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Resolve
123rd Legislature
Second Regular Session

Chapter 203
H.P. 1394 - L.D. 2010

**Resolve, Directing the Commissioner of Agriculture, Food
and Rural Resources To Review and Make Recommendations
Regarding the Regulation of Dog and Cat Breeding Facilities**

Sec. 1 Commissioner of Agriculture, Food and Rural Resources to convene a working group. Resolved: That the Commissioner of Agriculture, Food and Rural Resources shall convene a working group to evaluate the regulation of dog and cat breeding facilities in the State and recommend any changes necessary to ensure the humane treatment of animals and effective enforcement of state laws. The commissioner shall invite a representative of each of the following stakeholder groups to participate in the working group: the Maine Veterinary Medical Association, the Maine Federation of Humane Societies, an animal advocacy organization, the Federation of Maine Dog Clubs, the American Kennel Club, the Down East Sled Dog Club, the Maine Animal Control Officers Association and the Maine Town and City Clerks' Association. The commissioner shall invite one owner of a licensed breeding kennel and one owner of a licensed cat breeding facility to participate in the working group. The director of the animal welfare program within the Department of Agriculture, Food and Rural Resources, the state veterinarian assigned to the animal welfare program and a member of the Animal Welfare Advisory Council designated by the commissioner shall participate in the working group. The department shall provide staff to and coordinate meetings of the working group using existing resources or funds specifically donated to facilitate this undertaking; and be it further

Sec. 2 Duties. Resolved: That the Commissioner of Agriculture, Food and Rural Resources, in consultation with the working group under section 1, shall review:

1. Existing statutory and regulatory provisions pertaining to the breeding and sale of dogs and cats, including definitions;
2. The criteria and availability of documentation to determine when a kennel or breeding kennel license is required; and
3. Statutes relating to both inspection and licensing authority in order to strengthen current authority of both municipal animal control officers and state humane agents to carry out their statutory duties under state animal welfare laws and rules.

The commissioner, in consultation with the working group, may examine definitions and provisions in other states and in federal regulations that distinguish between types of facilities requiring licenses and discuss the advisability of making regulatory distinctions based on the number of dogs or cats or any other criteria; and be it further

Sec. 3 Reporting date established. Resolved: That, no later than January 15, 2009, the Commissioner of Agriculture, Food and Rural Resources shall submit a report with findings and recommendations pursuant to the review under section 2, including any recommended legislative changes, to the joint standing committee of the Legislature having jurisdiction over animal welfare matters. The joint standing committee of the Legislature having jurisdiction over animal welfare matters may submit legislation pertaining to the definition and regulation of breeding facilities, breeding and sale of dogs and cats, enforcement of the State's animal welfare laws and regulations and humane treatment of dogs and cats to the First Regular Session of the 124th Legislature. The Department of Agriculture, Food and Rural Resources shall post the report on its publicly accessible website as soon as practicable.