

Date:

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AGRICULTURE, CONSERVATION AND FORESTRY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 689, L.D. 1771, “An Act to Strengthen Oversight of Kennels by Changing the Licensing Authority from Municipalities to the Department of Agriculture, Conservation and Forestry”

Amend the bill by striking out all of sections 4 and 5 and inserting the following:

'Sec. 4. 7 MRSA §3923-A, first ¶, as amended by PL 2013, c. 115, §10, is further amended to read:

Except as provided in subsection 3 and section ~~3923-C~~ 3932-B, a dog owner or keeper obtaining a license from a municipal clerk, dog licensing agent or dog recorder shall pay the license and recording fees established in this section. For purposes of this section, "dog licensing agent" means an animal shelter or a veterinarian pursuant to section 3923-F.

Sec. 5. 7 MRSA §3923-A, sub-§4, as amended by PL 2013, c. 115, §10, is further amended to read:

4. Late fees. An owner or keeper required to license a dog under section 3922, subsection 1 or section ~~3923-C~~ 3932-B, subsection 1 and applying for a license for that dog after January 31st shall pay to the municipal clerk, dog licensing agent or dog recorder a late fee of \$25 in addition to the annual license fee paid in accordance with subsection 1 or 2 ~~and section 3923-C, subsection 1.~~ The clerk, dog licensing agent or dog recorder shall deposit all late fees collected under this subsection into the municipality's animal welfare account established in accordance with section 3945.'

Amend the bill in section 11 in §3932-B in subsection 2 in the last line (page 2, line 30 in L.D.) by inserting after the following: "annually." the following: 'A humane agent may conduct an inspection of a kennel in a municipality with an appointed animal control officer under specific and extenuating circumstances as determined by the department by rule. If a humane agent conducts an inspection pursuant to this subsection, the municipality shall pay for the cost of the inspection.'

Amend the bill in section 11 in §3932-B in subsection 5 in the last line (page 3, line 3 in L.D.) by inserting after the following: "department." the following: 'A humane agent

1 may conduct an inspection of a kennel in a municipality with an appointed animal control
2 officer under specific and extenuating circumstances as determined by the department by
3 rule. If a humane agent conducts an inspection pursuant to this subsection, the municipality
4 shall pay for the cost of the inspection.'

5 Amend the bill in section 13 in §3935 in the indented paragraph in the 2nd line (page
6 3, line 16 in L.D.) by striking out the following: "a person" and inserting the following: 'a
7 person an individual'

8 Amend the bill in section 13 in §3935 in the indented paragraph in the last line (page
9 3, line 23 in L.D.) by inserting after the following: "section." the following: 'An individual
10 who submits an application to be licensed under this chapter shall submit the results of a
11 background check to the department along with the license application.'

12 Amend the bill by inserting after section 17 the following:

13 '**Sec. 18. 7 MRSA §3950-A, sub-§1, ¶E**, as enacted by PL 2003, c. 452, Pt. B, §21
14 and affected by Pt. X, §2, is repealed.

15 '**Sec. 19. 7 MRSA §3950-A, sub-§1, ¶F**, as enacted by PL 2003, c. 452, Pt. B, §21
16 and affected by Pt. X, §2, is amended to read:

17 F. Chapter 727-; or

18 '**Sec. 20. 7 MRSA §3950-A, sub-§1, ¶G** is enacted to read:

19 G. Chapter 723.'

20 Amend the bill by inserting after section 18 the following:

21 '**Sec. 19. Department of Agriculture, Conservation and Forestry report.**
22 The Department of Agriculture, Conservation and Forestry shall provide annual reports, no
23 later than January 15th in 2026, 2027 and 2028, to the joint standing committee of the
24 Legislature having jurisdiction over animal welfare matters on the transfer of the issuance
25 of kennel licenses from municipalities to the department pursuant to this Act. The joint
26 standing committee may submit legislation relating to the subject matter of the report to
27 the Second Regular Session of the 132nd Legislature, to the 133rd Legislature in 2027 and
28 to the Second Regular Session of the 133rd Legislature.

29 '**Sec. 20. Appropriations and allocations.** The following appropriations and
30 allocations are made.

31 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

32 **Animal Welfare Fund 0946**

33 Initiative: Provides allocations to allow expenditures related to the administration of the
34 Animal Welfare Act.

35 OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
36 All Other	\$21,577	\$21,577
37		
38 OTHER SPECIAL REVENUE FUNDS TOTAL	\$21,577	\$21,577

39 '

1 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
2 number to read consecutively.

3 **SUMMARY**

4 This amendment, which is the majority report of the committee, clarifies that kennel
5 licensees are not required to pay individual dog licensing fees.

6 The amendment clarifies that a humane agent with the Department of Agriculture,
7 Conservation and Forestry may conduct an inspection of a kennel in a municipality with
8 an appointed animal control officer under specific and extenuating circumstances as
9 determined by the department by rule. The amendment requires a municipality to pay for
10 the cost of an inspection if a humane agent conducts the inspection.

11 The amendment requires a kennel licensee to pay for a background check, which is
12 required to obtain a license. The amendment corrects a cross-reference in the Maine
13 Revised Statutes, Title 7, chapter 725 relating to municipal duties and officials' refusal or
14 neglect of duty.

15 The amendment requires the department to provide annual reports, no later than
16 January 15th in 2026, 2027 and 2028, to the joint standing committee of the Legislature
17 having jurisdiction over animal welfare matters on the transfer of the issuance of kennel
18 licenses from municipalities to the department. The joint standing committee may submit
19 legislation relating to the subject matter of the report to the Second Regular Session of the
20 132nd Legislature, to the 133rd Legislature in 2027 and to the Second Regular Session of
21 the 133rd Legislature.

22 **FISCAL NOTE REQUIRED**

23 **(See attached)**