

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 11

S.P. 26

In Senate, January 5, 2011

An Act To Regulate the Keeping of Wolf Hybrids

(EMERGENCY)

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

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator TRAHAN of Lincoln.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** the keeping of wolf hybrids poses concerns for public safety; and

4 **Whereas,** current regulation of wolf hybrid kennels does not provide adequate
5 safeguards; and

6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
7 the meaning of the Constitution of Maine and require the following legislation as
8 immediately necessary for the preservation of the public peace, health and safety; now,
9 therefore,

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

11 **Sec. 1. 7 MRSA §3931-B, sub-§2,** as enacted by PL 2001, c. 129, §4, is repealed.

12 **Sec. 2. 7 MRSA §3931-B, sub-§2-A** is enacted to read:

13 **2-A. Kennel license required.** A person may not operate a wolf hybrid kennel
14 without a license from the department. To apply for a license, a person must submit a
15 completed form provided by the department. The completed form must include the name
16 of the person operating the kennel, the mailing address of the kennel, the road or street
17 address of the kennel, a description of the facilities for sheltering and confining the wolf
18 hybrids and the number of wolf hybrids kept at the time of application. The applicant
19 must submit with the license application proof that each wolf hybrid has been
20 permanently identified in accordance with section 3921-A.

21 **Sec. 3. 7 MRSA §3931-B, sub-§2-B** is enacted to read:

22 **2-B. Review of kennel license application; denial.** Upon receiving an application
23 under subsection 2-A, the department shall forward a copy of the application to the
24 Department of Inland Fisheries and Wildlife for review to assess the potential threat to
25 public safety or a wildlife population. The department shall consult with the Department
26 of Inland Fisheries and Wildlife prior to issuing a license. The department may deny a
27 license based on a potential threat to wildlife or public safety.

28 **Sec. 4. Transition.** The Department of Agriculture, Food and Rural Resources
29 shall issue a conditional license to a wolf hybrid kennel registered under the former
30 Maine Revised Statutes, Title 7, section 3931-B, subsection 2 that applies for a wolf
31 hybrid kennel license under Title 7, section 3931-B, subsection 2-A. The conditional
32 license remains in effect until the application materials have been reviewed by the
33 Department of Inland Fisheries and Wildlife pursuant to Title 7, section 3931-B,
34 subsection 2-B. If public safety concerns arise during the review, the Department of
35 Agriculture, Food and Rural Resources may revoke the conditional license pending an
36 administrative proceeding held in accordance with Title 5, chapter 375, subchapter 5.

37 **Emergency clause.** In view of the emergency cited in the preamble, this
38 legislation takes effect when approved.

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SUMMARY

This bill changes the registration requirement for a wolf hybrid kennel to a licensing requirement. It directs the Department of Agriculture, Food and Rural Resources to consult with the Department of Inland Fisheries and Wildlife on potential threats to wildlife and public safety prior to issuing a license. It provides for the conditional licensure of kennels that were previously registered.