

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Date: (Filing No. H-)

AGRICULTURE, CONSERVATION AND FORESTRY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1097, L.D. 1593, Bill, “An Act To Amend the Animal Welfare Laws To Add Provisions Relating to the Surrender of Animals”

Amend the bill in section 1 in subsection 11 by striking out all of the last paragraph (page 1, lines 9 to 17 in L.D.) and inserting the following:

'The commissioner may decide, based on the facts of a particular case, to waive costs and fees associated with the surrender of animals, and may further decide that the case should not be sent to the attorney for the State, if the person who is the subject of the investigation has voluntarily surrendered the animals to the department and if the person has not previously been charged with cruelty to animals or charged with animal neglect. The commissioner may not waive costs and fees associated with the surrender of animals or decide that the case should not be sent to the attorney for the State, unless the person agrees to sign an affidavit stating that the person will never again possess or own any animals of the same species as the animals that were surrendered until the person can properly care for them and has the financial capacity to properly care for them, as determined by the commissioner.'

Amend the bill in section 2 by striking out all of subsection 1-A (page 1, lines 19 to 28 in L.D.) and inserting the following:

1-A. Surrender of animals. The commissioner may decide, based on the facts of a particular case, to waive costs and fees associated with the surrender of animals, and may further decide that the case should not be sent to the attorney for the State, if the person who is the subject of the investigation has voluntarily surrendered the animals to the Department of Agriculture, Conservation and Forestry and if the person has not previously been charged with cruelty to animals or charged with animal neglect. The commissioner may not waive costs and fees associated with the surrender of animals or decide that the case should not be sent to the attorney for the State, unless the person agrees to sign an affidavit stating that the person will never again possess or own any animals of the same species as the animals that were surrendered until the person can

COMMITTEE AMENDMENT

1 properly care for them and has the financial capacity to properly care for them, as
2 determined by the commissioner.'

3 **SUMMARY**

4 Under the bill, the Commissioner of Agriculture, Conservation and Forestry may
5 decide, based on the facts of a particular case, to waive costs and fees associated with the
6 surrender of animals, and may further decide that the case should not be sent to the
7 attorney for the State, if the person who is the subject of the investigation has voluntarily
8 surrendered the animals to the Department of Agriculture, Conservation and Forestry and
9 if the person has not previously been charged with cruelty to animals or charged with
10 animal neglect. Under the bill, if the commissioner waives costs and fees associated with
11 the surrender of animals or decides that the case should not be sent to the attorney for the
12 State, the commissioner must require the person to sign an affidavit stating that the
13 person will never again possess or own any animals of the same species as the animals
14 that were surrendered.

15 This amendment is the majority report of the committee and provides that the
16 commissioner may not waive costs and fees associated with the surrender of animals or
17 decide that the case should not be sent to the attorney for the State unless the person
18 agrees to sign an affidavit stating that the person will never again possess or own any
19 animals of the same species as the animals that were surrendered until the person can
20 properly care for them and has the financial capacity to properly care for them, as
21 determined by the commissioner.