

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 630, L.D. 853, Bill, "An Act Regarding Dangerous Dogs"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'7 MRSA §3952, sub-§1, as enacted by PL 1987, c. 383, §3, is amended to read:

1. Procedure. Any person who is assaulted by a dog without provocation or any person witnessing an unprovoked assault, within 10 days of the assault, may make written complaint to the sheriff or local law enforcement officer that he-believes the dog is dangerous or vicious.

The sheriff or local law enforcement officer may file the complaint in District Court or Superior Court.

If, upon hearing, the court is satisfied that the complaint is true, it shall:

A. Order the dog muzzled, restrained or confined to the premises of its owner or keeper; or

B. Order the dog to be euthanatized if it has killed, maimed or inflicted serious bodily injury upon a person or has a history of assault.

The owner or keeper who keeps a dog in violation of this section commits a civil violation for which a forfeiture not to exceed \$100, plus costs, may be adjudged.

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### FISCAL NOTE

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Enactment of this bill may result in an increased number of filings throughout the State's court system. The Judicial Department has indicated it can absorb the costs of this bill within its resources.'

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### STATEMENT OF FACT

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This amendment deletes the original bill and amends existing law to allow a person witnessing an unprovoked assault by a dog to bring a complaint to law enforcement officials. If investigation by a law enforcement officer and court action concur, this amendment allows the appropriate restraint of a dangerous dog in cases where the person assaulted may be reluctant to file a complaint.

Reported by the Committee on Agriculture  
Reproduced and distributed under the direction of the Clerk of the  
House  
5/22/89

(Filing No. H-254)