

*132nd Legislature*  
***Senate  
of Maine***  
*Senate District 31*

*Senator Donna Bailey*  
*3 State House Station*  
*Augusta, ME 04333-0003*  
*Office: (207) 287-1515*

*Testimony of Senator Donna Bailey introducing*  
**LD 1771, An Act to Strengthen Oversight of Kennels by Changing the  
Licensing Authority from Municipalities to the Department of Agriculture,  
Conservation and Forestry**

*Before the Joint Standing Committee on Agriculture, Conservation and Forestry*  
*Tuesday, May 6, 2025*

Senator Talbot Ross, Representative Pluecker and Esteemed Members of the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Donna Bailey, and I proudly represent Senate District 31, which includes Buxton, Old Orchard Beach, and Saco. Today I am pleased to introduce my bill LD 1771, “**An Act to Strengthen Oversight of Kennels by Changing the Licensing Authority from Municipalities to the Department of Agriculture, Conservation and Forestry.**”

Over the past few years, the Animal Welfare Advisory Council has heard from numerous members of the public complaining about municipal kennels in their town that are not inspected. Additionally, they are concerned that complaints against municipal kennels have not been investigated or addressed. Ultimately, they brought these concerns to AWAC because they did not know where else to go.

Indeed, there currently is no other “place to go” to have these concerns addressed. Under current statute, the Animal Welfare Program has no jurisdiction over municipal kennels, which means it cannot inspect or address licensing concerns. Rather, they can only investigate allegations of animal neglect and cruelty. Although a concerned citizen can file a “Dereliction of Duty” complaint against the Animal Control Officer (or the municipality), this process can take months. Also, it is up to the Attorney General’s Office as to whether or not the complaint is pursued.

As these complaints indicate, there are real issues with leaving these kennels solely at the discretion of municipalities. Currently, just shy of 1/3 of all municipalities either have a vacant ACO position, leave ACO responsibilities to a police department in general (with no certified ACO), or have an ACO employed who is currently not certified and legally able to complete their work responsibilities. In fact, many of the complaints we received stemmed from conflict of interest situations, so even an ACO in good standing may not be able to impartially inspect a kennel due to a familial, work, or friend relationship with the kennel owner.

That's where LD 1771 comes in. This bill proposes to move the licensing structure for these kennels to the Department of Agriculture. These kennels would fall under the "Facilities License" section, but would retain the definitions and basic structure and requirements as they currently have under municipal duties.

There would be a small license fee increase, and a District Humane Agent employed by the Animal Welfare Program would be able to inspect and approve licensure for kennels in situations where the ACO cannot. Animal Control will still remain the primary, with the Humane Agents being back up.

Per current law, ACOs already use the Department's animal facilities rules to inspect these municipal kennels. The inspection regulations would remain the same whether the inspection is completed by the ACO or by the District Humane Agent.

As I close, want to offer an amendment to the bill. It is related to cost of individual licenses. There is no intention on my part to make the kennel owners purchase individual tags. They should be included in the proposed kennel license fee – just as they are currently.

#### **Proposed Sponsor's Amendment**

##### **§3923-A. License and recording fees**

Except as provided in subsection 3 and *section 3923-C* (struck), (Needs to be inserted) *section 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.

I thank the Committee for its time, and I would be happy to answer any questions.



**Donna Bailey**

State Senator, Senate District 31

*Buxton, Old Orchard Beach, and Saco*