

## 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

**Legislative Document** 

No. 89

H.P. 75

House of Representatives, January 18, 2011

## **An Act Regarding Repeated Animal Trespass**

(EMERGENCY)

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

Heather J.R. PRIEST

Presented by Representative McCABE of Skowhegan.

Cosponsored by Senator LANGLEY of Hancock and

Representatives: CORNELL du HOUX of Brunswick, EVES of North Berwick, KUMIEGA of Deer Isle, O'BRIEN of Lincolnville, STRANG BURGESS of Cumberland.

1 2	<b>Emergency preamble. Whereas,</b> acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4	Whereas, the State's current animal trespass law is not adequate to address repeated instances of animal trespass; and
5 6	Whereas, it is necessary to address the animal trespass law as soon as possible to prevent damage to property and public health; and
7 8 9 10	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,
11	Be it enacted by the People of the State of Maine as follows:
12 13	<b>Sec. 1. 7 MRSA §4041, sub-§3, ¶A,</b> as amended by PL 2007, c. 439, §30, is further amended to read:
14 15 16	A. That person fails to remove the animal within 12 hours, or immediately if public safety is threatened, after having been personally notified by an animal control officer or law enforcement officer that the animal was trespassing; or
17	Sec. 2. 7 MRSA §4041, sub-§3, ¶C is enacted to read:
18 19 20	C. That person owns an animal or animals that have been found trespassing within the previous 12 months on 3 or more consecutive days or 3 or more days within a 7-day period.
21 22	<b>Emergency clause.</b> In view of the emergency cited in the preamble, this legislation takes effect when approved.
23	SUMMARY
24 25	This bill includes within the animal trespass law repeated instances of trespass by an animal or animals as a civil violation.