

# MAINE STATE LEGISLATURE

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Date: 4/2/18

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**AGRICULTURE, CONSERVATION AND FORESTRY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 607, L.D. 858, Bill, "An Act To Strengthen the Law Regarding Dangerous Dogs"

Amend the bill by striking out the title and substituting the following:

**'An Act To Strengthen the Law Regarding Dangerous Dogs and Nuisance Dogs'**

Amend the bill by inserting after the title and before the enacting clause the following:

**'Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**'Sec. 1. 7 MRSA §3907, sub-§8-B** is enacted to read:

**8-B. Bodily injury.** "Bodily injury" has the same meaning as in Title 17-A, section 2, subsection 5.

**Sec. 2. 7 MRSA §3907, sub-§12-D,** as amended by PL 2011, c. 100, §3, is repealed and the following enacted in its place:

**12-D. Dangerous dog.** "Dangerous dog" means a dog or wolf hybrid that causes the death of or inflicts serious bodily injury on an individual or a domesticated animal who is not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the injury or death; a dog or wolf hybrid that causes a reasonable and prudent person who is not on the dog or wolf hybrid owner's or keeper's premises and is acting in a reasonable and nonaggressive manner to fear imminent serious bodily injury by assaulting or threatening to assault that individual or individual's domesticated animal; or a dog or wolf hybrid that inflicts bodily injury on an individual or a domesticated animal who is not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the

**COMMITTEE AMENDMENT**

1 injury and has previously been determined by a court of competent jurisdiction to be a  
2 nuisance dog.

3 "Dangerous dog" does not include:

4 A. A dog certified by the State and used for law enforcement use;

5 B. A dog or wolf hybrid that injures or threatens to assault an individual who is on  
6 the dog or wolf hybrid owner's or keeper's premises if the dog or wolf hybrid has no  
7 prior history of assault and was provoked by the individual immediately prior to the  
8 injury or threatened assault; or

9 C. A dog or wolf hybrid that inflicts serious bodily injury on or causes the death of  
10 an individual who is committing a crime against an individual or property owned by  
11 the dog or wolf hybrid owner or keeper.

12 For the purposes of this definition, "dog or wolf hybrid owner's or keeper's premises"  
13 means the residence or residences, including buildings and land and motor vehicles,  
14 belonging to the owner or keeper of the dog or wolf hybrid.

15 **Sec. 3. 7 MRSA §3907, sub-§20-A** is enacted to read:

16 **20-A. Nuisance dog.** "Nuisance dog" means a dog or wolf hybrid that causes bodily  
17 injury, other than serious bodily injury, to an individual or a domesticated animal who is  
18 not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the  
19 injury; a dog or wolf hybrid that causes a reasonable and prudent person who is not on the  
20 dog or wolf hybrid owner's or keeper's premises and is acting in a reasonable and  
21 nonaggressive manner to fear bodily injury, other than serious bodily injury, by assaulting  
22 or threatening to assault that individual or individual's domesticated animal; or a dog or  
23 wolf hybrid that causes damage to property or crops not owned by the dog or wolf hybrid  
24 owner or keeper while the dog or wolf hybrid is not on the owner's or keeper's premises.

25 "Nuisance dog" does not include:

26 A. A dog certified by the State and used for law enforcement use;

27 B. A dog or wolf hybrid that injures or threatens to assault an individual who is on  
28 the dog or wolf hybrid owner's or keeper's premises if the dog or wolf hybrid has no  
29 prior history of assault and was provoked by the individual immediately prior to the  
30 injury or threatened assault; or

31 C. A dog or wolf hybrid that inflicts bodily injury on an individual who is  
32 committing a crime against an individual or property owned by the dog or wolf  
33 hybrid owner or keeper.

34 For the purposes of this definition, "dog or wolf hybrid owner's or keeper's premises"  
35 means the residence or residences, including buildings and land and motor vehicles,  
36 belonging to the owner or keeper of the dog or wolf hybrid.

37 **Sec. 4. 7 MRSA §3907, sub-§24-B** is enacted to read:

38 **24-B. Serious bodily injury.** "Serious bodily injury" has the same meaning as in  
39 Title 17-A, section 2, subsection 23.

1           **Sec. 5. 7 MRSA §3922, sub-§5**, as amended by PL 1997, c. 704, §9, is further  
2 amended to read:

3           **5. Form of license.** The license must state the breed, sex, color and markings of the  
4 dog, whether the animal is a dog or wolf hybrid, whether the dog has been determined by  
5 a court of competent jurisdiction to be a dangerous dog or a nuisance dog and the name  
6 and address of the owner or keeper. If the person applying for a license declares that the  
7 dog is a wolf hybrid, the license must state that the dog is a wolf hybrid. The license  
8 must be issued in triplicate and the original must be given to the applicant and the  
9 remaining 2 copies must be retained by the municipal clerk or dog recorder.

10           **Sec. 6. 7 MRSA §3923-A, sub-§5** is enacted to read:

11           **5. Dogs determined to be dangerous dogs or nuisance dogs by the court.** The  
12 owner or keeper of a dog determined by a court of competent jurisdiction to be a  
13 dangerous dog shall pay a fee of \$100 to the municipal clerk or a dog licensing agent. The  
14 municipal clerk or dog licensing agent shall retain a \$1 recording fee, deposit \$98 in the  
15 municipality's animal welfare account established in accordance with section 3945 and  
16 pay the remaining \$1 to the department for deposit in the Animal Welfare Fund.

17 The owner or keeper of a dog determined by a court of competent jurisdiction to be a  
18 nuisance dog shall pay a fee of \$30 to the municipal clerk or a dog licensing agent. The  
19 municipal clerk or dog licensing agent shall retain a \$1 recording fee, deposit \$28 in the  
20 municipality's animal welfare account established in accordance with section 3945 and  
21 pay the remaining \$1 to the department for deposit in the Animal Welfare Fund.

22 A dog determined by a court of competent jurisdiction to be a dangerous dog or a  
23 nuisance dog does not qualify for the exemptions from fees under subsection 3.

24 An owner or keeper of a dog determined by a court of competent jurisdiction to be a  
25 dangerous dog applying for a license for that dog after January 31st shall pay to the  
26 municipal clerk, dog licensing agent or dog recorder a late fee of \$150 in addition to the  
27 annual license fee paid in accordance with this subsection.

28 An owner or keeper of a dog determined by a court of competent jurisdiction to be a  
29 nuisance dog applying for a license for that dog after January 31st shall pay to the  
30 municipal clerk, dog licensing agent or dog recorder a late fee of \$70 in addition to the  
31 annual license fee paid in accordance with this subsection.

32 The clerk, dog licensing agent or dog recorder shall deposit all late fees collected under  
33 this subsection into the municipality's animal welfare account established in accordance  
34 with section 3945.

35           **Sec. 7. 7 MRSA §3925** is enacted to read:

36           **§3925. Dog licensing database**

37           The department shall develop and implement a dog licensing database in coordination  
38 with any electronic dog licensing project implemented pursuant to section 3923-G. The  
39 database must track all dog licensing throughout the State and allow municipalities and  
40 animal control officers to reunite lost dogs with owners and track dogs that have been  
41 determined by a court of competent jurisdiction to be dangerous dogs and nuisance dogs

K.O.P.S

1 pursuant to chapter 727. The department shall provide all municipalities and dog  
2 licensing agents with access to the database at no cost.

3 **Sec. 8. 7 MRSA §3942, first ¶**, as amended by PL 2015, c. 223, §11, is further  
4 amended to read:

5 Municipal clerks shall issue dog licenses in accordance with chapter 721, receive the  
6 license fees and pay to the department \$10 for dogs capable of producing young and \$3  
7 from each license fee received for dogs incapable of producing young. The clerks shall  
8 keep a record of all licenses issued by them, with the names of the owners or keepers of  
9 dogs licensed and the sex, registered numbers and description of all dogs except those  
10 covered by a kennel license and whether the dogs have been determined by a court of  
11 competent jurisdiction to be dangerous dogs or nuisance dogs. The clerks shall make a  
12 monthly report to the department on a department-approved form of all dog licenses  
13 issued and fees received.

14 **Sec. 9. 7 MRSA §3947, first ¶**, as amended by PL 2009, c. 343, §20, is further  
15 amended to read:

16 Each municipality shall appoint one or more animal control officers whose duties are  
17 enforcement of sections 3911, 3912, 3916, 3921, 3924, 3948, 3950, 3950-A, ~~3952~~  
18 3952-A and 4041 and Title 17, section 1023, responding to reports of animals suspected  
19 of having rabies in accordance with Title 22, sections 1313 and 1313-A and any other  
20 duties to control animals as the municipality may require. A municipality may appoint an  
21 employee of an animal shelter as an animal control officer as long as the person meets the  
22 qualifications and training requirements of this section.

23 **Sec. 10. 7 MRSA §3948, sub-§4** is enacted to read:

24 **4. Reporting.** By January 31st of each year, a municipality shall report to the animal  
25 welfare program of the department all complaints related to animal control incidents for  
26 the prior calendar year. The report must include the number and type of animal  
27 complaints received and responded to by municipal animal control officers, law  
28 enforcement officers or municipal officials and the outcomes of each investigation. The  
29 reports must be on forms provided by the department.

30 **Sec. 11. 7 MRSA §3952**, as amended by PL 2011, c. 559, Pt. A, §4, is repealed.

31 **Sec. 12. 7 MRSA §3952-A** is enacted to read:

32 **§3952-A. Keeping a dangerous dog or a nuisance dog**

33 A person who owns or keeps a dog determined by a court of competent jurisdiction to  
34 be a dangerous dog or a nuisance dog commits a civil violation for which the court shall  
35 adjudge a fine of not less than \$250 and not more than \$5,000, plus costs, none of which  
36 may be suspended. All fines, other than costs, must be paid to the municipality where the  
37 dog resides pursuant to section 3910-A and be placed in the municipality's animal welfare  
38 account established in accordance with section 3945.

39 **1. Procedure.** A person who is assaulted or threatened with bodily injury by a dog  
40 or a person witnessing such an assault or threatened assault against a person or  
41 domesticated animal or a person with knowledge of such an assault or threatened assault  
42 against a minor, or a person whose property or crops have been damaged by a dog, within

1 30 days of the incident, may make written complaint to the sheriff, local law enforcement  
2 officer or animal control officer that the dog is a dangerous dog or a nuisance dog. For the  
3 purposes of this chapter, "domesticated animal" includes, but is not limited to, livestock  
4 as defined in section 3907, subsection 18-A.

5 A representative of the sheriff's department, a local law enforcement officer or an animal  
6 control officer appointed by the municipality shall investigate and document the  
7 complaint. Upon completion of the investigation of the complaint, the investigator may  
8 issue a civil violation summons for keeping a dangerous dog or a nuisance dog.

9 All records of the outcome of the investigation must be kept by the municipality for the  
10 life of the dog, plus 2 years.

11 2. Dangerous dog finding. If, upon hearing, the court finds that a dog is a  
12 dangerous dog, the court shall impose a fine and may order any one or more of the  
13 following that the court determines is appropriate:

14 A. Order the dog to be euthanized if the court finds that the dog:

15 (1) Has killed, maimed or inflicted serious bodily injury upon a person or has a  
16 history of a prior assault or a prior finding by the court of being a dangerous dog;  
17 and

18 (2) Presents a clear threat to public safety;

19 B. Order that the owner or keeper of the dog, if that person has previously been  
20 adjudicated of having violated this section, may not own, possess or have on that  
21 person's premises any dogs for a period of time, which may be permanent;

22 C. Order the owner or keeper of the dog, if the owner or keeper is allowed to keep  
23 the dog, or any other person keeping the dog, to post dangerous dog signs, visible  
24 from all directions and provided by the department, around the entrance of the  
25 premises where the dog resides and to notify in writing any service provider that has  
26 a reasonable expectation to be on the property that the dog has been determined to be  
27 a dangerous dog. The owner or keeper is responsible for the cost of the signs;

28 D. Order the dog confined in a secure enclosure. For the purposes of this paragraph,  
29 "secure enclosure" means a fence or structure of at least 6 feet in height forming or  
30 making an enclosure suitable to prevent the entry of young children and suitable to  
31 confine a dangerous dog in conjunction with other measures that may be taken by the  
32 owner or keeper. The secure enclosure must be locked, be designed with secure sides  
33 and be designed to prevent the animal from escaping from the enclosure. The  
34 enclosure may also be designed with a secure top and bottom if determined necessary  
35 by the court. The court shall specify the length of the period of confinement and may  
36 order permanent confinement;

37 E. Order that the owner or keeper of a dog confined to a secure enclosure pursuant to  
38 paragraph D may not allow the dog outside of the secure enclosure unless:

39 (1) It is necessary to obtain veterinary care for the dog or to comply with orders  
40 of the court; and

1           (2) The dog is securely muzzled with a basket-style muzzle, restrained by a leash  
2           not more than 3 feet in length with a minimum tensile strength of 300 pounds and  
3           under the direct control of the dog owner or keeper;

4           F. Order the dog to be securely muzzled with a basket-style muzzle, restrained by a  
5           leash not more than 3 feet in length with a minimum tensile strength of 300 pounds  
6           and under the direct control of the dog owner or keeper whenever the dog is off the  
7           owner's or keeper's premises;

8           G. Order the dog to be spayed or neutered;

9           H. Order the dog to be microchipped within 60 days of the court order;

10          I. Order the owner or keeper of the dog to obtain a minimum of \$100,000 in liability  
11          insurance for the life of the dog;

12          J. Order the owner or keeper of the dog to have the dog evaluated by a certified  
13          canine behaviorist or certified dog trainer and to attend dog training classes; and

14          K. Order the owner or keeper of the dog to immediately notify the sheriff, a local law  
15          enforcement officer or an animal control officer if the dog escapes.

16          The court may order restitution in accordance with Title 17-A, chapter 54 for any  
17          damages inflicted upon a person or a person's property by a dog determined to be a  
18          dangerous dog under this subsection.

19          3. Nuisance dog finding. If, upon hearing, the court finds that a dog is a nuisance  
20          dog, the court shall impose a fine and may impose any of the penalties set forth in  
21          subsection 2, paragraphs F to K. A dog may be determined by a court to be a nuisance  
22          dog only once. After 2 years from the date of the court order finding that the dog is a  
23          nuisance dog, the owner or keeper may petition the court to amend or reduce any of the  
24          restrictions placed on the dog. The court may amend or reduce the restrictions placed on  
25          the dog if the owner or keeper demonstrates to the satisfaction of the court that the owner  
26          or keeper has complied with the court order and the dog no longer poses a risk as a  
27          nuisance dog.

28          4. Identification and confinement of other dogs. In addition to orders imposed  
29          pursuant to subsections 2 and 3, the court may order that the owner or keeper of a  
30          dangerous dog or a nuisance dog:

31                 A. Provide the animal control officer in the municipality where the dangerous dog or  
32                 nuisance dog is kept with photographs and descriptions of other dogs kept by that  
33                 owner or keeper including the sex, breed, age, identifying markings and microchip  
34                 numbers of each dog; and

35                 B. Confine any other dogs kept on the owner's or keeper's premises as provided in  
36                 subsection 2, paragraphs D and E.

37          5. Failure to abide by court order. If the owner or keeper of a dog willfully fails to  
38          comply with any provision of a court order imposed pursuant to subsection 2, 3 or 4, the  
39          court shall find the owner or keeper in contempt.

40          If the court order imposed pursuant to subsection 2, paragraph A is not complied with  
41          within the time set by the court, the court may, upon application by the complainant

1 under subsection 1 or other person, issue a warrant to the sheriff or any of the sheriff's  
2 deputies or to a local law enforcement officer or constable in the municipality where the  
3 dog is found, commanding the officer to have the dog humanely euthanized and make a  
4 return of the warrant to the court within 14 days from the date of the warrant.

5 The owner or keeper must be ordered to pay all costs of supplementary proceedings and  
6 all reasonable costs for seizure and euthanasia of the dog.

7 **6. Dogs presenting immediate or continuing threat to public.** After issuing a  
8 summons pursuant to subsection 1 and before hearing, if the dog poses an immediate or  
9 continuing threat to the public, a sheriff, local law enforcement officer or animal control  
10 officer shall give a written order requiring the owner or keeper of the dog to muzzle with  
11 a basket-style muzzle, restrain or confine the dog to the owner's or keeper's premises or to  
12 have the dog confined at the owner's or keeper's expense at a place determined by the  
13 sheriff, local law enforcement officer or animal control officer. If an owner or keeper of a  
14 dog fails to comply with the written order, the sheriff, local law enforcement officer or  
15 animal control officer may apply to the District Court, the Superior Court or a justice of  
16 the peace for an ex parte order for authorization to take possession of the dog that poses  
17 an immediate or continuing threat to the public and turn the dog over to the applicant or  
18 other suitable person.

19 A dog owner or keeper who fails to abide by the written order commits a civil violation  
20 for which a fine of not less than \$50 and not more than \$200 may be adjudged for each  
21 day of noncompliance.

22 **7. Ex parte.** An order may be entered ex parte upon findings by the court or justice  
23 of the peace when:

24 A. The dog has inflicted serious bodily injury; or

25 B. There is a reasonable likelihood that the dog is dangerous or vicious and:

26 (1) Its owner has failed to muzzle, restrain or confine the dog; and

27 (2) That failure poses an immediate threat of harm to the public.

28 **8. Modify order.** An order under subsection 7 may be modified by the court.

29 A. Upon 2 days' notice or a shorter period the court may prescribe, the owner or  
30 keeper whose dog has been possessed pursuant to an ex parte order may appear in the  
31 District Court or the Superior Court and move for the dissolution or modification of  
32 the ex parte order.

33 B. The court shall hear and determine the motion, and the hearing may be advanced  
34 on the docket and receive priority over other cases when the court determines that the  
35 interests of justice so require.

36 C. The owner or keeper shall submit an affidavit setting forth specific facts to  
37 substantiate the modification or dissolution of the order. The applicant has the burden  
38 of presenting evidence to substantiate the original findings.

39 **9. Lien.** Any person taking possession of a dog as provided in this section has a lien  
40 on that dog in accordance with Title 17, section 1021, subsection 6.



1 10. Treble damages. If a dog whose owner or keeper refuses or neglects to comply  
2 with an order under this section wounds any person by a sudden assault or wounds or  
3 kills any domesticated animal, the owner or keeper shall pay the person injured treble  
4 damages and costs to be recovered by a civil action.

5 11. Class D crime. If the owner or keeper of a dog refuses or neglects to comply  
6 with an order issued under subsection 2, 3, 4 or 7, the owner or keeper commits a Class D  
7 crime. The court, as part of the judgment, may prohibit a person convicted under this  
8 subsection from owning or possessing a dog or having a dog on that person's premises for  
9 a period of time. The prohibition may be permanent.

10 12. Duty of owner or keeper to notify. The owner or keeper of a dog determined by  
11 a court of competent jurisdiction to be a dangerous dog or a nuisance dog shall notify the  
12 municipality in which the dog resides in writing and within 30 days if ownership of the  
13 dog is transferred, the residence of the dog is changed or the dog is deceased.

14 **Sec. 13. 7 MRSA §3954** is enacted to read:

15 **§3954. Prohibitions on dangerous dogs and nuisance dogs**

16 **1. Prohibitions.** A person may not:

17 A. Train or encourage a dog that is not directly involved with a protection dog  
18 training program recognized by the Department of Public Safety, Bureau of State  
19 Police to be aggressive toward or attack another person or domesticated animal;

20 B. Transfer ownership of a dog determined by a court of competent jurisdiction to be  
21 a dangerous dog without the permission of the court, unless the transfer is to an  
22 animal control officer or an animal shelter that has a contract with a municipality to  
23  euthanize the dog for the municipality; or

24 C. Tether a dog determined by a court of competent jurisdiction to be a dangerous  
25 dog or a nuisance dog.

26 **2. Penalty.** A person who violates subsection 1 commits a civil violation for which  
27 a fine not to exceed \$100 may be adjudged in addition to court costs.

28 **Sec. 14. Maine Revised Statutes headnote amended; revision clause.** In  
29 the Maine Revised Statutes, Title 7, chapter 727, in the chapter headnote, the words  
30 "dangerous dogs" are amended to read "dangerous dogs and nuisance dogs" and the  
31 Revisor of Statutes shall implement this revision when updating, publishing or  
32 republishing the statutes.

33 **Sec. 15. Implementation of dog licensing database.** The Department of  
34 Agriculture, Conservation and Forestry shall develop and implement the dog licensing  
35 database pursuant to the Maine Revised Statutes, Title 7, section 3925 within one year of  
36 the effective date of this Act.'

37 **SUMMARY**

38 This amendment, which is the unanimous report of the committee, does the  
39 following.

1 1. It amends the definition of "dangerous dog" to mean a dog or wolf hybrid that  
2 causes the death of or inflicts serious bodily injury on an individual or a domesticated  
3 animal who is not trespassing on the dog or wolf hybrid owner's or keeper's premises at  
4 the time of the injury or death; a dog or wolf hybrid that causes a reasonable and prudent  
5 person who is not on the dog or wolf hybrid owner's or keeper's premises and is acting in  
6 a reasonable and nonaggressive manner to fear imminent serious bodily injury by  
7 assaulting or threatening to assault that individual or individual's domesticated animal; or  
8 a dog that inflicts bodily injury on an individual or a domesticated animal who is not  
9 trespassing on the dog owner's or keeper's premises at the time of the injury and has  
10 previously been determined by a court of competent jurisdiction to be a nuisance dog.

11 2. It adds a new designation and definition of "nuisance dog" to mean a dog or wolf  
12 hybrid that causes bodily injury, other than serious bodily injury, to an individual or a  
13 domesticated animal who is not trespassing on the dog or wolf hybrid owner's or keeper's  
14 premises at the time of the injury; a dog or wolf hybrid that causes a reasonable and  
15 prudent person who is not on the dog or wolf hybrid owner's or keeper's premises and is  
16 acting in a reasonable and nonaggressive manner to fear bodily injury, other than serious  
17 bodily injury, by assaulting or threatening to assault that individual or individual's  
18 domesticated animal; or a dog or wolf hybrid that causes damage to property or crops not  
19 owned by the dog or wolf hybrid owner or keeper while the dog or wolf hybrid is not on  
20 the owner's or keeper's premises.

21 3. It provides that the fee for a dangerous dog license is \$100, the fee for a nuisance  
22 dog license is \$30 and all licenses that are issued must state whether the dog has been  
23 determined by the court to be a dangerous dog or a nuisance dog.

24 4. It directs the Department of Agriculture, Conservation and Forestry to develop and  
25 implement a dog licensing database within one year of the effective date of this  
26 legislation.

27 5. It prohibits a person from training or encouraging a dog that is not directly  
28 involved with a protection dog training program recognized by the Department of Public  
29 Safety, Bureau of State Police to be aggressive toward or attack another person or  
30 domesticated animal; transferring ownership of a dog determined by a court to be a  
31 dangerous dog without the permission of the court, unless the transfer is to an animal  
32 control officer or an animal shelter that has a contract with a municipality to euthanize the  
33 dog for the municipality or tethering a dog determined by a court of competent  
34 jurisdiction to be a dangerous dog or a nuisance dog. A violation is a civil violation for  
35 which a fine not to exceed \$100 may be adjudged in addition to court costs.

36 6. It raises the maximum fine that the court may order for a dog determined to be a  
37 dangerous dog or nuisance dog to \$5,000 and expands the list of penalties that the court  
38 may order if the court determines the dog to be a dangerous dog or a nuisance dog.

39 7. It adds that an owner or keeper of a dog who violates a court order entered  
40 pursuant to a dangerous dog or a nuisance dog finding is in civil contempt of court and  
41 adds that a violation of a court order of the expanded list of penalties by a dog owner is a  
42 Class D crime.

43 8. It adds that the owner or keeper of a dog determined by a court to be a dangerous  
44 dog or a nuisance dog is required to notify the municipality in which the dog resides in

COMMITTEE AMENDMENT "A" to H.P. 607, L.D. 858

1 writing and within 30 days if ownership of the dog is transferred, the residence of the dog  
2 is changed or the dog is deceased.

3 **FISCAL NOTE REQUIRED**

4 **(See attached)**



# 128th MAINE LEGISLATURE

LD 858

LR 283(02)

## An Act To Strengthen the Law Regarding Dangerous Dogs

Fiscal Note for Bill as Amended by Committee Amendment

*A(H-706)*

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

### Fiscal Note

State Mandate - Exempted  
Minor cost increase - General Fund  
Minor revenue increase - General Fund  
Minor revenue increase - Other Special Revenue Funds

#### Correctional and Judicial Impact Statements

Establishes new civil violations.  
Establishes new Class D crimes.  
The collection of additional fines may also increase General Fund revenue by minor amounts.

#### State Mandates

##### Required Activity

Requires municipalities to keep records of dogs determined by a court to be dangerous or a nuisance. Requires municipalities to report all complaints of dangerous and nuisance dogs and the outcomes of investigations.

Unit Affected	Local Cost
Municipality	Insignificant
County	statewide

Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional costs.

#### Fiscal Detail and Notes

This bill amends current laws regarding dangerous dogs and animal welfare by updating various definitions, defining municipal authority and responsibilities and creating a dangerous dog licensing program. Because the Department of Agriculture, Conservation and Forestry (ACF) already maintains an online dog licensing program, any additional costs as a result of the additional dangerous dog licensing requirements in this bill are anticipated to be minor and can be absorbed within existing budgeted resources. The dangerous dog licensing requirements will also result in a minor Other Special Revenue Funds revenue increase to the ACF Animal Welfare Fund and to local municipal animal welfare funds.