

MAINE STATE LEGISLATURE

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Sing
ROFS

L.D. 1593

Date: 6/7/17

Majority

(Filing No. H-446)

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2
3 AGRICULTURE, CONSERVATION AND FORESTRY

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5 STATE OF MAINE
6 HOUSE OF REPRESENTATIVES
7 128TH LEGISLATURE
8 FIRST REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 1097, L.D. 1593, Bill, "An Act To
10 Amend the Animal Welfare Laws To Add Provisions Relating to the Surrender of
11 Animals"

12 Amend the bill in section 1 in subsection 11 by striking out all of the last paragraph
13 (page 1, lines 9 to 17 in L.D.) and inserting the following:

14 'The commissioner may decide, based on the facts of a particular case, to waive costs and
15 fees associated with the surrender of animals, and may further decide that the case should
16 not be sent to the attorney for the State, if the person who is the subject of the
17 investigation has voluntarily surrendered the animals to the department and if the person
18 has not previously been charged with cruelty to animals or charged with animal neglect.
19 The commissioner may not waive costs and fees associated with the surrender of animals
20 or decide that the case should not be sent to the attorney for the State, unless the person
21 agrees to sign an affidavit stating that the person will never again possess or own any
22 animals of the same species as the animals that were surrendered until the person can
23 properly care for them and has the financial capacity to properly care for them, as
24 determined by the commissioner.'

25 Amend the bill in section 2 by striking out all of subsection 1-A (page 1, lines 19 to
26 28 in L.D.) and inserting the following:

27 '1-A. Surrender of animals. The commissioner may decide, based on the facts of a
28 particular case, to waive costs and fees associated with the surrender of animals, and may
29 further decide that the case should not be sent to the attorney for the State, if the person
30 who is the subject of the investigation has voluntarily surrendered the animals to the
31 Department of Agriculture, Conservation and Forestry and if the person has not
32 previously been charged with cruelty to animals or charged with animal neglect. The
33 commissioner may not waive costs and fees associated with the surrender of animals or
34 decide that the case should not be sent to the attorney for the State, unless the person
35 agrees to sign an affidavit stating that the person will never again possess or own any
36 animals of the same species as the animals that were surrendered until the person can

COMMITTEE AMENDMENT

1 properly care for them and has the financial capacity to properly care for them, as
2 determined by the commissioner.'

3 **SUMMARY**

4 Under the bill, the Commissioner of Agriculture, Conservation and Forestry may
5 decide, based on the facts of a particular case, to waive costs and fees associated with the
6 surrender of animals, and may further decide that the case should not be sent to the
7 attorney for the State, if the person who is the subject of the investigation has voluntarily
8 surrendered the animals to the Department of Agriculture, Conservation and Forestry and
9 if the person has not previously been charged with cruelty to animals or charged with
10 animal neglect. Under the bill, if the commissioner waives costs and fees associated with
11 the surrender of animals or decides that the case should not be sent to the attorney for the
12 State, the commissioner must require the person to sign an affidavit stating that the
13 person will never again possess or own any animals of the same species as the animals
14 that were surrendered.

15 This amendment is the majority report of the committee and provides that the
16 commissioner may not waive costs and fees associated with the surrender of animals or
17 decide that the case should not be sent to the attorney for the State unless the person
18 agrees to sign an affidavit stating that the person will never again possess or own any
19 animals of the same species as the animals that were surrendered until the person can
20 properly care for them and has the financial capacity to properly care for them, as
21 determined by the commissioner.

FISCAL NOTE REQUIRED
(See Attached)



128th MAINE LEGISLATURE

LD 1593

LR 2255(02)

An Act To Amend the Animal Welfare Laws To Add Provisions Relating to the Surrender of Animals

Fiscal Note for Bill as Amended by Committee Amendment *A (H-446)*
Committee: Agriculture, Conservation and Forestry
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Agriculture, Conservation and Forestry as a result of modifications to the laws regarding animal welfare and the surrender of animals are anticipated to be minor and can be absorbed within existing budgeted resources.