

MAINE STATE LEGISLATURE

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L.D. 2132
(Filing No. S- 342)

STATE OF MAINE
SENATE
111TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT " A" to S.P. 797, L.D. 2132,
Bill, "AN ACT to Allow Elderly Persons to have Pets
in Public Housing."

Amend the bill in that part designated "§5171."
in subsection 2 by adding at the end the following
sentence:

'Pet owners are encouraged to have their dogs and
cats neutered or spayed.'

Further amend the bill in that part designated
"§5172." in subsection 2 in the 2nd line (page 2,
line 18 in L.D.) by inserting after the underlined
word "establish" the underlined word 'reasonable' and
by inserting after the underlined word "guidelines"
the underlined words 'on an interim basis pending is-
suanace of the federal regulations'

Further amend the bill in that part designated
"§5172." in subsection 2 in paragraph B in the last
line by inserting before the period the following
words 'or a nuisance to other occupants'

Further amend the bill in that part designated
"§5172." by adding at the end a new subsection to
read:

'3. Liability. The local housing authority
shall not be liable for personal or property damages
caused by any pet in the rental housing accommoda-
tion.'

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STATEMENT OF FACT

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This amendment clarifies that neutering of dogs and cats is not mandated but it is encouraged because of the effects on the behavior of pets.

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On February 28, the United States Department of Housing and Urban Development issued a notice (H-84-10 HUD) to all owners and managers of federally assisted and insured rental housing for the elderly and handicapped regarding pet ownership in such housing. It informs the owner or managers that, prior to issuance of the federal regulations, "the owners and managers of covered projects who consider it necessary to adopt reasonable rules limiting the keeping of pets by tenants may do so on an interim basis pending issuance of the regulations." This existing provision would therefore permit owners or managers to develop just one set of rules regarding ownership.

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This amendment also specifies that rules must be reasonable so that they would not in essence prohibit older people from being able to have pets.

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This would expand the conditions concerning the removal of pets which may be included in rules or guidelines established by the owner or manager.

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This amendment clarifies the issue of the liability of the management of the public housing. Another state has enacted a similar provision in their legislation.

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Frank Wood
(Sen. Wood)
NAME:

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COUNTY: York