

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

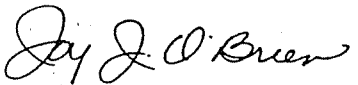
No. 324

S.P. 167

In Senate, February 22, 1989

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24.

Reference to the Committee on Agriculture suggested and ordered printed.

  
JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator TWITCHELL of Oxford.

Cosponsored by Representative SHERBURNE of Dexter, Representative HUSSEY of Milo and Representative PARENT of Benton.

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STATE OF MAINE

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

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An Act to Prohibit Persons Who have Violated the Animal Cruelty Laws  
from Participating in Pulling Events.

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

3 **7 MRSA §75, sub-§1, as repealed and replaced by PL 1987, c.**  
5 **849, §2, is amended to read:**

7 **1. Permits.** No person, firm, corporation or unincorporated  
9 society or association may conduct any public or private pulling  
11 event between animals or pairs of animals within the State  
13 without a permit from the commissioner. The commissioner shall  
charge a permit fee of \$10 per pull day, up to a maximum of \$50  
for pulls held on consecutive days at the same location. All  
revenue derived from the permit fees shall be deposited in the  
General Fund.

15 Application for such a permit shall be made in writing to the  
17 commissioner at least 10 days prior to the date on which such  
19 event is contemplated, and shall give the name of the person,  
21 firm, corporation or unincorporated society or association  
23 holding such event and the date and place the event is to be  
held, provided that one application and one permit may include  
one or more separate events when so specified. Permits granted  
under this section shall not be transferable.

25 Any person, firm, corporation or unincorporated association or  
27 society which conducts or causes to be conducted any public or  
29 private pulling event between animals or pairs of animals within  
the State, without a permit from the commissioner, shall be  
guilty of a Class E crime.

31 No person, firm, corporation or unincorporated association or  
33 society required to be licensed under this section to conduct a  
35 pulling event may allow, after having received notice from the  
37 Department of Agriculture, Food and Rural Resources, any person  
39 who has been convicted within 5 years of violation of Title 17,  
41 section 1031, or who has been adjudicated within 5 years to have  
committed a civil violation of section 4011, to participate as an  
owner, handler or in any other capacity, directly or indirectly,  
in any pulling event. A violation of this provision shall be  
grounds, upon compliance with appropriate provisions of the Maine  
Administrative Procedure Act, Title 5, chapter 375, for  
revocation or nonrenewal of any license issued under this section.

43 Any person who, within the previous 5 years, has been convicted  
45 of a violation of Title 17, section 1031 or has been adjudicated  
47 to have committed a civil violation of section 4011, and who  
49 participates, as an animal owner, handler or in any other  
capacity, directly or indirectly, in any pulling event required  
to be licensed pursuant to this section, is guilty of a Class E  
crime.

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## STATEMENT OF FACT

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There is presently nothing that prohibits an animal owner, handler or person directly associated with using animals in competition, exhibitions and events from continuing to participate in these types of events after conviction for cruelty to animals.

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There is a great deal of public sentiment reflecting the need to prohibit those convicted of cruelty to animals from being allowed to continue to participate in using animals in these events for an extended period of time.

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This bill prohibits participation in these events for a 5-year period by those convicted of the crime of cruelty to animals, and those who have been adjudicated to have committed the civil violation of cruelty to animals.

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