

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2132

H.P. 1565 House of Representatives, January 25, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Agriculture suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative MITCHELL of Freeport.
Cosponsored by Representatives WEYMOUTH of West Gardiner,
DAVIS of Monmouth and Senator CLARK of Cumberland.

STATE OF MAINE

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

1 **AN ACT to Regulate the Use of Oxen, Pony and**
2 **Draft Horse Competitions.**
3

4 **Emergency preamble.** Whereas, Acts of the
5 Legislature do not become effective until 90 days
6 after adjournment unless enacted as emergencies; and

7 Whereas, there have been problems with treatment
8 of animals in pulling events; and

1 Whereas, it is necessary to take action well
2 before the summer fair season begins in Maine; and

3 Whereas, in the judgment of the Legislature, these
4 facts create an emergency within the meaning of the
5 Constitution of Maine and require the following
6 legislation as immediately necessary for the
7 preservation of the public peace, health and safety;
8 now, therefore,

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

11 7 MRSA §76 is enacted to read:

12 §76. Draft horse, pony and oxen competitions

13 1. Prohibited acts. Any person who owns, trains,
14 has custody of or is otherwise responsible for a draft
15 horse, pony or ox which is competing in a pulling
16 event shall not:

17 A. Strike the animal in the face while it is
18 being hooked up to a load, during the pulling or
19 afterward. Animals shall not be struck beneath
20 the tail, on the throat, genitals, ears, belly,
21 legs or bony areas of their bodies;

22 B. Strike the animal with a whip, lash, goad,
23 sharp or abrasive device or any other implement.
24 Oxen may be guided by a small, bare stick, no
25 longer than 4 feet and no more than 1/4 inch in
26 diameter with a braided or woven string no longer
27 than 6 inches, if desired; or

28 C. Strike an animal so as to raise welts on its
29 body. The infliction of welts shall be grounds
30 for immediate disqualification from the current
31 event and from participation in events for the
32 remainder of the fair season. Visual observations
33 or photographic evidence of welts constitutes
34 sufficient evidence for disqualification.

35 2. Temperature. Pulling events shall not be
36 conducted in temperatures exceeding 88°.

1 3. Hydration. Animals shall be publicly offered
2 unlimited fresh water prior to a weigh-in. All
3 weigh-ins shall take place before 9 a.m. or animals
4 shall be classified by girth and not by weight.

5 4. Obscenity. Obscenity shall not be permitted
6 in the pulling ring. For the purposes of this
7 section, "obscenity" means language or actions which
8 describe, in a patently offensive manner, ultimate
9 sexual acts, excretory functions, masturbation or lewd
10 references to the genitals.

11 5. Electrical devices. No electronic or
12 electrical devices may be allowed to guide, drive or
13 punish an animal, either in training or competition.

14 6. Insurance. All drivers or owners of animals
15 shall carry sufficient liability insurance to cover
16 damages to property and injury to spectators in the
17 event of breakaways or other mishaps in which their
18 animals are involved.

19 7. One-event limitation. No animal may
20 participate in more than one event in a single day.

21 8. Other restrictions. The following
22 restrictions apply to draft competitions covered by
23 this section.

24 A. So-called "elimination pulls" are prohibited
25 at state fairs.

26 B. Pulling events in uncovered areas must be held
27 before 10 a.m. or after 4 p.m.

28 C. Horses and ponies are allowed only 3 hitches
29 and a total time of 3 minutes. Cattle are allowed
30 only 5 hitches and a total time of 5 minutes.

31 D. In order to reduce injuries to animals from
32 "collar-slammng" and reduce danger to the public
33 from runaway teams, animals shall stand for at
34 least 10 seconds after being hitched and shall not
35 proceed until given a verbal command by the driver.

