

# MAINE STATE LEGISLATURE

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SMC  
P. of B.

L.D. 1090

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Date: 5/28/19

(Filing No. S- 160)

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### CRIMINAL JUSTICE AND PUBLIC SAFETY

4

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### STATE OF MAINE

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### SENATE

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### 129TH LEGISLATURE

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### FIRST REGULAR SESSION

9

COMMITTEE AMENDMENT "A" to S.P. 322, L.D. 1090, Bill, "An Act To  
10 Update the Criminal Animal Welfare Laws"

11

Amend the bill in section 5 in the 2nd line from the end (page 3, line 24 in L.D.) by  
12 striking out all of the following: "less than \$50 and not"

13

Amend the bill by striking out all of sections 10 and 11 and inserting the following:

14

'Sec. 10. 17 MRSA §1031, sub-§1, ¶D, as amended by PL 2003, c. 452, Pt. I,  
15 §13 and affected by Pt. X, §2, is further amended to read:

16

D. Injures, overworks, tortures, torments, abandons or cruelly beats or intentionally  
17 mutilates an animal; gives drugs, including, but not limited to, a scheduled drug as  
18 defined in Title 17-A, section 1101, subsection 11, to an animal with an intent to  
19 harm or intoxicate the animal; gives poison or alcohol to an animal; or exposes a  
20 poison with intent that it be taken by an animal. The owner or occupant of property  
21 is privileged to use reasonable force to eject a trespassing animal. Violation of this  
22 paragraph is a Class D crime.'

23

Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
24 section number to read consecutively.

25

### SUMMARY

26

This amendment makes the following changes to the bill.

27

1. With regard to the fine for violating a court order banning temporary possession  
28 under the Maine Revised Statutes, Title 17, section 1021 or 1034, the amendment  
29 removes the mandatory minimum fine of \$50.

30

2. With regard to the crime of cruelty to animals, the amendment adds to the  
31 prohibition on giving drugs, poison or alcohol to an animal that the act was done with the  
32 intent to harm or intoxicate the animal.

33

3. With regard to the section of the bill on penalties for the crime of cruelty to  
34 animals, the amendment removes from the bill language that designates violation of a

# COMMITTEE AMENDMENT

20 02 08

COMMITTEE AMENDMENT "A" to S.P. 322, L.D. 1090 (S-100)

1 court order a Class D crime since an identical provision is included in another legislative  
2 document.

3

**FISCAL NOTE REQUIRED**

4

(See attached)



Approved: 05/15/19 *MAC*

# 129th MAINE LEGISLATURE

LD 1090

LR 1187(02)

An Act To Update the Criminal Animal Welfare Laws

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-160)  
Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

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## Fiscal Note

Minor revenue increase - General Fund  
Minor revenue increase - Other Special Revenue Funds  
Minor cost increase - Other Special Revenue Funds

### Correctional and Judicial Impact Statements

The collection of additional fine revenue will increase General Fund and dedicated revenue by minor amounts.

### Fiscal Detail and Notes

Any additional costs to the Department of Agriculture, Conservation and Forestry as a result of changes to the animal welfare laws are anticipated to be minor and can be absorbed within existing budgeted resources.