

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 863

H.P. 623

House of Representatives, February 2, 1999

An Act to Amend the Pulling Event Laws.

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative CHICK of Lebanon.
Cosponsored by Senator CASSIDY of Washington and
Representatives: CIANCHETTE of South Portland, CLARK of Millinocket, NASS of Acton,
QUINT of Portland, SHIELDS of Auburn, STEDMAN of Hartland, TUTTLE of Sanford,
WHEELER of Eliot.

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

2

3 **Sec. 1. 7 MRSA §75, sub-§2**, as amended by PL 1995, c. 602, §3,
4 is further amended to read:

6

7 **2. Statutory rules.** No A permit may not be issued unless
8 the sponsor has adopted the following rules governing the conduct
9 of each contest.

10

11 A. All teamsters who are to compete in contests shall have
12 their teams ready at the published starting time. All
13 classes shall must be closed after the positions are drawn.
14 Classes shall must start as nearly as possible to the
15 published time.

16

17 B. Check weighing will be allowed prior to the official
18 weigh-in. All weighing shall must be done in the forenoon
19 if possible. ~~The official weigh-in shall start not earlier~~
20 ~~than 3 hours nor later than 1 1/2 hours before the first~~
21 ~~class of the day starts.~~ Immediately prior to the official
22 weighing, all teams must be offered fresh water under the
23 supervision of the superintendent or assistant
24 superintendent. The superintendent may not weigh any thin,
25 dehydrated, apparently sick or lame animals or animals with
26 open sores. Teams must have on halters and shoes.

26

27 C. Measuring shall must be in a straight line to the
28 nearest point on the drag. ~~Line-to-line measuring will be~~
29 is allowed. The front of the drag must touch the line
30 before turning. To get the full-line measure, the drag must
31 be turned more than 1/2 way.

32

33 D. Teams shall must stay hooked to the drag at all times.
34 ~~No unhitching~~ Unhitching and rehitching ~~may be~~ is not
35 allowed.

36

37 E. An actual separation, breaking or bending of equipment
38 shall ~~constitute~~ constitutes a breakdown. Any team breaking
39 down may take the distance pulled or return to the last
40 position and pull over. Only one breakdown ~~may be~~ is
41 allowed.

42

43 F. Time limits shall ~~be~~ are a maximum of 5 minutes unless
44 ~~otherwise agreed upon by teamsters.~~ Time starts when the
45 drag is moved. The time limit to hook on in distance pulls
46 shall ~~be~~ is 3 minutes.

48

49 G. On horses, the very light use of the reins on the hind
50 quarters only is allowed and ~~no~~ over and under ~~may be~~ is not
allowed. Full arm swing is not allowed. ~~No whip~~ Whips,

brads or goads ~~may-be~~ are not allowed. Reins shall ~~may~~ not be doubled up. ~~Ne--electrical~~ Electrical or electronic devices ~~may-be~~ are not allowed. ~~Ne-open~~ Open bridles ~~may-be~~ are not allowed. Ponies shall ~~shall~~ must not be struck except in a sweepstakes when they may be struck with a cap or bare open hand.

On oxen, the use of the goad shall ~~shall~~ must be very light. A full arm swing is not allowed. The goad shall ~~may~~ not have ~~ne a~~ brad in it, only a plain yoke and chain or pole that may be pulled. All chains shall ~~shall~~ must be covered to the hook. ~~Ne-plastic~~ Plastic goads ~~may-be~~ are not allowed. The goad stick must not be over 4 feet long and must not exceed 1/2 inch in diameter on the small end. The goad stick may be taped with friction tape but not weighted. The stick may be used lightly on the face to control the oxen but not around the eyes.

H. Any number of helpers ~~will--be~~ are allowed to help hitch. After hitch-on, there shall ~~may~~ be only one helper. The helper shall stay behind the drag unless needed to help the teamster with snarls or turns. On oxen, the helper ~~must~~ shall stay behind the drag at all times after hitch-on. The helper shall ~~may~~ not have a stick.

I. All participants shall be properly dressed. Proper language must be used at all times. Any participant under the influence of liquor shall ~~shall~~ must be disqualified from the contest. Tests may be made to determine intoxication. The drinking of intoxicating beverages by participants in and around the ring is prohibited.

J. The splitting of teams shall ~~be~~ is decided by the fair association or other sponsor.

L. ~~Ne--heading~~ Heading of horses or oxen ~~may--be~~ is not allowed. One inch pulled constitutes a hitch. Stepping over the rail counts as a hitch, ~~--Five and 5~~ minutes shall be is allowed for hitching. Three attempts may be made within that period. Time taken out to position the drag for the next pull shall ~~may~~ not be counted. Teamsters may not be changed after the first load is pulled. Any A team deliberately driven over the rail ~~will--be~~ is disqualified from the contest. In case of a tie on the longest distance, the 2nd longest distances already pulled will take first place. Evener men ~~--must~~ people shall remain quiet after hitching on. ~~One-inch-pulled-shall-constitute-a-hitch.~~

M. There shall ~~may not~~ be ~~ne~~ heading of horses after a pull starts unless there is a mix-up, snarl or breakdown.

2 N. A substantial barrier shall must be maintained at the
end of the ring ~~toward-which~~ where the pull is proceeding se
4 as to prevent or substantially impede runaways. A teamster
losing control of the team is disqualified immediately.

6 O. There will be 100 pounds tolerance on draft steers and
8 oxen on and after Labor Day weekend.

10 P. Any animal which that is thin, dehydrated, shows open
12 sores or is lame ~~shall-be~~ is disqualified.

14 Q. Before a team is allowed to pull, the owner shall
16 provide a certificate of liability insurance in the amount
of \$300,000.

18 R. An animal may not be entered in consecutive classes.

20 **Sec. 2. 7 MRSA §75, sub-§3,** as enacted by PL 1987, c. 849, §2,
is repealed and the following enacted in its place:

22 3. Pull superintendents. Each sponsor of a pulling event
shall appoint a pull superintendent who is certified by the
24 commissioner under this section. The name of the superintendent
must be submitted in conjunction with the application for a
26 permit to conduct each event. Only those listed as
superintendent and assistant superintendent may officiate. The
28 superintendent or assistant superintendent may not be a
competitor in any event covered by the pull events for which that
30 person is the superintendent or assistant superintendent.

32 The Pull Events Commission shall adopt rules for the
qualifications required to be a pull superintendent. Procedures
34 of the Maine Administrative Procedure Act must be followed for
such adoption.

36 **Sec. 3. 7 MRSA §75, sub-§4,** as enacted by PL 1987, c. 840, §2,
38 is repealed and the following enacted in its place:

40 4. Enforcement. The superintendent shall enforce the laws
and rules governing pull events and shall report pullers who are
42 disqualified, flagrant violations of the law and other matters,
as appropriate, to the commission. A copy of any such report
44 must be sent to the person whose name appears on the application
for the pulling event.

46 Humane agents shall promptly report to the pull superintendent
48 any pulling event actions that violate this chapter, any portion
of the animal welfare laws in this Title or any rule enacted by
50 the department. If the superintendent fails or refuses to take

2 corrective action, the agent shall take the appropriate action
3 and make a written report to the commission concerning all
4 violations.

5 **Sec. 4. 7 MRSA §75, sub-§6, as amended by PL 1993, c. 549, §1,**
6 **is further amended to read:**

7 **6. Pull Events Commission.** The Pull Events Commission
8 ~~shall be as follows~~ is subject to the following.

9 A. The Pull Events Commission, as authorized by Title 5,
10 chapter 379, is established to develop rules for the
11 certification of pull superintendents and for actions to be
12 taken in the event of violation of pull laws and rules.

13 B. The board consists of 9 ~~8~~ members appointed by the
14 commissioner as follows:

15 (1) ~~Two members appointed by the Maine Draft Horse and~~
16 ~~Ox Association One member representing horse pulling,~~
17 ~~one member appointed by the Pine Tree Ox Association~~
18 ~~representing ox pulling and one member appointed by the~~
19 ~~Pony Association representing pony pulling;~~

20 (2) ~~The Executive Director of the Animal Welfare Board~~
21 ~~An agricultural fair coordinator from the department;~~

22 (3) One Fair Superintendent ~~appointed by~~ representing
23 the Maine Association of Agricultural Fairs;

24 (4) ~~One representative of the Maine Federation of~~
25 ~~Humane Societies appointed by that federation~~ Two
26 representatives from Maine humane organizations; and

27 (5) ~~One representative of the Maine Animal Coalition~~
28 ~~appointed by that organization; and~~

29 (6) The commissioner or a designated representative.

30 ~~Each person required to make an appointment under this~~
31 ~~subsection shall make the appointment by May 5, 1988, and~~
32 ~~inform the commissioner upon making the appointment.~~

33 ~~G. The commissioner shall convene the commission by May 15,~~
34 ~~1988, at which time the commission shall select a chairman.~~

35 C-1. The commission shall elect one of its members as
36 chair. The chair serves a 2-year term and may not serve as
37 chair for consecutive terms. The commission shall hold
38 regular meetings.

2 D. ~~Appointments shall be for terms of 2 years. Appointing~~
3 ~~persons shall review their~~ With the exception of the
4 commissioner and the fair coordinator appointments after
5 must be for terms of 2 years in conjunction with the
6 ~~commission chairman and the commissioner and may reappoint~~
7 ~~or replace the appointees as the appointing officer~~
8 determines. A vacancy shall be is filled by the appointing
9 authority commissioner for a full 2-year term. A commission
10 member may be removed by the appointing authority
11 commissioner for cause, which shall ~~include~~ includes poor
12 attendance. The chairman chair shall make recommendations
13 to the appointing authority commissioner concerning a
14 removal.

16 E. Commission members shall ~~may~~ receive expenses but not
17 per diem.

18 F. The commission shall ~~have~~ has the responsibilities,
19 powers and duties to:

22 (1) Develop qualifications for the certifying of pull
23 superintendents and guidelines for dealing with
24 violations of this section;

26 (2) Periodically review the rules for pulls as
27 contained in subsection 2 and recommend to the
28 Legislature such changes as necessary;

30 (3) Hold hearings as required on its rule-making
31 activities and on individual violations. These
32 hearings shall must be held in accordance with the
33 Maine Administrative Procedure Act, Title 5, chapter
34 375; and

36 (4) Give advice and recommendations to the
37 commissioner on request or as the commission deems
38 considers necessary; and

40 (5) Coordinate and assist in pulling superintendent
41 training seminars.

44 SUMMARY

46 This bill amends the pulling events section of law. It
47 clarifies humane treatment of animals used in these events. It
48 empowers humane agents to work with pulling event superintendents
49 to enforce laws.

50

2 The bill also changes the composition of the Pull Events
Commission and amends positions appointed by organizations that
no longer exist.