

MAINE STATE LEGISLATURE

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DATE: 5-19-03

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AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 902, L.D. 1228, Bill, "An Act To Regulate the Breeding and Sale of Guinea Pigs"

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

'An Act To Address Concerns Regarding the Breeding and Sale of Certain Small Mammals'

Further amend the bill by striking out everything after the title and before the summary 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, significant health and animal welfare concerns exist regarding the breeding and sale of small mammals as pets; and

Whereas, certain breeders and sellers of certain small mammals are not currently regulated at either the state or federal level; and

Whereas, children are often in contact with these animals in both home and school settings; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of

COMMITTEE AMENDMENT

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 §3933, sub-§3 is enacted to read:

3. Records. A person maintaining a pet shop, as defined in section 3907, shall keep a record of each animal received by the pet shop, except for mice and fish. The record must include the name and address of the person or company from whom the animal was received and the name and address of the person buying or otherwise acquiring the animal from the pet shop. The record must be kept on file for a period of 2 years following the sale or other disposition of the animal by the pet shop.

Sec. 2. Report on and recommendations for regulation of breeders and sellers of small mammals. The Commissioner of Agriculture, Food and Rural Resources shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 31, 2003 on the need for additional regulation of breeders and sellers of small mammals commonly kept as pets. The commissioner or the commissioner's designee shall include in the report a summary of state and federal statutes and regulations that currently apply to breeders and sellers of small mammals commonly kept as pets, including gerbils, hamsters, guinea pigs, ferrets, rats and mice. The commissioner shall make recommendations regarding the need for additional authority to regulate the breeding and sale of small mammals to address public health and consumer protection concerns as well as animal welfare issues. The Joint Standing Committee on Agriculture, Conservation and Forestry may report out a bill during the Second Regular Session of the 121st Legislature to implement recommendations regarding the regulation of breeders and sellers of small mammals.

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

SUMMARY

This amendment replaces the bill. It places in statute certain record-keeping requirements that are in rule, except that it also requires records to be kept on lagomorphs. It directs the Commissioner of Agriculture, Food and Rural Resources to report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 31st on the regulation of breeders and sellers of small mammals commonly kept as pets. It authorizes the committee to report out a bill during the Second Regular Session of the 121st Legislature regarding regulation of these breeders and sellers.

FISCAL NOTE REQUIRED
(See attached)



121st Maine Legislature
Office of Fiscal and Program Review

LD 1228

An Act To Address Concerns Regarding the Breeding and Sale of Pets

LR 1080(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund