

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 581

S. P. 208

In Senate, February 15, 1979

Referred to the Committee on Agriculture. Sent down for concurrence and ordered printed.

Presented by Senator Hichens of York.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

**AN ACT to Prohibit Humane Societies and Shelters from Releasing Fertile  
Animals into the Community.**

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

**7 MRSA § 3459** is enacted to read:

**§ 3459. Shelters not to release fertile animals into community**

**1. Animals released from shelter. No humane society or shelter shall release any sick, stray, injured or abandoned dog or cat to anyone other than its owner before it was taken into the shelter unless that dog or cat is either sterile or arrangements have been made to render that dog or cat sterile within 60 days after the animal is released from the society or shelter.**

**2. Violations.**

**A. Any humane society or shelter which releases a fertile dog or cat to any person other than to the animal's owner before it was taken into the shelter commits a civil violation for which a forfeiture of not more than \$250 may be adjudged.**

**B. It shall be a defense to a violation of paragraph A that arrangements were made before the dog or cat was released from the shelter to have the dog or cat sterilized within 60 days of its release.**

**C. Any person who takes from a humane society or shelter a fertile dog or cat which will be sterilized under arrangements made prior to its release, within 60 days of that release, and who negligently or willfully does not have that dog or cat sterilized within that period commits a civil violation for which a forfeiture of not more than \$250 may be adjudged.**

#### STATEMENT OF FACT

This bill prohibits any humane society or shelter from releasing a fertile dog or cat into the community unless the dog or cat is released to the person who owned it before the dog or cat was taken into the society or shelter or unless arrangements have been made to sterilize the dog or cat within 60 days after the animal's release.

This bill will help prevent the current rapid increase in unwanted cats and dogs.