

MAINE STATE LEGISLATURE

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1 (After Deadline)
2 (EMERGENCY)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TENTH LEGISLATURE
6

7 **Legislative Document**

No. 1995

9 H. P. 2027 House of Representatives, February 17, 1982
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 27.

10 Referred to the Committee on Fisheries and Wildlife. Sent up for
concurrence and ordered printed.

Presented by Representative MacEachern of Lincoln. EDWIN H. PERT, Clerk

11 Cosponsors: Representative Michaud of East Millinocket, Repre-
sentative Gillis of Calais and Senator Redmond of Somerset.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-TWO
16

17 AN ACT Concerning the Chasing of Wild
18 Animals by Dogs.
19

20 **Emergency preamble.** Whereas, Acts of the Legislature
21 do not become effective until 90 days after adjournment
22 unless enacted as emergencies; and

23 Whereas, the incidence of the chasing and killing by
24 dogs of foraging wild animals, particularly deer, has
25 increased dramatically this winter; and

26 Whereas, the ability to reduce such purposeless slaugh-
27 ter is hampered in part by the fact that fines imposed on
28 dog owners for permitting their dogs to chase these animals
29 are often suspended, as well as the fact that there are
30 insufficient personnel to mitigate the problem; and

31 Whereas, imposing a mandatory minimum fine on dog
32 owners who allow their dogs to chase and kill deer and other
33 similar animals and permitting certain other persons who

1 frequent the woods to shoot dogs engaging in those activi-
2 ties would greatly aid in reducing the severity of this
3 problem; and

4 Whereas, unless enacted as an emergency the end sought
5 to be achieved by this bill will not be met since the winter
6 season will have passed; and

7 Whereas, in the judgment of the Legislature, these
8 facts create an emergency within the meaning of the Consti-
9 tution of Maine and require the following legislation as
10 immediately necessary for the preservation of the public
11 peace, health and safety; now, therefore,

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

13 **Sec. 1.** 12 MRSA §7504, sub-§6, ¶E is enacted to read:

14 E. Any resident licensed trapper and any resident li-
15 censed guide may kill any dog outside the enclosure or
16 immediate care of its owner or keeper if he finds that
17 dog chasing, killing or wounding any moose, caribou,
18 deer or elk at any time.

19 **Sec. 2.** 12 MRSA §7901, sub-§5 is enacted to read:

20 5. A violation of section 7505, subsection 3, para-
21 graph B is a Class E crime for which at least a minimum \$200
22 fine shall be imposed.

23 **Emergency clause.** In view of the emergency cited in
24 the preamble, this Act shall take effect when approved.

25 STATEMENT OF FACT

26 This bill is designed to reduce the problem of dogs
27 chasing and killing deer and other wild animals.

28 Section 1 expands the category of persons entitled to
29 kill dogs found chasing, killing or wounding deer and other
30 animals by including resident licensed trappers and resident
31 licensed guides. Because these individuals are frequently
32 in the woods in the winter and witness dogs chasing and
33 killing deer, they often have the opportunity to take the
34 appropriate steps to prevent the harming of these wild ani-
35 mals by dogs. Game wardens and law enforcement officers of
36 all types presently have this authority.

1 Section 2 of this bill imposes at least a minimum,
2 nonsuspendible \$200 fine on dog owners whose dogs are found
3 to have been chasing, wounding or killing deer, caribou,
4 elk, moose or other wild animals. Existing law already
5 makes such activity a Class E crime, but stiff fines have
6 been rare. This change will require judges to fine such dog
7 owners at least \$200 if their dogs have engaged in the pro-
8 hibited activities.

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