

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1742

H.P. 1264

House of Representatives, December 22, 2003

An Act To Amend the Laws Regarding Humane Agents and Dog Licenses

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Received by the Clerk of the House on December 17, 2003. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SMITH of Monmouth.

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

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4 **Sec. 1. 7 MRSA §3906-B, sub-§9-A, ¶F**, as enacted by PL 2003, c. 405, §2, is amended to read:

6 F. Training ~~for humane agents~~.

8 **Sec. 2. 7 MRSA §3907, sub-§17**, as amended by PL 1995, c. 409, §1, is further amended to read:

10 **17. Kennel.** "~~one pack or collection of 5 or~~ Kennel" means one pack or collection of 5 or more dogs or wolf hybrids kept in a single location under one ownership for breeding, hunting, show, training, field trials and exhibition purposes. The sale or exchange of one litter of puppies within a 12-month period alone does not constitute the operation of a kennel.

18 **Sec. 3. 7 MRSA §3909, sub-§3-A**, as enacted by PL 2003, c. 405, §6, is amended to read:

20 **3-A. Humane agents; training requirements.** Continuing employment of a humane agent hired after October 1, 2003 is contingent upon the successful completion by that agent of a 100-hour service training program at the Maine Criminal Justice Academy or a nationally recognized training program on investigation and enforcement of animal welfare laws and the successful completion of an examination on state animal welfare laws and rules adopted pursuant to this Part.

30 A humane agent, regardless of appointment date, shall complete training in the handling of small and large animals and a minimum of 40 hours of training each year, including a combination of classroom and hands-on training.

34 **Sec. 4. 7 MRSA §3923-C, sub-§1**, as amended by PL 1997, c. 690, §17, is further amended to read:

38 **1. License necessary.** A person having ~~a pack or collection of 5 or more~~ dogs for the purposes set forth in section 3907, subsection 17 shall obtain a kennel license from the clerk of the municipality where the dogs are kept and that person is subject to rules adopted by the department. The sex, registered number and description are not required ~~of~~ for the dogs covered by a kennel license. The license expires December 31st annually. The kennel license permits the licensee or authorized agent to transport under control and supervision the kennel dogs in or outside the State.

48 **Sec. 5. 7 MRSA §3923-G, sub-§4**, as enacted by PL 2003, c. 405, §15, is amended to read:

2 **4. Distribution of licensing fee.** The commissioner shall
3 deposit all fees received under this section into the Animal
4 Welfare Fund. The commissioner shall establish procedures for
5 participating municipalities to periodically receive the
6 appropriate credit or payment for license fees collected by the
7 department under this section. A municipality is entitled to a
8 payment or credit of \$3 for each dog or wolf hybrid incapable of
9 producing young and \$1 for each dog or wolf hybrid capable of
10 producing young licensed under this section. All payments or
11 credits received by a municipality must be deposited or credited
12 to the municipality's animal welfare account established in
13 accordance with section 3945.

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SUMMARY

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16 This bill amends the Animal Welfare Act in the following
17 ways:

18 1. It clarifies that all humane agents are required to
19 complete specified training requirements;

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21 2. It removes the use of the term "pack or collection" for
22 kennel licensing purposes, instead specifying that it applies to
23 persons having 5 or more dogs;

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25 3. It allows municipalities to retain \$1 of the licensing
26 fee for each dog or wolf hybrid capable of producing young; and

27

28 4. It clarifies the definition of "kennel."
29
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