

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

*Handwritten initials*  
RMS.

L.D. 1435

DATE: 5-24-01

(Filing No. H-603)

2  
4  
6  
8  
10  
12  
14  
16  
18  
20  
22  
24  
26  
28  
30  
32  
34  
36  
38  
40  
42

**AGRICULTURE, CONSERVATION AND FORESTRY**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1072, L.D. 1435, Bill, "An Act to Require Licensing of Domestic Cats"

Amend the bill by striking out the title and substituting the following:

**'An Act to Authorize Animal Shelters to Accept and Provide for Stray Cats'**

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

**'Sec. 1. 7 MRSA §3907, sub-§9-A is enacted to read:**

**9-A. Cat identification. "Cat identification" means:**

**A. A registered microchip used in conjunction with a visible collar and tag, with a faceted, reflective ear stud or a tipped or notched ear;**

**B. A collar or collar and tag worn by the cat that provides the current name, address and telephone number of the owner;**  
**or**

2  
4  
6  
8  
10  
12  
14  
16  
18  
20  
22  
24  
26  
28  
30  
32  
34  
36  
38  
40  
42  
44  
46  
48  
50

C. A collar and tag providing the name and address of the animal shelter that issued the tag.

Sec. 2. 7 MRSA c. 720 is amended by repealing the chapter headnote and enacting the following in its place:

**CHAPTER 720**

**RABIES PREVENTION AND SHELTER PROVISIONS FOR CATS**

Sec. 3. 7 MRSA §§3919 and 3919-A are enacted to read:

**§3919. Seizure of stray cats**

1. Definition. For the purposes of this chapter, a "stray cat" means a cat on the premises of a person other than the owner of the cat, without the consent of the owner or occupant of the premises, on a public street or on other public property, except under the physical control of the owner.

2. Seizure by animal control officer. An animal control officer or person acting in that capacity may seize a stray cat and deliver it to an animal shelter as provided for in section 3919-A or to the owner, if the owner is known. If ownership can not be established, such a cat may be handled as a homeless cat for the purpose of acceptance and disposition by an animal shelter.

3. Person finding stray cat. A person finding a stray cat and not knowing the owner or residence of the cat may take that cat to the animal shelter designated by the municipality in which the cat was found.

**§3919-A. Procedure for acceptance and disposition of stray cats by animal shelter**

An animal shelter to which a cat is taken may accept the cat unless the shelter is in quarantine. An animal shelter accepting a cat shall comply with the provisions of this section.

1. Cats with identification. An animal shelter that accepts a cat with cat identification shall make a reasonable attempt to notify the owner by telephone or by sending a written notice within 24 hours of accepting the cat. Except as provided in subsections 4 and 5, the animal shelter shall hold the cat for a period of 6 days beginning on and including the day of acceptance. If the owner claims the cat within the 6-day period, the animal shelter shall release the cat to the owner upon payment of any municipal impoundment fee and actual fees incurred for food, shelter and veterinary care. Upon expiration of the

COMMITTEE AMENDMENT "A" to H.P. 1072, L.D. 1435

2 6-day period, ownership of the cat is vested with the animal  
shelter and the animal shelter may then handle the cat as a  
homeless cat for disposition in accordance with subsection 2.

4  
6 **2. Homeless cats.** When an animal shelter accepts a cat  
under section 3919 and that cat does not have cat identification,  
the animal shelter shall hold the cat for not less than 24 hours.  
8 After the 24-hour period, the animal shelter may treat the cat as  
a homeless cat and may:

10 A. Offer the cat for adoption, sell or give away the cat; or

12 B. Otherwise dispose of the cat humanely in accordance with  
14 Title 17, chapter 42, subchapter IV.

16 An animal shelter may not sell or give a cat to a research  
18 facility.

20 **3. Owner's claim after 6-day period.** An owner may reacquire  
a cat at any time prior to its disposition under subsection 2  
upon payment of any municipal impoundment fee and actual fees  
22 incurred for food, shelter and veterinary care and any other  
reasonable fee imposed by the animal shelter.

24 **4. Euthanasia for severely sick, severely injured or**  
26 **extremely vicious cat.** A humane agent, an animal control officer  
or an animal shelter may authorize in writing the immediate  
euthanasia of a severely sick, severely injured or extremely  
28 vicious cat upon determining that the animal control officer of  
the municipality where the cat was found has been notified or, if  
30 the cat has cat identification, the owner of the cat has been  
32 notified.

34 **5. Immunity.** A veterinarian, a humane agent, an animal  
control officer or an animal shelter, including a person employed  
36 by an animal shelter, is not civilly liable to the owner of a cat  
for the loss of that cat resulting from actions taken in  
38 compliance with this section.

40 Nothing in this subsection grants to an animal shelter or person  
any immunity from liability arising from the gift, sale or other  
42 transference of a cat to a research facility in violation of  
subsection 2.'

44

46 **SUMMARY**

48 This amendment replaces the bill. It establishes in statute  
a procedure for an animal shelter to follow when the animal

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 1072, L.D. 1435

shelter accepts a stray cat.

2

**COMMITTEE AMENDMENT**