



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
ANIMAL WELFARE PROGRAM
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Dear Senator Talbot Ross, Representative Pluecker, and members of the Joint Standing Committee on Agriculture, Conservation & Forestry:

Thank you for the opportunity to provide an update on the rulemaking efforts as a result of the Committee's letter to the Animal Welfare Program following an "ought not to pass" vote on L.D. 498, Resolve, To Improve Standards for Animal Rescue Entities.

As discussed in the work session, the Department determined that there were two places where we could act within our existing authority to clarify and strengthen Chapter 701, Rules Governing Animal Welfare. These rules have been determined to be the most appropriate regulation to address most of the issues raised by LD 498. Chapter 216, Rules Governing the Sale of Dogs and Cats and the Importation of Dogs and Cats for Resale or Adoption, was also identified as benefiting from updating, and it is now undergoing routine, technical updates.

Specifically, the Capacity for Care language in Chapter 701 has been reviewed, and new language will be proposed via routine rulemaking to require facilities that adopt or sell animals to accept the return or surrender of those animals for up to two (2) years following transfer of ownership. The facilities must also maintain return/surrender records for review at the time of facility inspection or upon request.

The draft Chapter 701 rules are in the process of final review before public rulemaking commences. This rule has been prioritized for review because of this reporting requirement, in addition to the changes to this rule made necessary by the passing of LD 1771, An Act to Strengthen Oversight of Kennels by Changing the Licensing Authority from Municipalities to the Department of Agriculture, Conservation and Forestry, into law.

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