

MAINE STATE LEGISLATURE

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

COMMITTEE AMENDMENT "A" to H.P. 1092, L.D. 1525, Bill, "An Act to Increase the Penalty for Destruction of Law Enforcement Canines"

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

17-A MRSA §752-B is enacted to read:

§752-B. Unlawful interference with law enforcement dogs

1. A person is guilty of unlawful interference with a law enforcement dog if that person intentionally or knowingly:

A. Kills, mutilates or permanently disables any dog certified for law enforcement use; or

B. Torments, beats, strikes, injures, temporarily disables or otherwise mistreats any dog certified for law enforcement use.

2. For the purposes of this section, a dog is certified for law enforcement use if the State has certified that the dog has satisfactorily completed requisite training for one or more law enforcement purposes.

3. Violation of subsection 1, paragraph A is a Class C crime. Violation of subsection 1, paragraph B is a Class D crime.'

STATEMENT OF FACT

This amendment replaces the text of the original bill. This amendment, instead of amending the offense of interference with publicly owned dogs in the Maine Revised Statutes, Title 17,

COMMITTEE AMENDMENT "A" to H.P. 1092, L.D. 1525

1 creates a new offense in Title 17-A of interfering with law
enforcement dogs. The offense in Title 17 is not altered.

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5 This amendment roughly parallels the offense of assaulting
an officer. It is a Class C crime to kill, mutilate or
permanently disable a dog which is certified for law enforcement
7 use. It is a Class D crime to otherwise mistreat a dog certified
for law enforcement use.

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11 A dog is certified for law enforcement use if the State has
issued a certificate for the dog showing that the dog has
satisfactorily completed required training for the specific use.
13 Some dogs are trained for patrol use, others are trained to track
people, or to sniff out drugs. As long as the dog is certified
15 for at least one of these uses, this section applies. In
addition, this section applies whether the dog is owned by the
17 law enforcement agency or by anyone else; the operative fact is
that the dog is certified for law enforcement use.

Reported by the Committee on Judiciary
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