

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 421

S. P. 171

In Senate, January 26, 1981

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

MAY M. ROSS, Secretary of the Senate

Presented by Senator Hichens of York.

Cosponsor: Representative Lancaster of Kittery.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT Prohibiting Businesses from Raffling or Giving Away Live Animals,
Fowl or Reptiles as a Fund-raising Device.**

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

17 MRSA § 1058, first sentence, as last amended by PL 1977, c. 88, is further amended to read:

It shall be unlawful to sell, offer for sale, give away or display within this State any live animals, reptiles or live birds of any kind which have been dyed or otherwise artificially colored or to sell in lots of less than 6, offer for sale, give away or raffle or display any live fowl or turtle under 2 months of age for use as toys or retail premiums ~~or~~, to sell, offer for sale, give away or raffle any live animal, fowl or reptile as a fund-raising device **or to use any live animal, fowl or reptile as a prize or award in any raffle, contest, game, promotion or giveaway.**

STATEMENT OF FACT

As presently worded, this section makes the giving away or raffling of live animals, fowl or reptiles unlawful only if done as a "fund-raising device." The Attorney General's Office has advised that the phrase "fund-raising device" only includes such activities when conducted by a nonprofit organization. This bill would prohibit business organizations as well from engaging in these practices.