

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1121

S.P. 455

In Senate, March 9, 2023

An Act to Change Responsibility for Animal Control Officer Training to the Department of Public Safety

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

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator HARRINGTON of York.

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

2 **Sec. 1. 7 MRSA §3906-B, sub-§4**, as amended by PL 2007, c. 439, §1, is repealed.

3 **Sec. 2. 7 MRSA §3909, sub-§5**, as enacted by PL 2009, c. 343, §8, is amended to
4 read:

5 **5. Enforcement provision; animal control officers.** The certification of an animal
6 control officer under section ~~3906-B~~ 3947, subsection 1 may be suspended or revoked by
7 the ~~commissioner~~ Commissioner of Public Safety in accordance with Title 5, chapter 375.

8 **Sec. 3. 7 MRSA §3947**, as amended by PL 2019, c. 437, §2, is further amended to
9 read:

10 **§3947. Animal control officers**

11 Each municipality shall appoint one or more animal control officers whose duties are
12 enforcement of sections 3911, 3912, 3916, 3921, 3924, 3948, 3950, 3950-A, 3952-A, 4041
13 and 4042 and Title 17, section 1023, responding to reports of animals suspected of having
14 rabies in accordance with Title 22, sections 1313 and 1313-A and any other duties to control
15 animals as the municipality may require. A municipality may appoint an employee of an
16 animal shelter as an animal control officer as long as the person meets the qualifications
17 and training requirements of this section.

18 A municipality may not appoint a person to the position of animal control officer who
19 has been convicted of murder, a Class A or Class B offense or a violation of Title 17-A,
20 chapter 9, 11, 12 or 13 or has been convicted of a criminal violation under Title 17, chapter
21 42 or has been adjudicated of a civil violation for cruelty to animals under chapter 739 or
22 who has been convicted or adjudicated in any other state, provincial or federal court of a
23 violation similar to those specified in this section.

24 ~~Animal control officers must be certified in accordance with section 3906-B,~~
25 ~~subsection 4. Upon initial appointment, an animal control officer must complete basic~~
26 ~~training and be certified by the commissioner within 6 months of appointment.~~

27 ~~An animal control officer must attend advanced training programs as described under~~
28 ~~section 3906-B, subsection 4 to maintain certification. An animal control officer must have~~
29 ~~a minimum of 8 hours of training each year.~~

30 Upon appointment of an animal control officer, municipal clerks shall notify the
31 ~~commissioner~~ Commissioner of Public Safety of the name, address and telephone number
32 of the animal control officer within 10 business days. In the event the position is vacant
33 upon termination or resignation of the animal control officer, the municipal clerk shall
34 notify the ~~commissioner~~ Commissioner of Public Safety within 10 business days of the
35 vacancy.

36 **1. Training and certification of animal control officers.** Upon initial appointment,
37 an animal control officer must complete a basic training program and be certified by the
38 Commissioner of Public Safety in accordance with this subsection within 6 months of
39 appointment. An animal control officer must attend an advanced training program to
40 maintain certification. An animal control officer must have a minimum of 8 hours of
41 training each year. The Commissioner of Public Safety shall develop both a basic and an
42 advanced program to train animal control officers. The basic training program must include
43 training in the following:

A. Investigation of complaints of cruelty to animals;

B. Response to calls concerning animals suspected of having rabies; and

C. Enforcement of dog licensing laws and rabies immunization laws.

The advanced training program must include, but is not limited to, training in animal cruelty with respect to hoarders of animals, animal cruelty with respect to domestic violence, new laws, case reviews and report writing.

The Commissioner of Public Safety shall certify all animal control officers who successfully complete training programs under this subsection.

Sec. 4. Transition provision. All existing certifications of animal control officers by the Department of Agriculture, Conservation and Forestry that are valid on the effective date of this Act are transferred to the Department of Public Safety; animal control officers certified under the Department of Agriculture, Conservation and Forestry continue to be certified under the Department of Public Safety until their certifications expire.

SUMMARY

This bill provides that the Commissioner of Public Safety develop programs to train animal control officers rather than the Commissioner of Agriculture, Conservation and Forestry. The bill also requires the Commissioner of Public Safety, rather than the Commissioner of Agriculture, Conservation and Forestry to certify all animal control officers who successfully complete the training programs.