

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 344

H. P. 270

House of Representatives, February 6, 1979

Referred to the Committee on Fisheries and Wildlife. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Dow of West Gardiner.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Concerning Licenses Issued by the Department of Inland Fisheries and Wildlife.

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

Sec. 1. 12 MRSA § 1904, last ¶, as enacted by PL 1973, c. 188, is amended to read:

No person shall keep in captivity any **wild bird or** wild animal for any purpose, except in accordance with this section, section 2106 **and 2851** and Title 7, section 1809, except that a person may keep a **wild bird or** wild animal if said animal **or bird** was purchased or obtained originally from a dealer, pet shop or licensed roadside menagerie. ~~No person shall keep a wild animal captured in its natural habitat unless said animal has been certified as being free from disease by a duly licensed veterinarian or the Commissioner of Agriculture or the Commissioner of Inland Fisheries and Game.~~

Sec. 2. 12 MRSA § 2106, 6th ¶, as amended by PL 1975, c. 590, § 6, is repealed.

Sec. 3. 12 MRSA § 2106, last ¶, is amended to read:

~~Every licensed game or fur farmer and every person~~ authorized to take birds or wild animals or fish for scientific purposes shall, on or before the 31st day of December of each year, make detailed report to said commissioner of all he has done during the year by virtue of such license or permit, on blanks to be furnished by the said commissioner.

Sec. 4. 12 MRSA c 327, as last amended by PL 1975, c. 590, §§ 21 and 22, is repealed and the following enacted in its place:

CHAPTER 327
WILDLIFE BREEDING

§ 2851. Breeder's license

1. License required; provisions; requirements. No person shall at any time breed, rear or keep any wild bird or animal, except as provided in section 1904, without having procured a breeder's license.

The commissioner may issue a license at an annual fee of \$15 to any person, firm or corporation permitting the licensee to breed, rear or keep wild birds or animals, provided the licensee has fenced in land for these purposes, the fence is of sufficient strength and design to prevent wild birds or animals from entering or leaving the enclosed area and the licensee has made provisions for the proper housing and care of the wild animals and birds.

Licensed breeders may at any time consume, sell, transport, or kill and sell, and any properly licensed person, firm or corporation within the State may purchase, have in possession or transport any wild bird or animal or part thereof, raised by virtue of this section. These licensed breeders may also sell live or dressed wild birds or animals outside the State, subject to other state and federal laws and rules governing the importation of wild birds or animals.

No wild bird, either live or dressed, shall be removed from the licensee's premises until a metallic seal has been securely attached to each bird. This seal shall remain attached to those birds until they are finally prepared for consumption. This seal shall be supplied by the commissioner at a cost of 10¢ each.

No wild animal, either live or dressed, or part thereof, shall be removed from the licensee's premises until an identifying mark or seal has been securely attached to each animal. This seal or mark shall remain attached to that animal until they are finally prepared for consumption or manufactured into a finished product. This seal or mark shall be supplied by the licensee and shall be registered with the commissioner.

2. Exceptions and prohibitions.

A. No license is required to raise domestic rabbits or chinchillas.

B. No license is required to raise wild birds or animals which are owned by the department.

C. No person shall engage in the business of breeding or rearing white-tailed deer at any time.

Each licensee shall, on or before the 31st day of December of each year make a detailed report to the commissioner on blanks to be furnished by the commissioner.

A license shall only be issued to persons who comply with this section and this license shall be revoked for any violation thereof.

STATEMENT OF FACT

The purpose of this bill is to reduce the number of licenses and forms issued by the Department of Inland Fisheries and Wildlife by combining licenses with similar purposes. There will be no affect on department revenue.