

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1999

March 6, 1999 at 18 years of age while awaiting a double lung transplant. The observance is created to make Maine citizens aware of the importance of donating organs. In each subsequent year, the Governor, in consultation with Maine organ donation agencies and organizations, shall designate an organ donor, recipient or listed individual to be recognized on that year's Organ Donation Awareness Day.

See title page for effective date.

CHAPTER 480

H.P. 171 - L.D. 249

An Act to Give Citizens 70 Years of Age and Older Free Bear and Duck Hunters Stamps

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

Sec. 1. 12 MRSA §7076, sub-§1, as repealed and replaced by PL 1995, c. 462, Pt. A, §33, is amended to read:

1. Residents over 70 years of age. A complimentary license to hunt, trap or fish, including an archery license under section 7102-A, a pheasant hunting permit under section 7106-B ~~and~~, a muzzle-loading hunting license under section 7107-A, a migratory waterfowl permit under section 7109 and a bear hunting permit under section 7110 must be issued to any resident of Maine who is 70 years of age or older upon application to the commissioner. These complimentary licenses, upon issuance, remain valid for the remainder of the life of the license holder, provided the license holder continues to satisfy the residency requirements set out in section 7001, subsection 32 and provided the license is not revoked or suspended. Residents who apply for these complimentary licenses at any time during the calendar year of their 70th birthday must be issued a license upon application, regardless of the actual date during that calendar year in which they attain age 70. A guide license may be renewed without charge for any resident of Maine who is 70 years of age or older upon application to the commissioner. The application must be accompanied by a birth certificate or other certified evidence of the applicant's date of birth and residency. When the holder of a license issued under this subsection no longer satisfies the residency requirements set out in section 7001, subsection 32, the license is no longer valid and further use of the license for purposes of hunting, fishing or trapping constitutes a license violation under section 7371, subsection 3.

Sec. 2. 12 MRSA §7109-A, sub-§4 is enacted to read:

4. Exception. This section does not apply to a resident of the State who is 70 years of age or older and who is issued a complimentary license pursuant to section 7076, subsection 1.

See title page for effective date.

CHAPTER 481

H.P. 903 - L.D. 1281

An Act to Raise Penalties for Cases of Cruelty to Animals or Birds

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

Sec. 1. 17 MRSA §1031, as amended by PL 1997, c. 690, §§69 and 70, is further amended to read:

§1031. Cruelty to animals

1. Cruelty to animals. Except as provided in subsection 1-A, a person, including an owner or the owner's agent, is guilty of cruelty to animals if that person intentionally, knowingly or recklessly:

- A. Kills or attempts to kill any animal belonging to another person without the consent of the owner or without legal privilege;
- B. Except for a licensed veterinarian or a person certified under section 1042, kills or attempts to kill an animal by a method that does not cause instantaneous death;
- C. If that person is a licensed veterinarian or a person certified under section 1042, kills or attempts to kill an animal by a method that does not conform to standards adopted by a national association of licensed veterinarians;
- D. Injures, overworks, tortures, torments, abandons or cruelly beats or intentionally mutilates an animal; gives drugs to an animal with an intent to harm the animal; gives poison or alcohol to an animal; or exposes a poison with intent that it be taken by an animal. The owner or occupant of property is privileged to use reasonable force to eject a trespassing animal;
- E. Deprives an animal that the person owns or possesses of necessary sustenance, necessary medical attention, proper shelter, protection from the weather or humanely clean conditions;
- F. Keeps or leaves a domestic animal on an uninhabited or barren island lying off the coast of