

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 327

S.P. 109

In Senate, January 28, 2003

### An Act to Prevent Abuse of Elephants

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator PENDLETON of Cumberland.  
Cosponsored by Representative McKEE of Wayne and  
Senator: HALL of Lincoln, Representatives: BLISS of South Portland, BULL of Freeport,  
EDER of Portland, GLYNN of South Portland, PARADIS of Frenchville, PINEAU of Jay.

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

Sec. 1. 7 MRSA §3973 is enacted to read:

**§3973. Elephant displays and contact**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Display" means an exhibit, act, circus, public show, trade show, photographic opportunity, carnival, parade, petting zoo, race, performance or similar undertaking by any traveling exhibition, in which an elephant is required to perform tricks, fight or participate in a performance for the amusement or entertainment of an audience.

B. "Knowingly" has the same meaning as in Title 17-A, section 35, subsection 2.

C. "Traveling exhibition" means an exhibition that has no permanent legal residence or situs in this State or remains continuously at any one location within this State for a period less than 60 days.

**2. Prohibition.** A person may not knowingly make available an elephant for:

A. Use in a display; or

B. The purpose of allowing an individual who is not providing caretaking services to the elephant to have physical contact, including, but not limited to, rides and feedings with the elephant.

**3. Penalty.** A person who violates subsection 2 commits a Class E crime, except that, notwithstanding Title 17-A, section 4-A, subsection 2-A, a person may not be imprisoned for a period that exceeds 90 days.

**SUMMARY**

This bill prohibits a person from making available an elephant for use in a traveling exhibition or for the purpose of allowing an individual to ride, feed or have other physical contact not related to the caring for the elephant. A person who violates this provision commits a Class E crime, except that the maximum period of imprisonment is 90 days.