

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 251

S. P. 106

In Senate, January 18, 1973

Referred to the Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Hichens of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Cruelty to Animals.

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

Sec. 1. R. S., T. 17, § 1051, amended. Section 1051 of Title 17 of the Revised Statutes is amended to read as follows:

§ 1051. Definitions

In this chapter and in every law relating to or affecting animals, the masculine includes the feminine, the singular includes the plural, the word "animal" includes every living ~~brute~~ sentient creature, the words "torment," "torture" and "cruelty" include every act, omission or neglect, **whether by owner or otherwise**, whereby unjustifiable physical pain, suffering or death is caused or permitted and the words "owner" or "person" include corporations as well as individuals.

Sec. 2. R. S., T. 17, § 1091, amended. Section 1091 of Title 17 of the Revised Statutes, as repealed and replaced by chapter 158 of the public laws of 1969, is amended to read as follows:

§ 1091. Acts of cruelty

Every person, who overdrives, overloads or overworks, who torments, tortures, maims, wounds or deprives of necessary sustenance, or who cruelly beats, mutilates or kills any horse or other animal or causes the same to be done, or having the charge or custody thereof, as owner or otherwise, fails to provide such animal with proper food, drink, shelter and protection from the weather **and humanely clean conditions**; every person, owning, or having the charge or custody of any animal, who knowingly and willfully **abandons**

or authorizes or permits the same to suffer tortures or cruelty; and every owner, driver, possessor or person having the custody of an old, maimed, disabled or diseased animal, who works the same when unfit for labor or who abandons such animal; and every person who carries or causes to be carried, or has the care of any animal in, upon, or attached to a car or other vehicle or otherwise, in a cruel or inhumane manner, **or in a way or manner which endangers the animal**, shall for every such offense be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment for not **less than 30 days nor** more than 11 months, or by both.

Sec. 3. R. S., T. 17, § 1092, amended. Section 1092 of Title 17 of the Revised Statutes is amended to read as follows:

§ 1092. Malicious killing or injury to domestic animals; stealing

Whoever ~~willfully or~~ maliciously kills, wounds, maims, disfigures or poisons any domestic animal, ~~or dog or cat~~, or exposes any poisonous substance with intent that the life of such animal, ~~or dog or cat~~ shall be destroyed thereby, or steals or entices away or confines or harbors such animal for the purpose of obtaining a reward or for any other illegal purpose shall, when the offense is not of a high and aggravated nature, be punished by a fine of not more than \$300 or by imprisonment for not more than 3 months, or by both, and when the offense is of a high and aggravated nature by a fine of not more than \$1,000 or by imprisonment for not more than 4 years.

STATEMENT OF FACT

The purpose of this bill is to more clearly define certain provisions of the cruelty to animals statutes so all sentient creatures are covered by the law and to add further protection to animals.