

**TESTIMONY OF THE  
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE  
BEFORE THE JOINT STANDING COMMITTEE ON INLAND  
FISHERIES AND WILDLIFE  
IN OPPOSITION TO L.D. 1114**

**“An Act To Humanely Treat Animals Trapped in Buildings”**

**SPONSORED BY: Senator DESCHAMBAULT of York.**

CO-SPONSORED BY: Representative PICKETT of Dixfield and  
Senator: GRATWICK of Penobscot, Representatives: COSTAIN of Plymouth,  
EVANGELOS of Friendship, WARREN of Hallowell.

**DATE OF HEARING: Thursday, April 4, 2019**

Senator Dill, Representative Hickman, and members of the Joint Standing Committee on Agriculture Conservation and Forestry. The Department of Inland Fisheries and Wildlife is opposed to LD 1114.

Currently, there is state law addressing how animal control officers, (ACOs) should respond to a dog, cat, small animal or livestock in that is in a building. This proposed law change refers to “animal” and isn’t clear whether that means domesticated, wildlife, rodents, insects, reptiles or any other living creature that would be included in the definition of animal as defined within **Title 7 Agriculture and Animals – Part 9 – Chapter 717 §3907.-2. Animal.** “Animal” means every living, sentient creature not a human being. Does this language pertain to companies who work to rid homes of insect infestations?

ACOs, animal damage control agents (ADC) and law enforcement officers (LEO) are trained to contain and remove animals from buildings or other enclosed places using the least amount of force that is necessary to protect the animal and the public. If a wild animal is in a building and can be easily shown the way out, the ACO, ADC or LEO are trained to help humanely evict the animal or instruct the property owner how to do so. If it is a situation that nesting is occurring or some larger problem with wildlife in a structure, those calls are generally referred to IF&W and their ADC Agents to work with the property owner to remove the animals.

Instances when an animal may succumb to the stresses of being removed from a building, places the ACO, ADC or LEO in a situation that may warrant humane euthanization of the animal within the building rather than utilizing every method to remove it alive.

There are circumstances like this that may not create a health or safety problem for the public, as this bill’s exemption requires but euthanization of the animal may be the most humane option for removal.

We feel this issue is best addressed through continued education and training of our ACOs, ADC agents and law enforcement officers who all receive specialized training in this arena, not necessarily by way of law.

I would be happy to answer any questions you may have at the work session.