

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 149

H. P. 125

House of Representatives, January 11, 1973

Referred to the Committee on Agriculture. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mrs. White of Guilford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to the Licensing and Regulation of Stables for Horses.

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

R. S., T. 17, c. 43, sub-c. VI, additional. Chapter 43 of Title 17 of the Revised Statutes is amended by adding a new subchapter VI, to read as follows:

SUBCHAPTER VI
STABLES

§ 1221. Purpose

It is in the interest of the people of the State of Maine to protect all animals, in this instance, horses. Since it is well known that many acts of cruelty now exist in the manner in which animals are kept, it is the intent of this subchapter to eliminate this form of cruelty.

§ 1222. Definitions

As used in this subchapter, unless the context otherwise requires, the following words shall have the following meanings:

1. Boarding or training stables. "Boarding or training stables," or both, means any place, building, tract of land, lean-to or vehicle wherein or whereupon one or more horses are stabled for the purpose of being trained to halt, ride or drive for private, pleasure and for show purposes.

2. Boarding stables. "Boarding stables" means any place, building, tract of land, lean-to or vehicle wherein or whereupon one or more horses are boarded for a fee, a favor or in exchange for other services rendered.

3. **Commerical stable.** "Commercial stable" shall mean any place, building, tract of land, lean-to or vehicle wherein or whereupon one or more horses are exchanged, raised or boarded for the purpose of selling to the public.

4. **Duly authorized agent.** "Duly authorized agent" shall mean any person so appointed by the proper authority as state police officers, sheriffs, deputy sheriffs, state humane officers, municipal or town police officers, municipal or town constables and wardens in the Fish and Game Department.

5. **Horses.** "Horses" shall mean any member of the equine family, regardless of age of the animal, whether it be a weanling, suckling, yearling, stallion, gelding, mare, broodmare, mule, donkey or pony.

6. **Housing facility.** "Housing facility" means any building or any type of construction or area used to contain a stall or stalls.

7. **Persons.** "Persons" shall mean any individual, firm, partnership, association or corporation.

8. **Premises.** "Premises" shall mean any building, tract of land, structure or vehicle wherein and whereupon horses are kept or confined.

9. **Private stable.** "Private stable" shall mean any place, building, tract of land, lean-to or vehicle wherein or whereupon one or more horses are kept for use by owner or owners belonging to a club or otherwise specified according to club rules.

10. **Public or private stables for riding instruction.** "Public or private stables for riding instruction" means any place, building, tract of land, lean-to or vehicle wherein or whereupon horses 2 years or older are stabled or kept for the purpose of riding or driving.

11. **Public riding stable.** "Public riding stable" means any place, building, tract of land, lean-to or vehicle wherein or whereupon one or more horses are kept for use by the public for a fee or use in exchange for services rendered or dues paid.

12. **Stables.** "Stables" as generally used shall mean a building or any type of construction in which animals are kept, housed, sheltered or cared for.

13. **Sustenance.** "Sustenance" shall mean water, hay, feed, grain or supplement thereof recommended by a licensed veterinarian.

14. **Tack.** "Tack" shall mean saddles, bridles, girths, saddle blankets, bits, blankets, chin straps, halters and harnesses.

15. **Unfit for use.** "Unfit for use" shall mean any horse, which is infirm due to age, has split hooves, sore mouth, saddle sores, girth sores, heaves, shoulder sores, colic, physically sick, shipping fever, underfed or malnourished, mange, body sores or any clinical symptoms or infectious disease.

§ 1123. Operation

Stables, premises and housing facilities containing one or more horses, whether operated for a profit or not, shall be of safe, sound, solid construc-

tion, not in need of repair. Such shelter of animals shall be adequately ventilated and free from drafts. Stalls shall be of sufficient size to allow each animal to stand or to lie down in a comfortable and normal position. Disposal facilities shall be adequate to minimize vermin infestation, disease and unnecessary odor. All such enclosures shall be kept clean. The bedding material used shall be clean and of an amount sufficient to absorb refuse.

No horse, regardless of the purposes for which it is owned, shall be ridden, driven, used for show purpose or sold, if such horse has been declared unfit by a licensed veterinarian or by a duly authorized agent. Such horse, once declared unfit, shall not be sanctioned for being fit for use until so declared by a licensed veterinarian after examination.

A duly authorized agent shall have the right, at any time, to inspect and examine any stable, premise or housing facility.

§ 1124. License

No person shall own or operate a stable, commercial stable, public riding stable, private stable, boarding stable, boarding and training stable, public or private stable for riding instruction within this State for a profit, without first obtaining a license from the Secretary of State. In order to obtain this license, an application on a form as drawn up by the Secretary of State must be presented to the Secretary of State and the application to be granted must have the approval of a state humane agent who has examined or inspected the property to be licensed and the horses. A humane agent who has been requested by an applicant to examine and inspect his property must do so within a reasonable time and refusal to do so shall be reason for dismissal of said agent as a state humane agent.

The application submitted must be accompanied by a fee. Said fee shall depend upon the number of horses indicated within application and according to following table: One to 3 horses, \$1, 3 to 5 horses, \$1.50, 6 to 10 horses, \$2.50, 11 to 25 horses, \$5, 26 horses or over, \$10.

Said certificate of license, once received by the applicant, must be posted in a conspicuous place in the premises of the applicant and is not transferable.

Said license is to be valid from May 1st of one year to April 30th of the following year, unless revoked or suspended.

§ 1125. Violation and penalty

Any person convicted of failure to obtain and post a license as required by this subchapter or of a failure to keep, maintain and operate the licensed property in a manner as prescribed by this subchapter or refusing an authorized agent the right to examine and inspect licensed or unlicensed property shall be punished by a fine of not less than \$25, nor more than \$1,000, or by imprisonment for not more than 90 days, or by both. In addition, the license or a right to obtain a license may be revoked or suspended for any stated time.

Said fines collected are to be paid over to the county commissioners for the purpose of defraying expenses in the humane work and are to be used by said county commissioners only for this purpose.

STATEMENT OF FACT

The purpose of this bill is reflected in the first section of the bill. (Title 17, § 1221)