

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1447

H.P. 1011

House of Representatives, March 22, 2005

An Act To Increase Civil and Criminal Penalties for Animal Cruelty

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative THOMPSON of China.
Cosponsored by Representatives: CAIN of Orono, DUCHESNE of Hudson, ROSEN of
Bucksport, SAVIELLO of Wilton, TWOMEY of Biddeford.

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

4 **Sec. 1. 7 MRSA §4016, sub-§1**, as enacted by PL 2001, c. 425,
§4, is amended to read:

6 **1. Penalty.** A person who violates this chapter commits a
civil violation for which the following penalties apply.

8
10 A. The court shall adjudge a ~~eivil~~ fine of not less than
\$500 ~~ne#~~ and not more than \$2,500 ~~for the first violation,~~
12 none of which may be suspended, ~~and a civil~~ except that for
a violation of section 4011 the court shall adjudge a fine
14 of not less than \$1,000 ~~ne#~~ and not more than \$5,000 for a
first violation, a fine of not less than \$2,000 and not more
16 than \$5,000 for a 2nd ~~ex--subsequent~~ violation ~~ef--section~~
4011 and a fine of not less than \$5,000 and not more than
18 \$10,000 for a 3rd or subsequent violation, none of which may
be suspended.

20 B. The court may order a person adjudicated as having
violated the laws against cruelty to animals to pay the
22 costs of the care, housing and veterinary medical treatment
for the animal.

24 C. The court, as part of the judgment, may prohibit a
person adjudicated as having violated the laws against
26 cruelty to animals from owning, possessing or having on the
defendant's premises an animal for a period of time up to
28 and including permanent relinquishment.

30 D. The court, as part of the judgment, may order that the
32 ~~defendant~~ person adjudicated as having violated the laws
against cruelty to animals submit to and complete a
34 psychological evaluation for in camera review by the court.

36 **Sec. 2. 7 MRSA §4018, sub-§1**, as enacted by PL 2001, c. 422,
§11, is amended to read:

38 **1. Report by veterinarian.** A veterinarian licensed in
40 accordance with Title 32, chapter 71-A who, while acting in a
professional capacity, has reasonable cause to suspect that an
42 animal is the subject of cruelty or neglect in violation of this
chapter or Title 17, chapter 42, may shall report the suspected
44 violation to the commissioner, the commissioner's designee, an
animal control officer, an attorney for the State or a law
46 enforcement officer. A veterinarian making a report under this
section may appear and testify in a judicial or administrative
48 proceeding concerning the condition or care of the animal.

