

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 Timely Reporting of Dog Licensing**

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

**Sec. 1. 7 MRSA §3924, sub-§1**, as enacted by PL 1987, c. 383, §3, is amended to read:

**1. Civil violation.** Any person who violates any section of this chapter, including possession of a dog that has never been licensed as required by this chapter, commits a civil violation for which a forfeiturefine not to exceed \$100 may be adjudged. If the dog has never been licensed as required by this chapter, the person is also liable for the licensing fee and late fee established in section 3923-A.

**Sec. 2. 7 MRSA §3943**, as repealed by PL 2009, c. 343, §19, is reenacted to read:

### **§ 3943. Municipal warrants**

**1. Procedure.** Between February 1st and April 1st annually, the municipal officers of each municipality shall issue a warrant with the names and addresses of all owners or keepers of unlicensed dogs to one or more police officers, constables, sheriffs or animal control officers, directing them to send a notice of violation to the last known address of the owners or keepers or call on the owners or keepers. The warrant must further direct that demand be made on the owners or keepers to obtain a license from the municipal clerk within 7 days from the date of demand and remit to the clerk the license and recording fees plus a late fee of \$25 for each dog that is licensed. Finally, the warrant must direct the police officer, constable, sheriff or animal control officer to enter summons and complaint as soon as possible for all owners or keepers so notified who fail to comply with the order.

**2. Returns of warrant.** Each police officer, constable, sheriff or animal control officer to whom the warrant is issued shall return the warrant to the municipal clerk on or before July 1st of each year.

**3. Payments to officers.** Payment to certain officers must be as follows.

A. The municipal clerk shall deposit the late fees collected from all dog owners and keepers in a separate account pursuant to section 3945.

B. Officers rendering services are entitled to compensation as the municipal officers may determine.

**Sec. 3. 7 MRSA §3947, first ¶**, as amended by PL 2009, c. 343, §20, is further amended to read:

Each municipality shall appoint one or more animal control officers whose duties are enforcement of sections 3911, 3912, 3916, 3921, 3924, 3943, 3948, 3950, 3950-A, 3952 and 4041 and Title 17, section 1023, responding to reports of animals suspected of having rabies in accordance with Title 22, sections 1313 and 1313-A and any other duties to control animals as the municipality may require. A municipality may appoint an employee of an animal shelter as an animal control officer as long as the person meets the qualifications and training requirements of this section.

## **SUMMARY**

Current law requires the licensing of a dog by January 31st annually. If a person acquires a license after January 31st, a late fee of \$25 is imposed in addition to the licensing fee. However, there is no specific penalty for failing to ever license a dog; only failure to license on time. This bill clarifies that the general penalty imposed for a violation of the dog licensing laws, a maximum fine of \$100, applies to a person who is in possession of a dog that has never been licensed, plus the applicable licensing fee and late fee.

This bill also restores the municipal warrant process, which requires municipal officers to compile a list of owners or keepers of dogs that have been previously licensed but have not been licensed as of February 1st annually and further requires a law enforcement officer or animal control officer to serve those warrants on the owners of those dogs.