

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 414

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H.P. 326

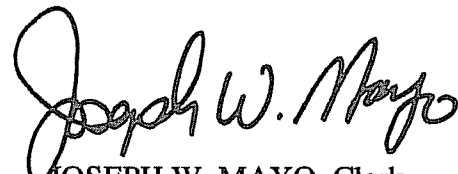
House of Representatives, February 9, 1993

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**An Act to Permit Animal Shelters to Administer Rabies Vaccine.**

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Reference to the Committee on Agriculture suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative JONES of Pittsfield.  
Cosponsored by Representative: TARDY of Palmyra.

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

2  
4       **Sec. 1. 7 MRSA §3912-A, sub-§3**, as enacted by PL 1991, c. 779,  
§18, is amended to read:

6       **3. Inspection.** The commissioner, a state humane agent or a  
8 veterinarian employed by the State, at any reasonable time, may  
10 enter any animal shelter and make examination and conduct any  
12 recognized test for the existence of any contagious or infectious  
14 disease or condition. The department may inspect animal shelters  
to determine compliance with the department's sanitation, health  
and other rules. Prior to an inspection, the department shall  
determine from its records whether personnel of the shelter are  
certified to vaccinate for rabies and include a review of the  
vaccination procedures in its inspection.

16  
18 A veterinarian employed by the State or any licensed veterinarian  
may quarantine an animal shelter in person or by registered mail  
and the quarantine is maintained as long as the department  
20 determines necessary. The decision and order for this quarantine  
is not considered licensing or an adjudicatory proceeding under  
22 the Maine Administrative Procedure Act.

24       **Sec. 2. 7 MRSA §3916, sub-§4**, as enacted by PL 1991, c. 779,  
§26, is amended to read:

26  
28       **4. Animal shelters.** Notwithstanding any provision of this  
chapter, an animal shelter operated by a nonprofit organization  
is not required to vaccinate an abandoned or stray cat received  
30 by the shelter. A person who has successfully completed  
instruction approved by the department and is certified by the  
department may vaccinate a cat that is resident in a licensed  
32 animal shelter and issue a vaccination certificate.

34       **Sec. 3. 7 MRSA §3918** is enacted to read:

36       **§3918. Vaccinations**

38       Within 6 months of receiving an application, the  
40 commissioner shall make available approved instruction in rabies  
vaccinations at a location within 150 miles of the applicant.  
42 The fee to the applicant for the instruction may not exceed \$15.  
The applicant shall indicate the shelters where the applicant  
44 will vaccinate and the commissioner shall maintain a file of this  
information.

46       **Sec. 4. 7 MRSA §3922, sub-§6** is enacted to read:

48       **6. Animal shelter.** A person who has successfully completed  
50 instruction approved by the department and is certified by the

2 department may immunize against rabies a dog that is resident in  
3 a licensed animal shelter and issue proof of immunization.

4 **Sec. 5. 7 MRSA §3923, sub-§4**, as amended by PL 1989, c. 278,  
5 is further amended to read:

6  
7 **4. Rabies tag.** The rabies tag obtained from a veterinarian  
8 or an animal shelter for immunization against rabies shall must  
9 be securely attached to a collar of leather, metal or material of  
10 comparable strength ~~which shall~~ that must be worn by the dog for  
11 which the tag was issued, except when hunting, in training or  
12 when used in exhibitions. When the dog is hunting, in training or  
13 in an exhibition, its owner or keeper shall produce proof of  
14 licensure in this State, or if the dog is brought to this State  
15 from another state for hunting, training or exhibiting, proof of  
16 rabies immunization, within 24 hours upon request by a humane  
17 agent, animal control officer or law enforcement officer,  
18 including a game warden.

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20  
21 **STATEMENT OF FACT**

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23 This bill allows a person who has successfully completed  
24 instruction approved by the Department of Agriculture, Food and  
25 Rural Resources to vaccinate dogs and cats that are residents in  
26 an animal shelter. The department is required to make that  
27 instruction available upon application at a cost not to exceed  
28 \$15.  
29  
30