild animals, avian species or the fertile eggs of such species, amphibians or reptiles brought into the State without a permit, may be condemned by the commissioner or the Commissioner of Inland Fisheries and Game and euthanized without indemnity.

Sec. 2. 7 MRSA §1809, sub-§1 is enacted to read:

1. Rules and regulations. The Commissioner of Agriculture shall promulgate all rules and regulations that he deems proper and necessary to maintain the health of all dogs and cats imported into the State or offered for sale within the State.

Sec. 3. 7 MRSA §3451, 5th and 6th ¶¶ from the end, as enacted by PL 1971, c. 453, are amended to read:

The commissioner, his authorized agent, a state humane agent or a veterinarian employed by the State may, at any reasonable time, enter any boarding kennel, 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. The Commissioner of Agriculture or his authorized agent may inspect pet shops, boarding kennels and kennels in accordance with the sanitation and health regulations established by the Department of Agriculture. A veterinarian employed by the State or any licensed veterinarian may quarantine such pet shop ~~or~~, boarding kennel and kennel in person or by registered mail, and such quarantine shall be maintained as long as the ~~Commissioner of Agriculture~~ commissioner deems necessary.

The commissioner may revoke or suspend a pet shop ~~or~~, kennel and boarding kennel license providing any person, firm or corporation maintaining such pet shop ~~or~~, kennel and boarding kennel violates any quarantine or maintains animals or birds contrary to the rules and regulations

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promulgated by the commissioner or fails to keep records required by the commissioner.

Sec. 4. 7 MRSA §3451, last paragraph, as enacted by PL 1971, c. 453, is amended to read:

Any person, firm or corporation maintaining a pet shop ~~or~~, boarding kennel or 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.'

Statement of Fact

The purpose of this amendment is to give the Department of Agriculture the authority to enforce the law that applies equitably to all commercial pet operations.

Reported by the Committee on Agriculture.

Reproduced and distributed under the direction of the Clerk of the House.

4/18/75

(Filing No. H-176)