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An Act Regarding Repeated Animal Trespass

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State's current animal trespass law is not adequate to address repeated instances of animal trespass; and

Whereas, it is necessary to address the animal trespass law as soon as possible to prevent damage to property and public health; and

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,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA §4041, sub-§3, ¶A, as amended by PL 2007, c. 439, §30, is further amended to read:

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

Sec. 2. 7 MRSA §4041, sub-§3, ¶C is enacted to read:

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 7day period.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill includes within the animal trespass law repeated instances of trespass by an animal or animals as a civil violation.