

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 1053

H.P. 728

House of Representatives, March 17, 2009

### An Act To Ensure Humane Dog and Cat Breeding in the State

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative STEVENS of Bangor.  
Cosponsored by Representatives: BLODGETT of Augusta, BOLDUC of Auburn, CONNOR of Kennebunk, CORNELL du HOUX of Brunswick, FLAHERTY of Scarborough, KAENRATH of South Portland, MORRISON of South Portland.

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

2           **Sec. 1. 7 MRSA §3907, sub-§8-A**, as amended by PL 2007, c. 702, §3, is further  
3 amended to read:

4           **8-A. Breeding kennel.** "Breeding kennel" means a location where ~~5~~ one or more  
5 female adult dogs, wolf hybrids or cats capable of breeding are kept and some or all of  
6 the offspring are offered for sale, sold or exchanged for value ~~or a location where more~~  
7 ~~than 16 dogs or cats raised on the premises are sold to the public in a 12-month period.~~  
8 "Breeding kennel" does not include a kennel licensed by a municipality under section  
9 3923-C when the dogs are kept primarily for hunting, show, training, mushing, field trials  
10 or exhibition purposes and ~~not more than 16~~ dogs are not offered for sale, sold or  
11 exchanged for value ~~within a 12-month period.~~

12           **Sec. 2. 7 MRSA §3923-A, sub-§1**, as amended by PL 2007, c. 439, §15, is  
13 further amended to read:

14           **1. Dogs capable of producing young.** A dog owner or keeper shall pay a fee of ~~\$11~~  
15 \$150 to the municipal clerk for each dog 6 months of age or older and capable of  
16 producing young. A dog is considered capable of producing young unless certification  
17 under subsection 2 is provided.

18           The municipal clerk shall retain a ~~\$1~~ \$10 recording fee and pay the remaining ~~\$10~~ \$140  
19 to the department for deposit in the Animal Welfare Fund.

20           **Sec. 3. 7 MRSA §3931-A, sub-§1**, as amended by PL 1995, c. 490, §10, is  
21 further amended to read:

22           **1. License necessary.** A person maintaining a breeding kennel, as defined in section  
23 3907, must obtain a license from the department and is subject to rules adopted by the  
24 department. The license expires 12 months after the date of issuance. An applicant for a  
25 breeding kennel license must state in the application the number of adult female dogs or  
26 cats capable of breeding that are maintained at the breeding kennel.

27           **Sec. 4. 7 MRSA §3931-A, sub-§2**, as amended by PL 2003, c. 405, §16, is  
28 further amended to read:

29           **2. License fees.** The fee for a breeding kennel license is ~~\$75~~ calculated by  
30 multiplying the number of adult female dogs and cats at the breeding kennel capable of  
31 breeding by \$500.

32           **Sec. 5. 7 MRSA §3931-A, sub-§6** is enacted to read:

33           **6. Restriction.** A person may not maintain a breeding kennel with more than 10  
34 female adult dogs or cats capable of breeding.

35           **Sec. 6. 7 MRSA §3933, sub-§2**, as amended by PL 2003, c. 405, §19, is further  
36 amended to read:

