

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Require All Kennels Engaged in Breeding To Be Licensed and Inspected by the State

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA §3907, sub-§8-A, as amended by PL 2009, c. 403, §1, is further amended to read:

8-A. Breeding kennel. "Breeding kennel" means a location where 5 or more adult female dogs, wolf hybrids or cats capable of breeding are kept and some or all of the offspring are offered for sale, sold or exchanged for value or a location where more than 16 dogs or cats raised on the premises are sold to the public in a 12-month period. ~~"Breeding kennel" does not include a kennel licensed by a municipality under section 3923-C when the dogs are kept primarily for hunting, show, training, sledding, competition, field trials or exhibition purposes and not more than 16 dogs are offered for sale, sold or exchanged for value within a 12-month period.~~

Sec. 2. 7 MRSA §3907, sub-§17, as amended by PL 2009, c. 343, §4, is further amended to read:

17. Kennel. "Kennel" means a location where 5 or more dogs or wolf hybrids over 6 months old are kept in a single location under one ownership for breeding, hunting, show, training, field trials, sledding, competition or exhibition purposes. ~~The sale or exchange of one litter of puppies within a 12-month period alone does not constitute the operation of a kennel.~~

Sec. 3. 7 MRSA §3923-C, sub-§1, as amended by PL 2003, c. 536, §4, is further amended to read:

1. License necessary. ~~A~~Except as provided in subsection 7, a person having 5 or more dogs for the purposes set forth in ~~maintaining a kennel as defined in section 3907, subsection 17 shall obtain a kennel license from the clerk of the municipality where the dogs are kept and that person is subject to rules adopted by the department. The sex, registered number and description are not required for the dogs covered by a kennel license. The license expires December 31st annually. The kennel license permits the licensee or authorized agent to transport under control and supervision the kennel dogs in or outside the State.~~

Sec. 4. 7 MRSA §3923-C, sub-§7 is enacted to read:

7. Exception. This section does not apply to a person maintaining a breeding kennel licensed under section 3931-A.

Sec. 5. 7 MRSA §4163, first ¶, as amended by PL 2007, c. 702, §36, is further amended to read:

A person may not advertise for sale, sell or exchange for value more than one cat or dog under the age of 6 months in a 12-month period unless that person has a valid animal shelter, ~~kennel~~, breeding kennel or pet shop license or a valid vendor's license issued under this section.

SUMMARY

This bill amends the definitions of "breeding kennel" and "kennel" in the animal welfare laws. It requires a person keeping 5 or more dogs, wolf hybrids or cats that are capable of breeding to obtain a license as a breeding kennel from the Department of Agriculture, Food and Rural Resources. It clarifies that a person maintaining a licensed breeding kennel is not required to obtain a municipal kennel license and is not subject to inspection by an animal control officer. It requires a person with a municipal kennel license to obtain a vendor's license to sell more than one dog or cat per year.