

Submitter: Michael B. Dye
On Behalf Of:
Committee: House Committee on Judiciary
Measure: HB3214

I am in opposition to HB 3214. This bill is clearly taking a complex issue without thinking through the ramifications. You have listed animal, bird, and reptile groupings that involve thousands of different species of animals, birds, and reptiles. This is not unlike a situation 20 years ago, where I was involved as a stakeholder, in a government agency classifying animals that were to be allowed into Oregon and owned by private individuals. That process took literally months. It is apparent that HB 3214, as drafted, was not looked at carefully. There are farm animals that are included in the non-exempt category. There are animals critical to businesses involving millions of dollars that are not exempted. This bill makes it unlawful for rodeos to use animals that are critical in their business. In addition, what happens to, I believe, the thousands of animals, birds, and reptiles in the State owned by people where they cannot utilize them in their business. In other words, what are the monetary ramifications this bill causes to people in Oregon?

This bill makes it unlawful to give a performance to an audience whether or not a fee is charged. What is a performance? What is an audience? 1 person, 10 people, 50 people?

This bill makes it unlawful to give rides utilizing an animal that is not exempted. What kinds of problems does that cause?

This bill makes it unlawful to perform tricks with an animal. What is a trick?

This bill makes it unlawful for photographic opportunities. What is a photographic opportunity?

This bill makes it unlawful to use turtles, tortoises, and lizards in many settings.

I want to give you some hypothetical situations that represent a miniscule number where in reality it is times a thousand.

Bob and Sue spent years training their camels for packing in the mountains. They've enjoyed this activity for the past 10 years. Bob and Sue are minding their own business riding their camels with a neighbor in the Cascades where they come across other groups of people, some on horses. Those people are amused and entertained by Bob and Sue's photographic opportunity. Bob and Sue are fined when animal control is waiting at the trailhead and their camels are confiscated. They go home with a \$2500.

Under this bill, camels are covered as a non-exempt animal. That means to take the camels for a ride, which a number of people in Oregon do, and ask your neighbor to ride with you would be a violation of the statute. In addition, the horse folks that wanted the picture because it was so cute would make another violation because it is a photographic opportunity. It makes no sense for them not to be exempt. Camels are domesticated animals; they have been ridden for thousands of years. My guess at this point is that there are thousands of them in the United States. Many of them ridden by private individuals that own them and by animal facilities that rent them. Sound like a horse?

Billy's parents bought him a baby Zebu cow for his 4-H project. Hilly works hard raising his cow and learning everything about her care and husbandry. Billy proudly takes his Zebu cow to his county fair where he displays her. People are entertained by this darling little boy and his lovely cow that he has taught to walk on a lead and stand perfectly for the judge. What a great trick Billy has taught his Zebu! Audiences of people pull out their cell phones and take video of Billy showing his Zebu in the ring. What a great photographic opportunity that is. Billy's cow is confiscated and his parents are fined and threatened with jail time.

Your bill includes as exempted cattle Hereford, Black Angus, and a few others that everybody thinks of when they think of cattle. But you forgot hundreds of others that are not too prevalent and are used specifically in some businesses. You did not exempt humped cattle that are used in rodeos and food production. You did not exempt Zebu cattle which are often used in 4-H projects or future farmer projects and they often have a miniature status. These Zebras are often seen in County Fairs and the Oregon State Fair. And our youngsters are often the ones showing them. Under your bill, they and their parents could be the ones arrested and their animals confiscated. While Watusi cattle have been bred extensively in the United States they are from Africa and are often used in fairs or at shows and they are not exempt. Who pays for the drop in value to the farmers and ranchers that own these animals? I have seen people waiting in lines to get a photograph of these cattle, all illegal under your bill.

Joe and Mary have a camel that they raised from a baby as their family pet. Joe and Mary adore their pet camel. He's so affectionate. Joe and Mary's church is putting on a nativity for Christmas where the church members will celebrate the season by reenacting the birth of Christ.

Joe and Mary take their beloved pet camel to be a part of the display and to take part in the performance. The church members are thrilled and so happy to be part of the audience. They photograph this wonderful display. Animal control shows up and confiscates Joe and Mary's camel and ruins their Christmas, complete with a huge fine and threats of jail time.

As I mentioned earlier, the camel is not exempted. Is it really your intent to block the utilization of a camel in a Christian nativity program?

Judy raises yaks and has learned to spin the wool from her yaks. Judy has a USDA license and she is inspected by the USDA at least yearly. She takes one of her yaks to the local Flock and Fiber show to teach others about the benefits of using yak wool for making warm, beautiful clothing items. As she is doing a spinning exhibition educating eager listeners, animal control shows up and arrests Judy because she is not a vet and doesn't qualify for an ODFW license because her yaks aren't native animals. Judy's yak is confiscated, and she is fined \$2500. Poor Judy!

There are a number of yaks in Oregon. They are used for food consumption, milk consumption, as farm animals, and fiber. They, along with camels, are not exempt and are often at Flock and Fiber shows. They, obviously, are photographed significantly at these events. And they are a large part of the fiber part, along with llamas and alpacas which are exempt. What rationale can justify non-exempting them?

Doug has done years of research and spent thousands of dollars buying and building habitats for a threatened species of Star tortoise. His hard work and investment has paid off and he travels with three of his amazing Star tortoises to the local reptile show in Tacoma, WA to display them. Doug puts up pictures of his habitats and other educational information for the audiences to enjoy. People take photographs of his Star tortoises and are very amused and quite impressed with his accomplishment. Doug just broke the law and his breeding project is subject to confiscation.

There are a number of people that have significant businesses in the reptile industry. Who pays for his loss of business? How do people learn and get close to these reptiles without engaging with someone like this? The author of this bill clearly put no thought in what he was drafting. So what does this bill do? It means that a 6 or 7-year old who takes his or her turtle or lizard to show and tell at school is breaking your law. Their child may not be fined or put in jail, but their parents could. Basically, this bill bans the showing of tortoises, lizards, turtles, and other reptiles in educational programs in our schools and in our scout troops. How do you get educated when educational programs and educational outreach is lost because of this bill?

It is hard for me to understand in the examples I have given, which are few from the many that exist, how animal cruelty and animal safety is really what this bill is about.

It seems to me that there is a continuing outcry to ban circuses using certain animals, or any animal in some cases, because of the cruelty to the animals and the safety to the patrons that view them. I think that is what is really driving this bill. We can have a discussion on that subject and perhaps we should. Let's get the people here in this room and have that discussion. It does not belong in a discussion with thousands of other birds, and animals, and reptiles. I am willing, as I was nearly 20 years ago, to help participate in a discussion and delve in depth into the issues that have been raised. There is clearly a lot of information that has not been looked at and there are a lot of serious damages to Oregon citizens who participate in an animal business. And in my view, there will be serious damages to the public if they do not have easy access to these animals.

HB 3214 is a sloppily written bill that is dangerously ambiguous. The bill is about using animals in traveling animal acts, yet "traveling" is not defined. "Performance" is defined so broadly and inclusively that it could apply to almost any situation. "Audience" is not defined. "Photographic opportunity" is not defined, even though almost every citizen carries a cell phone with the ability to take photographs and video.

In addition, I find this bill offensive, in that it applies to USDA licensed and inspected facilities and people with years of schooling and experience but exempts a licensed veterinarian with zero experience with most of the animals listed. It exempts a volunteer from a GFAS sanctuary who may have one month of experience. This bill promotes discrimination and inequality and is simply trying to further an anti-animal agenda. HB 3214 does nothing to make Oregon safer. It does nothing to prevent animal cruelty, as we already have extremely strict cruelty and abuse laws on our books. It prevents education of Oregon citizens, especially our disadvantaged and BIPOC communities that often don't have the means to visit expensive AZA facilities. Most importantly it creates a disadvantage for our children, who very much enjoy educational displays in their classrooms and around our State.

Please reject this harmful and biased bill.