



AMERICAN  
KENNEL CLUB<sup>SM</sup>

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March 31, 2025

The Honorable Pinny Beebe-Center, Senate Chair  
The Honorable Tavis Hasenfus, House Chair  
Joint Standing Committee on Criminal Justice & Public Safety  
100 State House Station, Cross Building, Room 436  
Augusta, Maine 04333

**RE: Oppose LD 962, An Act to Establish the Offense of Aggravated Operating Under the Influence Resulting in the Death of a Pet**

Dear Chair Beebe-Center, Chair Hasenfus, and Members of the Joint Committee:

Founded in 1884, the American Kennel Club (AKC) is a not-for-profit organization that is recognized as a trusted expert in canine health, breeding, and training. We advocate for the purebred dog as a family companion and promote the ideals of responsible dog ownership. We represent over 5,000 dog clubs nationally, including 31 in Maine, which represent thousands of dog owners. In 2023, AKC licensed and sanctioned [125 events in Maine where more than 11,000 dogs participated](#). Surveys estimate that exhibitors spend \$982 per show weekend, many of whom travel into Maine to participate.

LD 962 would, among other provisions, create a new, separate crime of aggravated operating under the influence resulting in death of a pet, and would require the court to order non-economic damages up to \$3,000 for the owner's emotional suffering.

Pets deserve to be treated with dignity and respect as emotional and sentient beings. Providing for the recovery of non-economic damages in cases involving injury to a pet may sound like a good idea that simply reflects the value people place on them. However, AKC is opposed to LD 962 because allowing non-economic damages in such cases will likely result in many harmful unintentional consequences for pet owners and their pets.

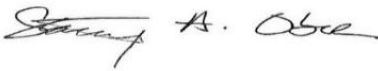
- I. Legal Status as Property Protects Pets:** Long-standing legal traditions in the United States provide that pets are considered the legal property of their owners while benefiting from laws governing their care and treatment. This does not mean that pets are offered less care; rather, it provides a strong and predictable legal framework by which animal owners derive the right and responsibility to care for their animals. All fifty states enforce the animal neglect and cruelty laws based upon this legal framework.
- II. Non-Economic Damages Changes Pets' Legal Classification:** Non-economic damages are traditionally only allowed in cases involving the close family of people who have died or who have been severely injured. Non-economic damages cannot be recovered for harm to property and the law is clear that pet owners cannot recover for emotional distress based upon an alleged negligent or malicious destruction of a dog, which is deemed to be personal property. (We note the measures of economic damages that may be awarded, including fair market value or "value

to the owner” in cases where the property had no fair market value; and that owners may be able to recover punitive damages for intentional torts.) Allowing LD 962 noneconomic damages in cases dealing with pets would signify an implicit change to the legal classification of animals as property and destabilize the predictable and reliable system of laws that protects both animals and their owners’ rights.

**III. Harmful Unintended Consequences Are Foreseeable:** Although LD 962 attempts to make the insurance risk manageable by imposing a cap on non-economic damages, there would be many implementation challenges for the courts.

AKC appreciates the intent of LD 962. However, we caution the committee of harmful unintended consequences were it to be enacted. We urge the committee to oppose LD 962. If I can be of any further assistance, I can be reached at [stacey.ober@akc.org](mailto:stacey.ober@akc.org) or (919) 816-3348. Thank you.

Regards,



Government Relations Regional Manager, New England

Cc: The Honorable Russell P. White, Sponsor LD 962  
Nancy Daniels, President, Federation of Maine Dog Clubs