

I respectfully urge the committee to vote NO on bill #5578.

This bill wasn't thought out properly as is typical with politicians, and its reach is way too invasive.

1. Federal Regulations Already in place: There are already very strict Federal regulations in place restricting both the sale of ivory and rhinoceros horn. The executive order that was signed by President Obama in February 2014 effectively banned the sales of all ivory and rhinoceros horn less than 100 years old. All sales made using the antique exemption must be accompanied by third-party documentation as specified by the U.S. Fish and Wildlife Service, Director's Order #210, which already creates a burdensome and costly deterrent to the sale of ANY antique object containing ivory or rhinoceros horn. Therefore, Connecticut need go any further.

2. Property Rights: Many seniors have antiques and art objects that have been in their families for generations. When they need to pay unexpected bills, they often sell their antiques to do so. Property they have counted on as a financial asset would be rendered worthless by the legislature. Bill #5578 will make it illegal to sell any object that is more than 20% ivory even if it is more than 100 years old. Antiques such as ivory statues, fans, ivory tankards, and portrait miniatures will be illegal. Can you imagine being arrested for trying to sell a 16th c. ivory cross?

3. Sweeping Power Given to the State: Bill #5578 gives the Department of Energy & Environmental Protection wide reaching and unlimited powers. It can seize, destroy and prosecute. It can determine its own criteria for issuing permits. It can pay informants up to "five hundred dollars"..."to any person who provides information that led to the imposition of such administrative penalty". The inclusion of a 20% or less ivory content requirement in any genuine antique piece containing ivory is arbitrary and counter intuitive. If an object is identified as a genuine antique why should further qualification be necessary? The hearing process for those accused of a violation includes an extensive, and likely expensive, administrative appeal process, which "need not be conducted in accordance with the rules of evidence". This raises strong concerns on the ability of the accused to defend themselves and would result in an attitude of "guilty until proven innocent."

4. Punishment Doesn't Fit The Crime: The first offense shall be punishable by "not less" than a "\$3,000 fine and "imprisoned for not more than six months, or both". Additionally, "an administrative penalty of not more than twenty thousand dollars may be imposed for a violation of any provision or this section, or any rule, regulation or order adopted". That is a very harsh punishment for someone who tries to sell something like an 18th century portrait miniature painted on ivory.

5. Antique Dealers & Collectors: Connecticut is the antique capital of the country with hundreds of dealers, auctioneers and appraisers within its borders, employing thousands of people and supporting many other

local businesses. If this legislation passes, dealers and collectors will leave the state, resulting in further erosion of sales tax and income tax revenue.

Jack's Testimony:

Please vote NO on Bill No. 5578. The bill is a radical overreach by the government that can't be demonstrated to have any significant effect on the poaching of elephants in Africa. It is a "feel good" measure that would result in millions of wasted dollars, trampling of property rights, and damage to hundreds of small businesses across the state.

In February of 2014 President Obama signed an Executive Order which created a ban on the commercial trade of elephant ivory with limited exceptions crafted after months of study and numerous public meetings. Bill No. 5578 goes beyond Federal rules to make criminals of antique collectors and firearm collectors.

Proponents will argue that without Bill No. 5578 ivory from poached elephants will somehow make its way to America and be confused with antiques. Ivory from poached elephants is not coming to America. Even before the 2014 Executive Order the problem was not in the United States. According to a March 15th, 2013 article in The Washington Post, 23 seizures of over 800 kg, documented by The United Nations from 2009-2011, show that elephants are killed and stripped of their ivory in East and Southern Africa. Then they're shipped to Southeast Asia to be processed from raw tusks into commercial products, which are shipped to Thailand or China, where a rising middle class is buying up more and more.

Proponents will argue that the United States is the "second biggest market for illegal ivory in the world". Given that ivory has been imported in many different forms to this country for two hundred years it is likely we have more objects containing ivory than any other country on earth. Furthermore, now that virtually all ivory less than 100 years old has been declared illegal, it stands to reason many small scale infractions will occur involving that ivory. This explains why you still see ivory in the U.S. and why there's still a significant domestic ivory trade: it's old ivory that arrived here before the 1989 CITES ban. Most arrests involve the attempt to export previously legal ivory to China- which economists would argue lessens the pressure for poaching.

How much poached ivory is making it to the United States? Not much if you search for it. Why would anyone smuggle it here? The price of raw ivory is approximately twenty times higher in Asia than the United States.

Proponents of this bill would like Connecticut to establish an entire bureaucracy to duplicate Federal regulations and reach even further, creating a de facto ban on any legitimate antique, firearm or musical

instrument that happens to contain ANY ivory.

Nonetheless, the antiques industry has no interest in ivory trinkets. We only want to preserve legitimate antiques and objects of art that happen to include ivory as part of their content. To deny these objects legitimacy because of the current struggles of the elephant is to deny history, art and culture.