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LD 133

Public Testimony Against Senate Proposal 69 (LD 133)
Submitted by James Zimmerman

Honorable Members of the Agriculture, Conservation and Forestry Committee

I write today to register my vehement opposition to Senate Proposal 69 (Legislative Document No. 133), an amendment that radically expands the definition of a “nuisance dog” and imperils the rights and welfare of responsible pet owners, boarding facilities, veterinarians, and our communities. The official bill summary (available at Maine LawMaker Web Summary) underscores a dangerous shift in policy that I believe will lead to extreme and unintended consequences.

1. Unacceptable Vagueness and Overreach

The proposal amends Maine law to include “excessive barking, howling or yelping” as grounds for a nuisance dog complaint without providing any objective criteria for what constitutes “excessive.” This vague terminology makes it alarmingly easy for anyone to file a complaint—even if a dog simply barks once or whines briefly. Worse still, there is no exemption for dogs on their owner’s property. As a result, even normal, everyday canine behaviors could be mischaracterized as nuisances, opening the door to arbitrary and oppressive enforcement.

2. Dire Consequences for Dog Owners and Animal Care Providers

On-Premises Issues and Chilling Effects:

Because the proposed language does not limit its scope to off-premises incidents, responsible dog owners, boarding homes, and veterinarians risk severe consequences for normal animal behavior. The threat of unwarranted fines (up to \$5,000 under Title 7, §3952-A) may force some to avoid taking their dogs off the premises for essential care or boarding, thereby undermining both animal welfare and the operational viability of local animal care services.

Risk of Inhumane Practices:

Faced with the threat of penalization for natural vocalizations, some owners might resort to drastic measures—such as the inhumane removal or alteration of a dog’s vocal cords—to avoid complaints. Such practices are not only cruel but would also tarnish Maine’s reputation as a compassionate, pet-friendly state.

Impractical Complaint Procedures:

The bill’s 30-day window for filing complaints creates an insurmountable evidentiary burden for dog owners. It is virtually impossible to disprove that a dog did not bark or whine at some point within such an extended period, leaving owners defenseless against potentially frivolous or malicious complaints.

3. Broader Impact and Unjust Legal Precedents

Senate Proposal 69, as outlined in LD 133 and the bill summary, sets a dangerous precedent by criminalizing normal animal behavior. By allowing even a single incident—whether it be a brief bark or a momentary whine—to trigger severe financial penalties and lasting records on a dog’s history, the bill not only jeopardizes the rights of pet owners but also risks engendering widespread neighbor disputes and a climate of intolerance.

This overbroad definition and its draconian enforcement mechanisms will create a chilling effect. It forces responsible owners to constantly police their pets’ natural behaviors and discourages the very activities that promote proper animal care and social interaction. The long-term consequences of such a policy include not only a surge in needless litigation but also the potential for cruelty inflicted upon our beloved companion animals.

Conclusion

I urge you, the members of the Maine Legislature, to reject Senate Proposal 69 (LD 133). The amendment is deeply flawed—its vague standards, draconian penalties, and

far-reaching negative consequences jeopardize both animal welfare and the rights of responsible pet owners. Please stand against this extreme overreach and protect the interests of Maine's pet-owning community.

Thank you for your consideration.

Sincerely,

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