

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TENTH LEGISLATURE
4

5 Legislative Document

No. 1705
6

7 H. P. 1720

Office of the Clerk of the House

8 Submitted by the Department of Inland Fisheries and Wildlife pur-
9 suant to Joint Rule 24. Reference to the Committee on Fisheries and
10 Wildlife suggested and 1,400 ordered printed. Approved for introduction
by the Legislative Council pursuant to Joint Rule 26.

11 EDWIN H. PERT, Clerk

12 Presented by Representative Gillis of Calais

13 Cosponsor: Representative Erwin of Rumford
14

15 STATE OF MAINE
16

17 IN THE YEAR OF OUR LORD
18 NINETEEN HUNDRED AND EIGHTY-TWO
19

20 AN ACT Relating to Wild Birds and Wild
21 Animals Kept in Captivity.
22

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

24 12 MRSA §7736, sub-§1, as enacted by PL 1979, c. 420,
25 §1, is repealed and the following enacted in its place:

26 1. Keeping a wild bird or wild animal in captivity. A
27 person is guilty of keeping a wild bird or wild animal in
28 captivity if he keeps any wild bird or wild animal in cap-
29 tivity for any purpose, except that:

30 A. A person may keep a wild bird or wild animal in
31 captivity in accordance with sections 7035, subsection
32 3; 7231; 7235; 7241; 7242; or section 7771, subsection
33 2; and

1 B. A person may keep a wild bird or wild animal of a
2 nonnative species in captivity provided that:

3 (1) The bird or animal could not reasonably be
4 expected to survive and reproduce in the wild
5 within this State; and

6 (2) The bird or animal was originally imported
7 into this State in accordance with section 7237
8 and Title 7, section 1809.

9 Statement of Fact

10 Many of the statutes which have to do with the posses-
11 sion of wild birds and wild animals in captivity are in con-
12 flict and are a frequent source of confusion and frustration
13 for members of the general public and the Department of
14 Inland Fisheries and Wildlife. The purpose of this bill is
15 to resolve these inconsistencies and to make it clear that
16 unlicensed persons do have the right to keep certain wild
17 birds and wild animals in captivity.