

Environment Committee JOINT FAVORABLE REPORT

Bill No.: SB-20

AN ACT PROHIBITING THE IMPORT, SALE AND POSSESSION OF AFRICAN ELEPHANTS, LIONS, LEOPARDS, BLACK RHINOCEROS, WHITE

Title: RHINOCEROS AND GIRAFFES.

Vote Date: 2/25/2019

Vote Action: Joint Favorable Substitute

PH Date: 2/15/2019

File No.: 43

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SPONSORS OF BILL:

Sen. Bob Duff, 25th Dist.

Rep. Patricia A. Dillon, 92nd Dist.

Rep. Josh Elliott, 88th Dist.

Rep. Jillian Gilchrest, 18th Dist.

Rep. Brenda L. Kupchick, 132nd Dist.

Rep. David Michel, 146th Dist.

Rep. Kim Rose, 118th Dist.

Rep. Ezequiel Santiago, 130th Dist.

Rep. Travis Simms, 140th Dist.

REASONS FOR BILL:

In 2015 Walter Palmer, an American dentist, traveled to Africa and was reported to have lured Cecil, a protected African lion living in a wildlife refuge and tagged as part of a scientific study, out of Hwange National Park in Matabeleland North, Zimbabwe to hunt the lion. The killing of Cecil for sport, along with the trophy hunting of twenty-three other protected lions that were part of the study, lead to wide-spread international outcry against the hunting tourism industry's involvement with the hunting of protected and endangered species. The bill seeks to help protect certain endangered species by banning the importation, transportation and possession of African elephants, lions, leopards, black rhinoceros', white rhinoceros' and giraffes, including products made in-whole or in-part from such species.

Substitute Language – LCO No. 4747

Substitute language (1) specifies that the legal owner of a specimen obtain a certificate of possession from the Commissioner of Energy and Environmental Protection within one hundred and eighty days after the effective date of the bill, (2) allows that secondary evidence be admissible to the same extent as such specimen would be admissible during criminal proceedings, and (3) exempts any motion picture, television, or digital media production company that contracts with a dealer or exhibitor licensed pursuant to 7 USC 2133 from prohibitions stated in the bill. The original draft of the bill did not specify when the owner of a specimen, who had legally obtained the specimen prior to the enactment of the bill, had to obtain a certificate of possession. Additionally, testimony submitted by the Connecticut Judicial Branch requests the use of secondary evidence during court proceedings. Finally, testimony provided by the Motion Picture Association of America, Inc. explained that the bill as originally drafted would have prohibited filming in the State if such animals were used in the production of the film.

RESPONSE FROM ADMINISTRATION/AGENCY:

State of Connecticut Judicial Branch, External Affairs Division: Provided comment on the bill. The Judicial Branch requests a change of language to include secondary evidence. This will remove the necessity to store actual exhibits, and lessen the burden on the clerk to manage such exhibits.

NATURE AND SOURCES OF SUPPORT:

Jo-Anne R. Basile, Executive Director, Connecticut Votes for Animals: Trophy hunting is the killing of wild animals for body parts, but not primarily for food or sustenance. Between 2004 and 2014, US based hunters' imported more than 1.26 million wildlife trophies. African elephants, lions, leopards, black Rhinoceros', white rhinoceros' and giraffes are either endangered or bordering on extinction.

Lori Brown, Executive Director, Connecticut League of Conservation Voters (CLCV): Illegal poaching has decimated populations of African elephants, lions, leopards, black rhinoceros', white rhinoceros', and giraffes and is a major source of funding for criminal organizations and terrorist groups. CLCV provides examples from Boko Haram and the Lord's Resistance Army. Although many trophy hunters claim that money spent on hunting is used towards local conservation efforts, only 3% of trophy hunting revenue is used for such efforts and related activities. CLCV gave example that from 2005 through 2015, Connecticut residents killed and imported thirty-nine lions and one giraffe.

Gregg Dancho, Director, Connecticut's Beardsley Zoo: The legislation would assure high standards of animal care by allowing only qualified entities to work with the animals identified in the bill. Entities accredited by the Association of Zoos & Aquariums (AZA), and the Zoological Association of America are publicly recognized as having excellence and commitment to veterinary care, ethics, physical facilities, staffing, conservation, education, safety and security, and animal management and welfare. Fewer than ten percent of the 2,800 wildlife exhibitors licensed by the U.S. Department of Agriculture under the Animal Welfare Act possess the AZA accreditation.

Senator Bob Duff, 25th Senate District: The shooting of Cecil the lion a few years ago put the spotlight on trophy hunting of endangered species. This bill seeks to help stop the illegal hunting of endangered species by prohibiting the import of such trophy animals into Connecticut. Furthermore, the bill is prospective by allowing individuals who currently possess such products to keep them with a certification from the Commissioner of the Department of Energy and Environmental Protection and exempts museums from the bill.

The Environment Committee received in excess of 50 similar testimonies supporting the bill. African elephants, lions, leopards, black rhinoceros', white rhinoceros', and giraffes are endangered or threatened species. The bill will help the illegal hunting and trade of these animals.

NATURE AND SOURCES OF OPPOSITION:

Eugene J. Cassidy, President and CEO, Eastern States Exposition: The Eastern States Exposition is concerned with their ability to transport animals listed in the bill. Specifically the Eastern States Exposition is concerned with the lack of definition for circuses and zoological institutions in the proposed legislation. The bill will have negative impacts on the ability of the public to view and learn about many animals that people may have the opportunity to see from the exhibitors at "The Big E."

Joseph Mullin, New England States Coordinator, Congressional Sportsmen's Foundation (CSF): The bill will have detrimental effects on wildlife conservation, will hinder anti-poaching efforts, and deprive rural communities of hunting-related tourism dollars. Unlike many funding sources in the United States, countries like Africa rely on regulated trophy hunting for conservation funding, wildlife management, and anti-poaching efforts. Additionally, CSF provided example of a 2016 legal challenge the state of New Jersey faced with similar legislation. Opponents of the New Jersey legislation argued that the state law is preempted by Section 6(f) of the Endangered Species Act. On August 2016, Federal Court entered a judgement against the state. Finally, CSF argues this bill provides a simple approach to a complicated issue due to the challenges associated with developing policies that regulate the trade of wildlife across multiple administrative and regulatory jurisdictions in the context of international trade and commerce.

Motion Picture Association of America, Inc. (MPAA): If enacted, the bill would prevent performances by the animals listed in the bill in motion picture and television productions in Connecticut. MPAA requests that the original draft of the bill be amended to exempt motion picture, television, or digital media companies from the bill and provided language for such amendment.

National Rifle Association of America: The bill will violate existing federal law and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The United States Fish and Wildlife Service already regulate lawful hunters through the Endangered Species Act of 1973 and CITES. While the intent of the bill is to protect wildlife, it will actually have a negative impact on the wildlife population in Africa. Local communities

rely on the revenue generated by hunters, for conservation efforts and overall economic health.

Yale University: Although the goal of this legislation, to protect African elephants, lions, leopards, black rhinoceros, white rhinoceros, and giraffes, is directly related to the university's educational and scholarly pursuits, the bill will have negative effects on museum collections and university research. Existing federal laws provide adequate regulation of museum collections and institutional study.

The Environment Committee received in excess of 5 similar testimonies opposing the bill. Monies generated through the overseas hunting of African elephants, lions, leopards, black rhinoceros', white rhinoceros', and giraffes help grow the local economy and provide revenue to local conservation efforts. Additionally, a similar New Jersey legislation was challenged and failed in federal court.

Reported by: Steve Smith / Ussawin R. Bumpen Date: 3/17/19