



ZOOLOGICAL ASSOCIATION
OF AMERICA

March 14, 2023

Representative Jason Kropf
Chairman
House Committee on Judiciary
Oregon State Legislature

Dear Chairman Kropf and Members of the Committee:

The Zoological Association of America opposes HB 3124 as proposed and asks that this letter be part of the Committee's hearing on the bill. HB 3124 prohibits the use of a lengthy list of species from performing in traveling animal acts. The proposed bill is unnecessary given existing state and federal law governing the exhibition of animals. It also unfairly and unreasonably provides broad exemptions from the prohibition for facilities that belong to some but not all zoological accrediting organizations. It does so even though all zoos, unlike some sanctuaries, are required to meet the same federal requirements for the exhibition of animals.

The Zoological Association of America (ZAA) is a professional zoological organization that represents professionally managed zoos, aquariums, conservation breeding facilities, wildlife conservation ranches, and conservation education-based animal ambassador programs including several in Oregon. With more than sixty accredited members, **ZAA has been in existence for nearly 20 years and is the one of the largest accrediting organizations in the zoological sector**, counting among its members many of the finest facilities in the United States. Many ZAA facilities are smaller in size, contributing greatly to smaller and less affluent communities who aspire to the highest standards of animal care regardless.

ZAA's accreditation process establishes a high bar with respect to professional animal standards, best management practices and exemplary animal care and welfare, and focuses on staff, animal, and guests' safety; animal care, welfare, and husbandry; state and federal compliance; veterinary care; nutrition; enrichment; security; facility maintenance; recordkeeping; and a review of policies, procedures, and protocols. The accreditation program maintains a benchmark for standards of operation and surpasses the standards of state minimum requirements and those of the federal Animal Welfare Act.

HB 3214 would exempt facilities that are accredited by the Association of Zoos and Aquariums, the World Association of Zoos and Aquariums or the Global Federation of Animal Sanctuaries. These are all private trade associations. Membership in such organizations may be beneficial, but it is not mandatory. However, HB 3214 would effectively require facilities to affiliate with one of those entities in order to avail itself of the protections of the bill. It would in fact deny some zoos those same benefits and protections based upon which trade organization they chose to have their zoo accredited by. Yet all zoos and any sanctuary that is open to the public, regardless of accreditation, must be licensed under federal law and meet applicable standards set by

regulations. The accreditation standards and requirements of ZAA are comparable to those of AZA (attached is a comparison of the accreditation standards required of facilities accredited by AZA and ZAA that pertain to animal welfare and public safety). Multiple zoos, including at least one in Oregon, have chosen to have both ZAA and AZA accreditation. There is no reasonable basis to punish those zoos that have chosen ZAA accreditation by denying them the same exemption as is available to a competing trade organization.

Excluding facilities accredited by ZAA from the legal protections afforded to members of other private associations would also be problematic from a legal perspective. The Equal Protection Clause of the United States Constitution requires state governmental bodies to treat an individual in the same manner as others in similar conditions and circumstances. Singling out the members of some trade groups for protection while denying the same to members of another similar organization with comparable accreditation standards in relevant areas is a denial of equal protection under the law.

While ZAA supports the goal of ensuring proper care and welfare of all animals, we believe that the bill as introduced is wrong. ZAA requests that the bill language clearly define protected educational programs and also provide the same recognition of ZAA accredited zoos that may be afforded to AZA and other trade groups.. Thank you.

Sincerely,



Kelly George
Executive Director
Zoological Association of America
<http://zaa.org/>