



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 396

H.P. 287

House of Representatives, February 7, 2017

An Act To Prohibit the Use of Elephants in Traveling Animal Acts

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MONAGHAN of Cape Elizabeth.
Cosponsored by Senator VITELLI of Sagadahoc and
Representatives: McCREIGHT of Harpswell, McLEAN of Gorham, POULIOT of Augusta,
RYKERSON of Kittery, SHEATS of Auburn, SYLVESTER of Portland, TEPLER of
Topsham, TERRY of Gorham.

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

2 **Sec. 1. 8 MRSA §471, sub-§5-A** is enacted to read:

3 **5-A. Mobile or traveling housing facility.** "Mobile or traveling housing facility"
4 means a transporting vehicle such as a truck, trailer or railway car used to transport or
5 house animals while traveling for exhibition or other performance.

6 **Sec. 2. 8 MRSA §471, sub-§7-A** is enacted to read:

7 **7-A. Performance.** "Performance" means any exhibition, public showing,
8 presentation, display, exposition, fair, animal act, amusement show, circus, ride, trade
9 show, petting zoo, carnival, parade, race or similar undertaking in which animals are
10 required to perform tricks, give rides or participate as accompaniments for the
11 entertainment, amusement or benefit of a live audience.

12 **Sec. 3. 8 MRSA §471, sub-§9** is enacted to read:

13 **9. Traveling animal act.** "Traveling animal act" means any performance of animals
14 when animals are transported to, from or between locations for the purpose of the
15 performance in a mobile or traveling housing facility.

16 **Sec. 4. 8 MRSA §477** is enacted to read:

17 **§477. Use of elephants in traveling animal acts prohibited**

18 **1. Prohibition.** Notwithstanding any other provision of law, a person may not allow
19 the participation of an elephant in a traveling animal act.

20 **2. Violation.** A person who violates this section commits a civil violation for which
21 a fine of not less than \$500 nor more than \$1,000 for each violation may be adjudged.

22 **3. Enforcement; rules.** An officer or agent authorized by the commissioner or a law
23 enforcement officer of the State or of any unit of local government within the State may
24 enforce the provisions of this section. The commissioner may adopt routine technical
25 rules pursuant to Title 5, chapter 375, subchapter 2-A relating to the implementation of
26 this section.

27 **Sec. 5. Effective date.** This Act takes effect January 1, 2018.

28 **SUMMARY**

29 This bill prohibits the use of elephants as performers in traveling animal acts,
30 effective January 1, 2018.