

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)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2004

expertise and knowledge in small business and entrepreneurship, appointed by the commissioner.

Sec. 6. Additional InforME services. The InforME network manager, as described in the Maine Revised Statutes, Title 1, section 535, in conjunction with the InforME board, as described in Title 1, section 534, the Department of Administrative and Financial Services, the Department of Economic and Community Development, the Department of Labor, the Department of Human Services and Maine Revenue Services, shall enable as part of the InforME system, no later than January 1, 2006, on-line application and submission of forms by persons seeking licensure as businesses through the "Business Licensing Assistant" program. Additionally, the Department of Economic and Community Development, with technical assistance from the InforME network manager, shall provide live on-line assistance during normal business hours for questions concerning the establishment of a business in this State.

The services required by this section may be classified "premium services," as defined in Title 1, section 532. The subscription fee for premium services or transaction fees may be adjusted to accommodate the services required by this section. Any additional costs to agencies or departments as a result of this section must be absorbed by those agencies and departments within existing budgeted resources.

See title page for effective date.

CHAPTER 682

H.P. 1285 - L.D. 1763

An Act To Promote Responsible Pet Ownership

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

Sec. 1. 7 MRSA §3906-B, sub-§13, as enacted by PL 1995, c. 502, Pt. C, §12, is repealed.

Sec. 2. 7 MRSA §3906-B, sub-§15, as amended by PL 2001, c. 399, §2, is further amended to read:

15. Annual report. The commissioner shall report the activities of the commissioner annually by March 1st to the joint standing committee of the Legislature having jurisdiction over agricultural matters and the joint standing committee of the Legislature having jurisdiction over taxation matters. This report must include a summary of cases of cruelty to animals investigated by the commissioner, a summary of final dispositions of those cases and, with

respect to companion animals, a report of the number of animal shelter intakes, the number of sterilizations and the number of euthanizations and an account of deposits into and payments from the ~~spaying and neutering fund~~ Companion Animal Sterilization Fund established in section 3910-B.

Sec. 3. 7 MRSA §3907, sub-§11-A is enacted to read:

11-A. Companion animal. "Companion animal" means a cat or dog.

Sec. 4. 7 MRSA §3910-B is enacted to read:

§3910-B. Companion Animal Sterilization Fund

1. Establishment. There is established the Companion Animal Sterilization Fund, an interest-bearing account, referred to in this section as "the fund." The fund receives money deposited by the Treasurer of State pursuant to Title 36, section 5284-A, revenues generated in accordance with this section and any money contributed voluntarily to the fund. All money deposited in the fund and the earnings on that money remain in the fund to be used for the spaying or neutering of companion animals owned by persons meeting income limit standards and for the necessary administrative and personnel costs associated with the management of the fund and may not be deposited in the General Fund or any other fund except as specifically provided by law.

2. Subsidies; development of standards. The commissioner shall develop procedures and eligibility standards for the awarding of subsidies to low-income persons for the spaying or neutering of those persons' companion animals. Procedures and eligibility standards must be developed in consultation with veterinarians and representatives of humane societies and animal shelters.

3. Fund-raising. The commissioner or the commissioner's authorized agent may provide for the creation, reproduction, sale, licensing and distribution and other disposal of any art or other products for the purpose of generating revenues for the fund. All money generated from the sale of these items must be deposited into the fund.

Sec. 5. 36 MRSA §5284-A is enacted to read:

§5284-A. Companion animal sterilization voluntary checkoff

1. Companion Animal Sterilization Fund. Taxpayers who, when filing their return, are entitled to a refund under this Part may designate that a part of that refund be paid into the Companion Animal Sterilization Fund established in Title 7, section 3910-B. A taxpayer who is not entitled to a refund

under this Part may contribute to the Companion Animal Sterilization Fund by including with the taxpayer's return sufficient funds to make the contribution. Each individual income tax return form must contain a designation in substantially the following form: "Contribution to Companion Animal Sterilization Fund: () \$5, () \$10, () \$25 or () Other \$... ."

2. Contributions credited to Companion Animal Sterilization Fund. The State Tax Assessor shall determine annually the total amount contributed pursuant to subsection 1. Prior to the beginning of the next year, the assessor shall deduct the cost of administering the Companion Animal Sterilization Fund checkoff, but not exceeding \$5,000 annually, and report the remainder to the Treasurer of State, who shall credit the amount to the Companion Animal Sterilization Fund, which is established in Title 7, section 3910-B.

3. Effective date. This section applies to tax years beginning on and after January 1, 2004.

Sec. 6. Administrative costs to be reimbursed. The Department of Administrative and Financial Services, Bureau of Revenue Services shall absorb within existing resources any administrative costs involved in the initial implementation of this Act. Notwithstanding the Maine Revised Statutes, Title 7, section 3910-B, subsection 1 or any other provision of law, the Commissioner of Agriculture, Food and Rural Resources must transfer from the Companion Animal Sterilization Fund established in Title 7, section 3910-B an amount determined by the State Tax Assessor to be the additional administrative costs associated with the implementation of this Act. The State Tax Assessor is authorized to deposit the funds received as reimbursement for costs incurred in an Other Special Revenue Funds account within the Bureau of Revenue Services to be used to support the operations of the bureau necessary for the implementation of this Act.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Maine Revenue Services 0002

Initiative: Allocates funds for the administrative costs associated with the Companion Animal Sterilization Fund voluntary checkoff in the event revenue is available for transfer in fiscal year 2004-05.

Other Special Revenue Funds	2003-04	2004-05
All Other	\$0	\$10,791
	<hr/>	<hr/>
Other Special Revenue Funds Total	\$0	\$10,791

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
DEPARTMENT TOTALS	2003-04	2004-05
OTHER SPECIAL REVENUE FUNDS	\$0	\$10,791
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$10,791

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Animal Welfare 0946

Initiative: Allocates funds received from the Companion Animal Sterilization Fund voluntary checkoff to create one 1/2-time Planning and Research Assistant position and provide for necessary operating costs.

Other Special Revenue Funds	2003-04	2004-05
Positions - Legislative Count	(0.000)	(0.500)
Personal Services	\$0	\$3,761
All Other	0	6,439
	<hr/>	<hr/>
Other Special Revenue Funds Total	\$0	\$10,200

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

DEPARTMENT TOTALS	2003-04	2004-05
OTHER SPECIAL REVENUE FUNDS	\$0	\$10,200
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$10,200
SECTION TOTALS	2003-04	2004-05
OTHER SPECIAL REVENUE FUNDS	\$0	\$20,991
	<hr/>	<hr/>
SECTION TOTAL - ALL FUNDS	\$0	\$20,991

Sec. 8. Transition. All funds in the spaying and neutering fund established by the Commissioner of Agriculture, Food and Rural Resources pursuant to the Maine Revised Statutes, Title 7, section 3906-B, subsection 13 must be transferred to the Companion Animal Sterilization Fund established in Title 7, section 3910-B, subsection 2 within 30 days following the effective date of this Act.

See title page for effective date.

CHAPTER 683

H.P. 1254 - L.D. 1732

An Act To Honor Maine's First Peoples

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