



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 744

H.P. 551

House of Representatives, March 1, 2011

**An Act To Amend the Definition of "Service Animal" To Conform
with Federal Law**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative MALABY of Hancock.
Cosponsored by Senator ROSEN of Hancock and
Representatives: BEAULIEU of Auburn, BERRY of Bowdoinham, DUNPHY of Embden,
FOSSEL of Alna, McCLELLAN of Raymond, O'CONNOR of Berwick, SANDERSON of
Chelsea, SIROCKI of Scarborough.

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

2 **Sec. 1. 5 MRSA §4553, sub-§9-D**, as enacted by PL 2007, c. 664, §1, is repealed
3 and the following enacted in its place:

4 **9-D. Service animal.** "Service animal" means any dog that is individually trained to
5 do work or perform tasks for the benefit of an individual with a disability, including a
6 physical, sensory, psychiatric, intellectual or other mental disability. Other species of
7 animals, whether wild or domestic, trained or untrained, are not service animals for the
8 purposes of this definition. The work or tasks performed by a service animal must be
9 directly related to the individual's disability. Examples of such work or tasks include, but
10 are not limited to, assisting an individual who is totally or partially blind with navigation
11 and other tasks, alerting an individual who is deaf or hard of hearing to the presence of
12 people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair,
13 assisting an individual during a seizure, alerting an individual to the presence of
14 allergens, retrieving items such as medicine or a telephone, providing physical support
15 and assistance with balance and stability to an individual with a mobility disability and
16 helping a person with a psychiatric or neurological disability by preventing or
17 interrupting impulsive or destructive behaviors. The crime deterrent effects of an
18 animal's presence and the provision of emotional support, well-being, comfort or
19 companionship do not constitute work or tasks for the purposes of this definition.

20 **SUMMARY**

21 This bill changes the definition of "service animal" in the Maine Human Rights Act
22 to conform with federal law.