

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

---

Legislative Document

No. 1598

S.P. 605

In Senate, December 18, 2009

---

**An Act To Strengthen the Laws against Illegal "Puppy Mill"  
Operators**

---

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 18, 2009. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator SIMPSON of Androscoggin.  
Cosponsored by Representative SHAW of Standish and  
Senator: HOBBS of York, Representatives: HUNT of Buxton, KNIGHT of Livermore Falls.

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

2 **Sec. 1. 17 MRSA §1031, sub-§1-F** is enacted to read:

3 **1-F. Animal cruelty involving 25 or more animals.** A person who commits a  
4 violation that is described in subsection 1 as a Class D crime commits a Class C crime if  
5 the violation involves 25 or more animals in one course of conduct.

6 **Sec. 2. 17 MRSA §1031, sub-§3-B, ¶A,** as amended by PL 2007, c. 439, §37, is  
7 further amended to read:

8 A. In addition to any other penalty authorized by law, the court shall impose a fine  
9 of not less than \$500 for each violation of this section. The court may order the  
10 defendant to pay the costs of the care, housing and veterinary medical treatment for  
11 the animal including the costs of relocating the animal.

12 **Sec. 3. 17-A MRSA §1201, sub-§1, ¶A-1,** as amended by PL 2007, c. 577, §4,  
13 is further amended to read:

14 A-1. The conviction is for a Class D or Class E crime other than:

15 (1) A Class D or Class E crime relative to which, based upon both the written  
16 agreement of the parties and a court finding, the facts and circumstances of the  
17 underlying criminal episode giving rise to the conviction generated probable  
18 cause to believe the defendant had committed a Class A, Class B or Class C  
19 crime in the course of that criminal episode and, as agreed upon in writing by the  
20 parties and found by the court, the defendant has no prior conviction for murder  
21 or for a Class A, Class B or Class C crime and has not been placed on probation  
22 pursuant to this subparagraph on any prior occasion;

23 (2) A Class D crime that the State pleads and proves was committed against a  
24 family or household member or a dating partner under chapter 9 or 13 or section  
25 554, 555 or 758. As used in this subparagraph, "family or household member"  
26 has the same meaning as in Title 19-A, section 4002, subsection 4; "dating  
27 partner" has the same meaning as in Title 19-A, section 4002, subsection 3-A;

28 (2-A) A Class D crime under Title 5, section 4659, subsection 1, Title 15,  
29 section 321, subsection 6 or Title 19-A, section 4011, subsection 1;

30 (3) A Class D or Class E crime in chapter 11 or 12;

31 (4) A Class D crime under section 210-A;

32 (4-A) A Class E crime under section 552;

33 (5) A Class D or Class E crime under section 556, section 854, excluding  
34 subsection 1, paragraph A, subparagraph (1), or section 855;

35 (6) A Class D crime in chapter 45 relating to a schedule W drug; or

36 (7) A Class D or Class E crime under Title 29-A, section 2411, subsection 1-A,  
37 paragraph B; or

38 (8) A Class D crime under Title 17, section 1031.

**SUMMARY**

1

2

3

4

5

This bill strengthens the laws against animal cruelty by increasing the class of certain crimes from Class D crimes to Class C crimes when 25 or more animals are involved, authorizes the State to recover the cost of relocating animals as part of an animal cruelty case and adds probation as a sentencing option for Class D animal cruelty violations.