

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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**Legislative Document**

**No. 652**

H.P. 482

House of Representatives, February 17, 2011

### **An Act To Amend Animal Welfare Laws**

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Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative CRAY of Palmyra.  
Cosponsored by Senator SHERMAN of Aroostook and  
Representatives: BLACK of Wilton, DILL of Old Town, GIFFORD of Lincoln, KENT of  
Woolwich, McCABE of Skowhegan, O'BRIEN of Lincolnville, TIMBERLAKE of Turner,  
Senator: THIBODEAU of Waldo.

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

2 **Sec. 1. 7 MRSA §3952, sub-§1, ¶B,** as corrected by RR 2009, c. 1, §9, is  
3 amended to read:

4 B. Order the dog to be euthanized if it has killed, maimed or inflicted serious bodily  
5 injury upon a person ~~or~~ has a history of a prior assault or has a prior finding of being  
6 a dangerous dog.

7 **Sec. 2. 7 MRSA §3952, sub-§8, ¶A,** as enacted by PL 2007, c. 170, §4, is  
8 amended to read:

9 A. It is necessary to obtain veterinary care for the dog or to comply with orders of  
10 the court or the court approves the specific movement of the dog as requested by a  
11 party to an action under this section; and

12 **Sec. 3. 16 MRSA §614, sub-§1,** as amended by PL 1999, c. 155, Pt. A, §5, is  
13 further amended to read:

14 **1. Limitation on dissemination of intelligence and investigative information.**  
15 Reports or records that contain intelligence and investigative information and that are  
16 prepared by, prepared at the direction of or kept in the custody of a local, county or  
17 district criminal justice agency; the Bureau of State Police; the Department of the  
18 Attorney General; the Maine Drug Enforcement Agency; the Office of State Fire  
19 Marshal; the Department of Corrections; the criminal law enforcement units of the  
20 Department of Marine Resources or the Department of Inland Fisheries and Wildlife; ~~or~~  
21 the Department of Conservation, Division of Forest Protection when the reports or  
22 records pertain to arson; or the Department of Agriculture, Food and Rural Resources  
23 when the reports or records pertain to animal cruelty are confidential and may not be  
24 disseminated if there is a reasonable possibility that public release or inspection of the  
25 reports or records would:

- 26 A. Interfere with law enforcement proceedings;
- 27 B. Result in public dissemination of prejudicial information concerning an accused  
28 person or concerning the prosecution's evidence that will interfere with the ability of  
29 a court to impanel an impartial jury;
- 30 C. Constitute an unwarranted invasion of personal privacy;
- 31 D. Disclose the identity of a confidential source;
- 32 E. Disclose confidential information furnished only by the confidential source;
- 33 F. Disclose trade secrets or other confidential commercial or financial information  
34 designated as such by the owner or source of the information or by the Department of  
35 the Attorney General;
- 36 G. Disclose investigative techniques and procedures or security plans and procedures  
37 not generally known by the general public;
- 38 H. Endanger the life or physical safety of any individual, including law enforcement  
39 personnel;

- 1 I. Disclose conduct or statements made or documents submitted by any person in the
- 2 course of any mediation or arbitration conducted under the auspices of the
- 3 Department of the Attorney General;
- 4 J. Disclose information designated confidential by some other statute; or
- 5 K. Identify the source of complaints made to the Department of the Attorney General
- 6 involving violations of consumer or antitrust laws.

7 **SUMMARY**

8 This bill amends the animal welfare laws to provide greater protection for victims of  
9 dangerous dogs. It also adds reports and records of the Department of Agriculture, Food  
10 and Rural Resources pertaining to animal cruelty to the list of reports and records that  
11 contain intelligence and investigative information that are confidential.