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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
129TH LEGISLATURE
FIRST REGULAR SESSION**

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

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

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

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

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

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

SUMMARY

This amendment makes the following changes to the bill.

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

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

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

COMMITTEE AMENDMENT

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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)