

Memo to Michael O’Grady re Maine Animal Welfare investigations

I. Overview

The issue is whether there is an animal welfare complaint rapid response system in place under the Animal Welfare Act under Title 7 and 17 of the Maine Statutes.

II. Authority

The Commissioner of Agriculture, Conservation and Forestry oversees and enforces the animal welfare statutes in the State of Maine. 7 M.R.S.A. § 3906 – B; 7 M.R.S.A. § 3907. The public has the ability to file complaints on instances of animal cruelty with a local law enforcement agency or with an animal control officer, who will report the incident to the Animal Welfare Program. Code Me. R. tit. 01-001 Ch. 701., § I; 7 M.R.S.A. 3937.

Upon a written complaint made to the commissioner by a person alleging violation of this chapter, the commissioner shall cause an investigation to be made upon matters related to the complaint. 7 M.R.S.A. § 3937. Law enforcement officers, animal control officers, or a humane agents assist the commissioner in investigations of alleged animal cruelty incidents. 17 M.R.S.A § 1023. The Attorney General and the district attorneys assist with the commissioner’s enforcement responsibilities. 7 M.R.S.A. § 3906 – B.

Additionally, the Maine Legislature has created statutory authority for the State of Maine Animal Response Team (S.M.A.R.T. or the team). 7 M.R.S.A. § 1901. S.M.A.R.T. supports a network that protects human and animal health through preparation, response, and recovery for animal emergencies. *Id.* S.M.A.R.T. responds to both natural and man-made disasters affecting animals to decrease any health or safety

threat to humans and minimizes the economic and environmental impacts of animal emergencies. *Id.* The team also increases emergency pet sheltering capacity in the event of disaster within the State. 7 M.R.S.A. § 1901. The State provides consistent funding for S.M.A.R.T. through the Treasurer of State, which pays the costs associated with the program. 7 M.R.S.A. § 1902.

III. Conclusion

In conclusion, the State of Maine has established a response system for animal welfare complaints and enforcement of animal welfare laws. The State also has an emergency response team for natural and man-made disasters for purposes of protecting human and animal health and minimizing the environmental and economic impacts of animal emergencies.