



Richard A. Bennett
Senator, District 18

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

**Joint Standing Committee on Agriculture, Conservation and Forestry
on
LD 133, An Act to Amend the Laws Regarding Nuisance Dogs
February 6, 2025**

Senator Talbot Ross, Representative Pluecker, and esteemed members of the Joint Standing Committee on Agriculture, Conservation and Forestry: I am Senator Rick Bennett of Oxford, and I have the honor of serving 14 communities in Western Maine in the State Senate. I am pleased to sponsor LD 133, "An Act to Amend the Laws Regarding Nuisance Dogs."

I decided to sponsor this bill because several of my constituents live next to a neighbor who has more than 15 hunting dogs. He keeps the dogs outside in a pen next to his house and they constantly bark. Often all day and night. As staff in my office spoke on the phone with these constituents, they could hear how loud and incessant the barking really is.

Currently there is no state law protecting the peace from barking dogs. Municipalities can enact ordinances and many have. However, statute requires an exception in municipal ordinances for "agricultural working dogs."

This municipality has a "disturbing the peace" violation section in its dog control ordinance but it has the required loophole for "dogs engaged in protecting livestock, or warning the owner of danger to the livestock." This exception has been stretched by the local animal control officer to mean that a person can keep 20 dogs outside barking all day and night because the dogs are protecting two cows and a few chickens. According to an ACF employee who visited the property, needing this many dogs to protect this few animals "doesn't pass the straight face test." But, unfortunately, there was nothing he could do.

As I researched this matter, I learned this issue was more common than I knew. There is a pending lawsuit about nuisance barking dogs from a couple that lives on the border of a town with such a barking dog ordinance where the ACO refuses to enforce the ordinance. Not only does the constant barking disrupt the neighbors, it lowers the value of their property.

I assure you that I am an animal lover. My wife and I drove back from Georgia last year after picking up our beautiful girl, Belle, an American Pit Bull Terrier. She has been a fantastic addition to the family. I do not want to see any animals punished for behavior they can't control. Incessant barking and other behavior issues are not the fault of the dog but of the dog's owners. And those owners should be held accountable for

disturbing the community.

Since this bill was printed, I have heard from folks across the state who worry that their outdoor lifestyles or businesses will be disrupted. This bill is not intended to create barriers for the hunting or veterinary industries. I would be happy to consider amendments.

Thank you for your consideration. I urge you to vote "ought to pass" on LD 133 and allow my constituents to live in peace.