

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 103

H. P. 59

House of Representatives, January 6, 1981

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

EDWIN H. PERT, Clerk

Presented by Mrs. Erwin of Rumford.

STATE OF MAINE

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

**AN ACT to Change the Name of Roadside Menagerie to Wildlife Exhibit under the
Inland Fisheries & Wildlife Laws.**

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

Sec. 1. 12 MRSA § 7001, sub-§ 33, as enacted by PL 1979, c. 420, § 1, is repealed.

Sec. 2. 12 MRSA § 7001, sub-§ 42-A, is enacted to read:

42-A. Wildlife exhibit. "Wildlife exhibit" means any place where wildlife is kept in captivity, either in an enclosure or by tether, upon any street or highway, or upon land, public or private, for the evident purpose of exhibition or attracting trade. The term "wildlife exhibit" does not include the showing of any animal in connection with any theatrical exhibition, circus or agricultural fair.

Sec. 3. 12 MRSA § 7231, as last amended by PL 1979, c. 723, § 10, is further amended to read:

§ 7231. Wildlife exhibit permit

1. Issuance.

A. The commissioner may issue a ~~roadside menagerie~~ **wildlife exhibit** permit to any person, permitting him to:

- (1) Keep wildlife in captivity for exhibition;

- (2) Keep wildlife in captivity for the evident purpose of attracting trade;
- (3) Have any wildlife in his custody or control for exhibition or for the evident purpose of attracting trade;
- (4) Purchase, sell and transport any wildlife kept by virtue of this section; and
- (5) Purchase moose and caribou from the commissioner, who may take moose and caribou into captivity and sell them to holders of a ~~roadside menagerie~~ **wildlife exhibit** permit.

B. No permit may be granted by the commissioner until he is satisfied that the provisions for housing and caring for the wildlife and for protecting the public are proper and adequate and in accordance with such rules as he may promulgate.

2. Application. Applications for ~~roadside menagerie~~ **wildlife exhibit** permits shall be made on forms prepared and furnished by the commissioner and shall show:

- A.** The name and address of the applicant;
- B.** The location or proposed location of the ~~roadside menagerie~~ **wildlife exhibit**;
- C.** The approximate number and kinds of wildlife being or to be kept;
- D.** The space and method of housing;
- E.** The confinement measures taken to protect the public from injury by any wild animal; and
- F.** Such further information as the commissioner may prescribe.

3. Fee. The fee for a ~~roadside menagerie~~ **wildlife exhibit** permit is \$65.

4. Expiration. All permits shall expire with the calendar year.

5. Restrictions. The commissioner may make rules for the keeping and disposing of live moose, caribou and bear and prescribe and furnish identification to be worn by them.

Sec. 4. 12 MRSA § 7232, sub-§ 1, as enacted by PL 1979, c. 420, § 1, is amended to read:

1. Issuance. The commissioner may issue a written permit to a holder of a ~~roadside menagerie~~ **wildlife exhibit** permit, permitting him to:

- A.** Take from within the State of Maine or import live moose and caribou for keeping in captivity in his ~~roadside menagerie~~ **wildlife exhibit**; and
- B.** Transport moose and caribou from place to place for display purposes.

Sec. 5. 12 MRSA § 7233, sub-§ 1, as enacted by PL 1979, c. 420, § 1, is amended to read:

1. Issuance. The commissioner may issue a permit to a holder of a ~~roadside menagerie~~ **wildlife exhibit** permit, permitting him to breed moose, caribou and bear.

Sec. 6. 12 MRSA § 7234, sub-§ 1, as enacted by PL 1979, c. 420, § 1, is amended to read:

1. Issuance. The commissioner may issue a permit to a holder of a ~~roadside menagerie~~ **wildlife exhibit** permit, permitting him to sell moose, caribou and bear or their offspring.

STATEMENT OF FACT

The intent of this bill is to change the name of roadside menagerie to wildlife exhibit. This name wildlife exhibit more accurately reflects this type of activity and is less offensive to the public. The bill also removes needless restrictions that do not apply as they did in the past.