

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1281

H.P. 903

House of Representatives, February 16, 1999

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

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Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative STEVENS of Orono.  
Cosponsored by Senator KILKELLY of Lincoln and  
Representatives: DUNLAP of Old Town, MUSE of South Portland, O'BRIEN of Augusta,  
PEAVEY of Woolwich, POVICH of Ellsworth, QUINT of Portland, WILLIAMS of Orono,  
Senator: MURRAY of Penobscot.

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

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**Sec. 1. 17 MRSA §1031, sub-§3**, as amended by PL 1997, c. 690, §70, is further amended to read:

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**3. Penalty.** Cruelty to animals is a Class D C crime. In addition to any other penalty authorized by law, the court shall impose a fine of not less than \$250 for each violation of this section. The court may order the defendant to pay the costs of the care, housing and veterinary medical treatment for the animal.

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The court, as part of the sentence, may prohibit the defendant from owning, possessing or having on the defendant's premises an animal or animals as determined by the court for a period of time, up to and including permanent relinquishment, as determined by the court. A person placed on probation for a violation of this section with a condition that prohibits owning, possessing or having an animal or animals on the probationer's premises is subject to revocation of probation and removal of the animal or animals at the probationer's expense if this condition is violated. The court as part of the sentence may order, as a condition of probation, that the defendant be evaluated to determine the need for psychiatric or psychological counseling, and, if it is determined appropriate by the court, to receive psychiatric or psychological counseling at the defendant's expense.

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**Sec. 2. 17 MRSA §1032, sub-§2**, as amended by PL 1997, c. 690, §71, is further amended to read:

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**2. Penalty.** Cruelty to birds is a Class D C crime. In addition to any other penalty authorized by law, the court shall impose a fine of not less than ~~\$100~~ \$250 for each violation of this section.

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**SUMMARY**

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This bill increases the penalties for cruelty to animals and cruelty to birds and makes those penalties consistent.

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