

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 2 in subsection 3 in the 3rd line (page 1, line 9 in L.D.) by inserting after the following: "hunting" the following: 'lawful animal competitions, field tests, field trials or shows'

Amend the bill in section 2 in subsection 3 in the 4th line (page 1, line 10 in L.D.) by inserting before the following: "hunting dogs" the following: 'law enforcement or'

Amend the bill by striking out all of section 4 (page 1, lines 18 to 28 in L.D.) and inserting the following:

‘Sec. 4. 17 MRSA §1033, sub-§5 is enacted to read:

5. Possession of animal fighting paraphernalia. A person is guilty of possession of animal fighting paraphernalia if that person possesses, manufactures for sale, ships, transports or delivers:

A. An implement designed to be attached in place of a natural spur of a cock or other fighting bird in order to enhance the bird's fighting ability or ability to harm or kill another animal; or

B. A device or equipment solely used to train or condition an animal for participation in an animal fighting contest that the person knows or should have known is intended for use in an animal fighting show, exhibition, program or other activity featuring a fight between 2 or more animals, including, but not limited to, the following: a breaking stick, which is a device designed for insertion behind the molars of a dog for the purpose of breaking the dog's grip on another animal or object; a cat mill, which is a device that rotates around a central support with one arm designed to secure a dog and one arm designed to secure a cat, rabbit or other small animal beyond the grasp of the dog; a springpole, which is a biting surface attached to a stretchable device, suspended at a height sufficient to prevent a dog from reaching the biting surface while touching the ground; a weighted or unweighted chain collar weighing 10 pounds or more; a leather or mesh collar with a strap more than 2 inches in width; a fighting pit, which is a walled area designed to contain a dogfight; and unprescribed veterinary medicine that is a prescription drug.’

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Criminal Justice and Public Safety. The amendment does the following.

1. It amends the affirmative defense to prosecution under the Maine Revised Statutes, Title 17, section 1033 to include lawful animal competitions, field tests, field trials and shows and the training and use of law enforcement dogs.

2. It amends the new crime of possession of animal fighting paraphernalia to limit its application to devices and equipment solely used to train or condition animals for fighting and to situations in which a person knows or should have known the devices or equipment were intended for use in an animal fighting show or exhibition.

3. It also provides examples and descriptions of types of animal fighting paraphernalia.

FISCAL NOTE REQUIRED
(See attached)