

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A" to S.P. 694, L.D. 1859, Bill, "An Act to Amend the Composition of the Animal Welfare Board"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Animal Welfare Board has many powers and duties; and

Whereas, effective use of these powers and performance of these duties are essential to animal welfare in this State; and

Whereas, adequate and balanced representation of various interests is essential to optimal functioning of the board; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 7 MRSA §3903**, as amended by PL 1989, c. 701, §2 and affected by §6, is further amended to read:

**§3903. Membership**

The Animal Welfare Board is an independent board.

The board ~~shall consist~~ consists of ~~10~~ 11 members as follows.

COMMITTEE AMENDMENT "A" to S.P. 694, L.D. 1859

1. **Designated members.** Nine ~~Ten~~ members, appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over agriculture and subject to confirmation by the Legislature, shall ~~consist~~ consist of:

A. ~~Four~~ Five members representing humane societies ~~to be~~ selected by the Governor, who shall consider nominations made by humane societies incorporated under the laws, provided that no more than one member may represent a particular society, at least one member must represent a state-licensed animal shelter and at least one member must represent a licensed kennel, boarding kennel or pet shop;

B. Four members representing the agricultural community ~~to be~~ selected by the Governor from nominations presented by organizations representing the agricultural community; and

C. ~~One member to be a~~ veterinarian and who is or has been licensed to practice in this State, selected by the Governor, who shall consider nominations made by the Maine Veterinary Medical Association. A veterinarian is not eligible for membership on the board if the license of the veterinarian has ever been suspended or revoked by the Administrative Court pursuant to Title 32, chapter 71-A.

2. **State member.** One member of the board representing the State shall ~~must~~ be the Commissioner of Agriculture, Food and Rural Resources or the commissioner's designee who shall serve as an ex officio, ~~nonvoting~~ voting member.

3. **Compensation.** Members of the board shall ~~be~~ are compensated in accordance with Title 5, chapter 379. One member of the board is paid compensation from the board's special revenue account consisting of license fees paid to the board in accordance with this chapter.

Sec. 2. 7 MRSA §3906, sub-§§9 and 10, as enacted by PL 1987, c. 383, §3, are amended to read:

9. **Rules.** Pursuant to Title 5, chapter 375, adopt, amend and repeal reasonable rules, including emergency rules, necessary for the proper administration, implementation, enforcement and interpretation of any provision of law that it is charged with administering and necessary or useful for carrying out any of its powers and duties; and

10. **Other powers.** Do any act or thing necessary or useful for carrying out any of its powers or duties; and

Sec. 3. 7 MRSA §3906, sub-§11 is enacted to read:

2 11. Annual report Report annually by March 1st to the  
3 joint standing committee of the Legislature having jurisdiction  
4 over agricultural matters on the activities of the board. This  
5 report must include a financial statement for the board, a status  
6 report on rulemaking by the board and a summary of cases of  
7 cruelty to animals investigated by the board.

8 **Sec. 4. Membership terms.** Any member serving on the Animal  
9 Welfare Board on the effective date of this Act shall continue to  
10 serve until the expiration of the term for which that member was  
11 appointed.

12 **Sec. 5. Allocation.** The following funds are allocated from  
13 Other Special Revenue for the fiscal years ending June 30, 1992  
14 and June 30, 1993 to carry out the purposes of this Act.

	1991-92	1992-93
<b>ANIMAL WELFARE BOARD</b>		
<b>Animal Welfare - Dog License</b>		
Personal Services	\$385	\$385
All Other	854	854
Provides funds to cover per diem and travel costs for one additional board member.		
<b>ANIMAL WELFARE BOARD</b>		
<b>TOTAL</b>	<u>\$1,239</u>	<u>\$1,239</u>

34 **Emergency clause.** In view of the emergency cited in the  
35 preamble, this Act takes effect when approved.

36 **FISCAL NOTE**

	1991-92	1992-93
<b>APPROPRIATIONS/ALLOCATIONS</b>		
Other Funds	\$1,239	\$1,239
<b>REVENUES</b>		
Other Funds	\$1,239	\$1,239

48 This bill adds one additional member to the Animal Welfare  
49 Board and requires the board to report annually to the  
50 Legislature. The per diem and travel costs associated with the  
51 additional member will be \$1,239 in each year of the biennium and

will be paid from Other Special Revenue. The cost of the annual report can be absorbed within existing resources.'

**STATEMENT OF FACT**

This amendment changes the composition of the Animal Welfare Board by: adding an 11th member; specifying that at least one member represent a state-licensed animal shelter and at least one member represent a licensed kennel, boarding kennel or pet shop; and giving the Commissioner of Agriculture, Food and Rural Resources or the commissioner's designee voting rights on the board. This amendment specifies that one board member receive compensation from the board's special revenue account. It requires that the board report annually to the Joint Standing Committee on Agriculture. This amendment adds an emergency preamble, an emergency clause and a fiscal note to the bill.

Reported by Senator Twitchell for the Committee on Agriculture  
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(6/5/91) (Filing No. S-305)