

Dear Environmental Committee,

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

**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, Directors 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 16<sup>th</sup> 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 it's 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 counterintuitive. 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 18<sup>th</sup> 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.

Sincerely,  
Rosemarie DeStories  
Newtown, CT