MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1216

S.P. 497

In Senate, March 20, 2023

An Act to Create the Animal Cruelty Task Force

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

DAREK M. GRANT Secretary of the Senate

Presented by Senator HARRINGTON of York.

2	Sec. 1. 5 MRSA §12004-I, sub-§2-J is enacted to read:			
3	<u>2-J.</u>			
4 5	Agriculture Animal Cruelty Task Force Not A	Authorized	7 MRSA §3906-D	
6	Sec. 2. 7 MRSA §3906-D is enacted to read:			
7	§3906-D. Animal Cruelty Task Force			
8 9 10 11	1. Task force established. The Animal Cruelty Task Force, established in Title 5 section 12004-I, subsection 2-J and referred to in this section as "the task force," shall provide a coalition of trained professionals to assist with and enhance the enforcement of animal cruelty laws, including the investigation of cases of animal cruelty.			
12 13	2. Membership. The commissioner shall appoint the members of the task force. Members must include at least the following:			
14	A. One member who is an animal control officer;			
15	B. One member who is a humane agent;			
16	C. One member representing a statewide association of chiefs of police;			
17	D. One member representing a statewide association of sheriffs;			
18	E. One member who is a district attorney;			
19	F. One member representing the judicial branch;			
20	G. One member representing the Maine Municipal Association;			
21	H. One member representing the Maine Fire Chiefs Associated	ciation;		
22 23	I. One member who is a licensed clinical social worker as 7001-A, subsection 6;	defined in Title	e 32, section	
24	J. One member who is a veterinarian licensed to practice i	in the State;		
25 26	K. One member representing an animal shelter licensed 723; and	in accordance	with chapter	
27 28	L. One member with experience responding to large-scanatural disasters.	le animal cruel	ty cases and	
29 30 31	3. Consultants; experts. Whenever the task force consists force may seek the advice of consultants or experts on a case-by to its duties.			
32 33 34	reappointed. In the case of a vacancy for any reason, the co	4. Terms; vacancies. A member is appointed for a term of 2 years and may be reappointed. In the case of a vacancy for any reason, the commissioner shall appoint a member representing the same interest to fill the unexpired term.		
35 36 37 38	5. Meetings; officers. The task force shall organize initial by electing a chair and a vice-chair from among its member serve as secretary. The task force shall meet at the call of the clamay meet at such other times as may be reasonably necessary.	s. The vice-cha	air shall also ce a year and	

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

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6. Staff. The department shall provide necessary staffing services to the task force. 1 2 7. **Funding.** When a member of the task force who is an employee of a state agency, except for a member who is a humane agent, is assigned to investigate a case of animal 3 4 cruelty under this section, that state agency is responsible for establishing the salary and benefits, including overtime, of that member, and the State shall reimburse that state agency 5 monthly through the animal welfare auxiliary fund established under section 3906-B, 6 7 subsection 16. The task force is also authorized to accept donations made to the 8 investigation of an animal cruelty case. 9 **8. Powers and duties.** The task force has the following powers and duties. 10 A. At the request of a municipality, the task force may provide guidance and support 11 for animal cruelty cases that involve a large number of animals, involve safety concerns 12 or are complex in nature. B. The task force shall identify ways to assist municipalities with the identification 13 14 and handling of animal cruelty cases. 15 C. The task force shall identify ways to assist with the prosecution of animal cruelty cases, including the prompt holding of a full hearing regarding the possession of the 16 17 animal in accordance with Title 17, section 1021, subsection 3 and seeking petitions 18 for the posting of a security in accordance with Title 17, section 1027. 19 D. The task force shall recommend measures to streamline reporting of animal cruelty to local law enforcement agencies for immediate documentation and assessment. 20 21 E. The task force shall identify and pursue collaborations among law enforcement 22 agencies, the criminal justice system, animal welfare organizations, behavioral health 23 liaisons, community resources and others to aid in the prevention and addressing of 24 animal cruelty. 25 F. A law enforcement agent serving on the task force may be deputized and may serve 26 a municipality if there is no acting agent for the municipality in the jurisdiction of an 27 animal cruelty case or in the event the animal control officer for the municipality does 28 not have the authority to issue a criminal summons. 29 G. The task force shall review the handling of prior large-scale animal cruelty cases to 30 identify and recommend ways to improve investigation and enforcement. 31 **9. Media policy.** Members of the task force are not authorized to release to the public 32 or a media outlet any information on an animal cruelty case. Requests for information from 33 a media outlet or the public must be referred to the public information officer of the 34 appropriate law enforcement agency. For purposes of this subsection, "media outlet" 35 includes broadcast media, print media and Internet-based media. 36 Sec. 3. Animal Cruelty Task Force first meeting. The Commissioner of Agriculture, Conservation and Forestry shall call the first meeting of the Animal Cruelty 37 38 Task Force, established under the Maine Revised Statutes, Title 7, section 3906-D, no later 39 than December 31, 2023. 40 SUMMARY 41 This bill establishes the Animal Cruelty Task Force to provide a coalition of trained

professionals to assist with and enhance the enforcement of animal cruelty laws.

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