

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
110TH LEGISLATURE  
FIRST REGULAR SESSION

(Filing No. H-163)

COMMITTEE AMENDMENT "A" to H.P. 266, L.D. 329, Bill, "AN ACT to Exempt Guide Dogs from Registration Fee Requirements During the Raising Period in Foster Homes."

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 7 MRSA §3451, first ¶, 3rd sentence, as amended  
by PL 1975, c. 293, §4, is further amended to read:

No city or town clerk shall issue a license for any dog until the applicant has filed with such clerk proof that such dog has been immunized against rabies in accordance with rules ~~and regulations~~ promulgated by the Commissioner of Human Services, provided the requirement of immunization may be waived by such clerk under conditions set forth by the Commissioner of Human Services.

Sec. 2. 7 MRSA §3451, first ¶, as last amended by PL  
1975, c. 293, §4, is further amended by adding at the end a new sentence to read:

In the case of any guide dog or hearing dog kept prior to training or for breeding purposes as defined in this section, the commissioner shall accept valid proof of immunization against rabies provided by another state.

Sec. 3. 7 MRSA §3451, 2nd ¶, as last amended by PL 1979, c. 773, §17, is repealed and the following enacted in its place:

A fee of \$5.50 shall be paid the city or town clerk for each license issued on all dogs 6 months old or older capable of producing young. All dogs shall be considered capable of producing young unless a certificate issued by any licensed veterinarian stating that the dog, if female, was made incapable of producing young by spaying by him or, if male, was made incapable of producing young by sterilization by him, or upon examination by him is certified to be incapable of producing young or by previous registration, the owner has declared that the dog is incapable of producing young. When that certificate or registration accompanies the application, a fee of \$2 shall be paid for each license. In addition to the amount paid for a license and tag, each applicant shall pay the city or town clerk \$1 for recording and making a return to the Commissioner of Agriculture, Food and Rural Resources, 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; for any trained hearing dog kept by a deaf person; or for any guide dog or hearing dog kept prior to training or for breeding purposes as defined in this paragraph, without payment of any fee required under this section. "Guide dog or hearing dog kept prior to training" means a dog under 18 months of age, owned by a non-profit organization for the purpose of training as a guide dog or

hearing dog, living temporarily with a resident of the State prior to training. "Guide dog or hearing dog kept for breeding purposes" means a male or female dog owned by a nonprofit organization for the purpose of producing puppies to be trained as guide dogs or hearing dogs, living with a resident of the State. In the case of a trained dog, 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 is exhibited to him that the dog is trained and educated and intended to perform such guide service for such applicant.'

#### Statement of Fact

Most guide dogs for the blind in the northeastern states are raised, trained and placed with blind individuals by one of several nonprofit organizations. Typically, the organization places a puppy in a "foster home" at about 8 weeks of age, and the puppy lives in the home until the age of 14-16 months, after which he is given formal training as a guide dog. The purposes of the foster home period are to rear the dog to the optimum age for formal training, while exposing him to and evaluating his reaction to the sights, sounds and other experiences to which he will be exposed as a guide dog. During this period, he is owned by the nonprofit organization, which pays a small amount for food, veterinarian bills and other upkeep. The foster home

raises the dog as a public service. Similarly, especially good breeding dogs are sometimes kept in foster homes during the period they are used for breeding. Examples of such organizations include Guiding Eyes for the Blind, Yorktown Heights, New York; Seeing Eye, Morristown, New Jersey, and Guide Dogs Foundation for the Blind, Forest Hills, New York.

The purpose of this amendment is to exempt these 2 classes of dogs,  $\leftarrow$  puppies and breeding dogs,  $\rightarrow$  from payment of the license fee. This is consistent with the present statutory policy of exempting from such fees guide dogs and hearing dogs owned or kept by the blind or deaf.

It is warranted because the foster home is performing a public service. In addition, this amendment requires the Commissioner of Human Services to accept valid proof of immunization against rabies provided by other states for these dogs.

Reported by the Committee on Agriculture.  
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