

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 390

H. P. 293

House of Representatives, February 7, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Torrey of Poland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Remove the Restriction on Selling or Raffling Live Animals as a Fund-raising Device.

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

17 MRSA § 1058, last paragraph, as reenacted by PL 1975, c. 638, § 2, is amended to read:

Nothing in this section shall be construed to apply to **animal auctions of a bona fide nonprofit corporation organized in this State or to** any animal to be used or raised for agricultural purposes by persons with proper facilities otherwise authorized by law.

STATEMENT OF FACT

The intent of this bill is to permit nonprofit organizations, including charitable organizations and public television, to auction live animals, including birds and reptiles, for fund-raising purposes. The purpose of the present law is to protect animals from abuse. This law does not protect animals sold at retail, the means by which most animals are distributed to the public. It is unfair to prohibit nonprofit organizations from auctioning a very small number of animals for fund-raising purposes and place no restrictions on retailers of animals.

Present law also prohibits organizations such as the 4H Club, the Boy Scouts, the Girl Scouts, grange organizations, humane societies, etc. from auctioning animals for fund-raising purposes. Many of these organizations are dedicated to the protection of animals.