

MEMORANDUM

November 7, 2017

TO: Public Safety Committee

FROM: Jeff Zyontz, ^{JZ} Senior Legislative Analyst

SUBJECT: **Worksession 2:** Bill 23-17, Animal Control – Performance Animal - Violations

Bill 23-17, Animal Control – Performance Animal – Violations, sponsored by Lead Sponsors Councilmembers Rice and Leventhal, and Co-Sponsors Councilmembers Katz, Navarro, Riemer, Elrich, Huckler and Council President Berliner, was introduced on June 27. A public hearing was held on July 18 and a Public Safety Committee worksession was held on September 11. The lead sponsors of the Bill, Councilmembers Rice and Leventhal also participated at that meeting. The Committee directed staff to draft alternative provisions to Bill 23-17 as introduced related to:

- 1) an exemption for agricultural fairs and educational animal exhibits integral to school curriculum;
- 2) an exclusion for some reptiles (snakes);
- 3) an exclusion of any animal raised for food (bison, emus, llamas, and ostriches), or fiber (alpacas);
- 4) an explicit exclusion for ponies; and
- 5) making the provisions of the Bill effective in a provision other than the provisions for dangerous or potentially dangerous animals (Section 5-202).

The attached revised Bill, satisfies the Committee's request with editorial changes. All animals used for food, fiber, or common pets are excluded from the list of animals prohibited in a traveling animal act.¹ An agricultural fair or any other agricultural event, even acts that travel with non-excluded animals, may exhibit any animal that is not prohibited.

¹ The following orders/families would **not** be prohibited at all under the redrafted Bill:
squamata (all species of snakes),
struthioniformes (such as ostriches),
casuariiformes (such as emus).

Artiodactyla, would have more exception to the exclusions such that the list of excluded animals would include-domestic cattle, bison, American buffalo, water buffalo, yak, zebu, gayal, bali cattle, suidae, sheep, goats, llamas, or alpacas.

Perissodactyla would exclude ponies in addition to the exclusion of domestic horses, ponies, donkeys, or mules.

The attached draft was emailed to representatives of interested parties on October 25.² Staff would have amended the draft sent on October 25, if interested parties could identify any animal raised for food or fiber that was still on the list of prohibited animals. No additional animals were so identified.

The agricultural community opposes Bill 23-17 with or without drafting revisions. The Montgomery County Farm Bureau, the Montgomery Agricultural Producers, the Montgomery County Agricultural Center Inc., the Montgomery County Agricultural Advisory Committee and the Executive Director of the Montgomery County Agricultural Fair suggested the establishment of a Committee to define the problem and perhaps resolve the problem without legislation.³ The Director of the Montgomery County Agricultural Fair fears any legislation supported by the Humane Society of the United States.⁴

The Director of the Agricultural Fair solicited emails on the Fair's website in opposition to Bill 23-17. In view of the fairground's management:

- 1) compliance with current animal cruelty are sufficient to protect animals;
- 2) the fairgrounds will lose rental revenue because the fairgrounds seek to rent its site to traveling animal acts and the City of Gaithersburg will follow the lead of the County in prohibiting such acts; and
- 3) approval of Bill 23-17 would prevent affordable and educational opportunities for residents in Montgomery County who lack the income and resources to travel and learn about some of the world's most iconic animals.

Continue Concerns from the Agricultural Community

Should the Committee recommend deferring action on Bill 23-17?

Members of the agricultural community recommended a study to determine the reasons for and the implications of Bill 23-17 before any Council action. Deferring action is always an option for the Council. The Lead Sponsors of Bill 23-17 wish to proceed to Council action on the amended Bill.

Why prohibit performance animals in traveling animal acts?

The use of animals as a form of amusement, entertainment or display is detrimental to the safety of the public, including children and trainers. Wild animals pose a significant danger to audience members, trainers, and the public at large. Travel or confinement impairs the animals' physical,

² The Montgomery County Farm Bureau, the Montgomery Agricultural Producers, the Montgomery County Agricultural Center Inc., the Montgomery County Agricultural Advisory Committee, the Executive Director of the Montgomery County Agricultural Fair, and the Humane Society of the United States.

³ An Executive Regulation tied to a permit has been suggested.

⁴ Metaphorically, the Director of the Agricultural Fair sees Bill 23-17 as the camel's nose under the tent. In an extension of the "domino theory", he believes that Bill 23-17 will lead to future County laws that will ultimately prohibit all farm animals.

psychological, and social needs, while close confinement, lack of exercise, pressure to perform, and other physical requirements of performing render the animals unable to express natural behaviors and socialize appropriately. In addition, the training techniques, devices, or agents used to make the animals perform are sometimes, cruel, and/or stressful, causing suffering to the animals and creating a greater threat to the public.⁵

The agricultural community does not find the above statement to be persuasive. Other jurisdictions have found that legislation is in the public interest. Some 70 jurisdictions in the United States have taken actions to prohibit the exhibition of wild animals.⁶ Worldwide, 19 Countries have banned wild animals in circuses.⁷

The treatment of animals in traveling shows is not entirely visible to Animal Control Offices. Problems may not be not observable when an inspection occurs. The physical space for animal housing and trails is observable but the stress on animals in transit and lack of exercise in transit cannot be observed. Abuse may occur outside the jurisdiction of the County.

Animal Services Officers currently operate on a complaint driven model. An inspection based approach, if adopted, would contribute to the prevention of unnecessary suffering and cruelty and could improve the standard of living for animals in traveling acts. Using an inspection based approach would allow the denial of permits related to housing, training methods, and transport.⁸

A prohibition of traveling animal acts is easy to enforce. There is only one question to answer. Are wild animals (as defined in Bill 23-17) being used in shows?

Would the enactment of Bill 23-17 have any effect on the Montgomery County Agricultural Fair?

Due to the Fair's location, the Fair would not be affected by Bill 23-17. The prohibition on performance animals would be part of the Animal Control Chapter of the Montgomery County Code. The fairgrounds is in the City of Gaithersburg. Activities in Gaithersburg is **not** subject to the Animal Control Chapter of the Montgomery County Code.

Sometimes Gaithersburg sees the wisdom of County legislation and sometimes it finds wisdom appropriate for the City.⁹ The enactment or disapproval of Bill 23-17 may or may not influence the City of Gaithersburg to enact a similar prohibition.

Even if the Agricultural Fair was held in unincorporated Montgomery County, all the animals listed as on display at the Agricultural Fair would be allowed by Bill 23-17 as redrafted.¹⁰

⁵ Animal Law Resource Center; <http://www.animallaw.com/Model-Law-Circuses.cfm>; Animals in Circuses and the Laws Governing Them, Michigan State University College of Law <https://www.animallaw.info/article/animals-circuses-and-laws-governing-them>

⁶ Four-paws has a county of 70 jurisdictions including the State of Illinois; BornFree USA lists 55 jurisdictions;
⁷ <https://www.peta.org.uk/blog/these-17-countries-banned-wild-animal-circuses/>

⁸ Special Event permits are issued by the Department of Health and Human Services.

⁹ "It is unwise to be too sure of one's own wisdom. It is healthy to be reminded that the strongest might weaken and the wisest might err." Mahatma Gandhi

¹⁰ The animals listed on the Fair's website as being on display during the fair are: donkeys, mules, goats, horses, pigs, poultry, water fowl, rabbits, and sheep.

If the fairgrounds is relocated to an unincorporated area of Montgomery County, the income of the Montgomery County Agricultural Center Inc, who owns the fairgrounds would be negatively impacted to the extent that the fairgrounds had the opportunity to rent their facilities to traveling animal acts.¹¹ The fairgrounds has been rented to traveling animals acts in the past.

Would the enactment of Bill 23-17 have any effect on agricultural fairs in general?

Bill 23-17 will not prohibit any agricultural fair that displays domesticated animals that are raised for food, fiber, or common household pets. Every such animal is not included in the prohibited animal list. Every such animal can be raised by the agricultural community **and** be in traveling acts. Even animals that are listed as prohibited in traveling animal acts may be raised in if County law does not already prohibit them from being raised.¹²

If the Committee wants to allow wild animals in traveling acts at agricultural fairs (or any other events), then the draft Bill should be revised.¹³

Would Bill 23-17 take away affordable and educational opportunities for residents in Montgomery County who lack the income and resources to travel and learn about some of the world's most iconic animals?

Staff does not find the criticism persuasive. The revised Bill would allow ANY animal act that is part of a school's curriculum. Many traveling "zoos" bring farm animals (raised for food or fiber), or reptiles.¹⁴ These animals would be allowed traveling acts even when the event is out of school.

¹¹ Municipalities may choose to be regulated under the County's Animal Control Chapter. Gaithersburg has elected not to be subject to that Chapter. Gaithersburg may be inspired to adopt its own prohibition on traveling animal acts, but could occur with or without the Council's approval of Bill 23-17.

¹² Sec. 5-202. Dangerous and potentially dangerous animals.

- (a) Violation.
 - (1) Except as provided in subsection (d), a person must not import, sell, trade, buy, barter, breed, raise, keep, or possess:
 - (A) a wild animal; or
 - (B) any animal that the County or any other jurisdiction finds is dangerous or a threat to public health or safety, including types of animals excluded from State law prohibitions on dangerous animals....
- (d) Confinement and microchipping. The Director or the Board may impose any restriction or condition, including confinement or microchipping the animal, on the owner of a dangerous or potentially dangerous animal that is reasonably expected to protect the public health or safety. A person must not release the animal from confinement unless the animal is:
 - (1) securely muzzled in a manner approved by the Division;
 - (2) leashed; and
 - (3) under the control of a person who is at least 18 years old and is physically able to restrain the animal.

Without regard to Bill 23-17, a wild animal is defined as "an animal of a species of an untamable disposition, a species in a state of nature, or a native self-sustaining species. All animals of these species are wild animals even if a particular animal has characteristics that reflect domestication or taming."

¹³ A representative of the Zoological Associate wrote: "It is a strange law that allows exhibitors to benefit financially from an educational animal program offered at a school, but not one given to similarly appreciative audiences at the YWCA, Newman Center, Ethiopian Community Center, or to a scout troop." Then again, any extent can be advertised as educational if it is not limited to events in schools.

¹⁴ <http://squealsonwheels.us/>
<http://www.barcbranch.org/petting-zoo.html>

There are some traveling zoos that include some animals that would not be allowed by the Bill (camels).

The National Zoo is free, has an unmatched variety of animals, and is accessible by Metro. Wild animal acts in the County have had entrance charges and are not required to be accessible by bus or rail.

New Issues

Should there be a provision for exotic animal rescues, sanctuaries, and rehabilitators, permitted to operate in the State of Maryland, to possess wild animals?

The general prohibition on wild animals in the County Code reads as follows:

Sec. 5-202. Dangerous and potentially dangerous animals.

(a) Violation.

(1) Except as provided in subsection (d), a person must not import, sell, trade, buy, barter, breed, raise, keep, or possess:

(A) a wild animal; or

(B) any animal that the County or any other jurisdiction finds is dangerous or a threat to public health or safety, including types of animals excluded from State law prohibitions on dangerous animals.

The exception in Subsection (d) concerns “restriction or condition, including confinement or microchipping the animal, on the owner of a dangerous or potentially dangerous animal that is reasonably expected to protect the public health or safety”. There is no specific exception to the prohibition on possessing wild animals for animal rescues, sanctuaries, and rehabilitators permitted to operate in Maryland.

Staff recommends amending Section 5-202 to exempt animal rescues, sanctuaries, and rehabilitators.

Should all trucks be included as a “mobile or traveling housing facility”?

Two of the terms defined in Section 5-204.

Traveling animal act means the exhibition of a wild animal where the animal is transported to, from, or between locations for exhibition, in a mobile or traveling housing facility.

Mobile or traveling housing facility means a transporting vehicle such as a truck, trailer, or railway car, used to move or house wild animals.

The word “truck” is overly inclusive given the range of vehicles on the road. To make it clear that household trucks are not included, **staff recommends adding the word “heavy commercial vehicle as defined by Section 59.1.4.2” replacing the word “truck” in the definition of “mobile or traveling housing facility”**. This would include only trucks greater than 10,000 pounds gross vehicle weight.

Should the Animal Control law prohibit marsupialia?

Marsupialia is an order of animal mammals of which the females have a pouch where the young are fed and carried. It includes opossums, kangaroos, wallabies, koalas, wombats and Tasmanian devils. Most animals in the marsupialia order are native to Australia and New Zealand. Marsupialia are included in the list of animals prohibited in a traveling act.

There is an on-going, USDA regulated business in Germantown that raises marsupials including kangaroos. Part of their business is having visitors to their property and bringing animals to schools. Another part of their business is bringing baby animals to parties.

If the Committee wants the Germantown business to continue its operations, there would be two changes in the redraft of Bill 23-17. There would need to be amendments to exclude marsupialia in the definition of wild animal in Section 5-101 and Section 5-204.¹⁵

This packet contains:

Bill 23-17 with staff proposed amendments
Legislative Request Report
Agricultural Community letters

Circle #
1
6
7

F:\LAWBILLS\1723 Animal Control - Prohibit Exhibition And Performance\PS Memo For November 9.Docx

¹⁵ Section 5-101: Wild animal: An animal of a species of an untamable disposition, a species in a state of nature, or a native self-sustaining species. All animals of these species are wild animals even if a particular animal has characteristics that reflect domestication or taming.

Bill No. 23-17
Concerning: Animal Control –
Performance Animal - Violations
Revised: 10/16/2017 Draft No. 7
Introduced: June 27, 2017
Expires: December 27, 2018
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Rice and Leventhal
Co-Sponsors: Councilmembers Katz, Navarro, Riemer, Elrich, Huckler and Council President
Berliner

AN ACT to:

- (1) Define ~~[[the term “exhibit”]]~~ certain terms;
- (2) ~~[[Define the term performance animal;~~
- (3)]] Prohibit the exhibition of ~~[[performance]]~~ wild animals in a traveling animal act;
- ~~[[4)]] (3)~~ Authorize the Animal Control Division to enforce the prohibited act; and
- ~~[[5)]] (4)~~ Generally amend the provisions concerning animal cruelty.

By amending

Montgomery County Code
Chapter 5, Animal Control
Sections 5-101, 5-102, and 5-201

By adding

Chapter 5, Animal Control
Section 5-204

Boldface

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

* * *

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Sections 5-101, 5-102, and 5-201 are amended and Section 5-204 is**
2 **added as follows:**

3 **5-101. Definitions.**

4 In this Chapter, the following words and phrases have the following meanings:

5 * * *

6 [[Display: Any exhibit, fair, act, circus, ride, or similar undertaking in which a
7 performance animal is required to perform tricks, give rides, or participate as
8 accompaniments for the entertainment, amusement, or benefit of another.]]

9 * * *

10 [[Exhibit: The display of a performance animal for the financial benefit of any person
11 or business.]]

12 * * *

13 [[Performance animal: The following animals are performance animals. The animals
14 listed in parentheses are intended to act as examples and are not to be construed as an
15 exhaustive list or limit the generality of each group of animals, unless otherwise
16 specified:

- 17 (1) non-human primates and prosimians (such as chimpanzees, baboons,
18 monkeys, etc.) – all species;
- 19 (2) felidae (such as lions, tigers, cougars, leopards, ocelots, servals, etc.) –
20 all species except domestic cats;
- 21 (3) canidae (such as wolves, coyotes, etc.) – all species except domestic
22 dogs;
- 23 (4) ursidae (such as bears) – all species;
- 24 (5) marsupialia (such as kangaroos, etc.) – all species;
- 25 (6) proboscidae (such as elephants) – all species;
- 26 (7) crocodilia (such as crocodiles, alligators, etc.) – all species;
- 27 (8) squamata (all species of snakes only);

28 (9) artiodactyla (such as hipopotamuses, giraffes, camels, etc.) – all species
29 except domestic cattle, swine, sheep, or goats;

30 (10) perissodactyla (such as zebras, rhinos, and tapirs) – all species except
31 domestic horses, donkeys, or mules;

32 (11) struthioniformes (such as ostriches) – all species;

33 (12) casuariiformes (such as emus) – all species;

34 (13) Elasmobranchii (including nurse sharks and lemon sharks); and

35 (14) Pinnipedia (including seals, sea lions, and walruses).]]

36 * * *

37 **5-102. Administration.**

38 * * *

39 (e) Enforcement of [state] animal control laws. To the extent allowed by
40 State law, the Division may enforce any State animal control law and
41 any law under this Chapter. A reference in a State animal control law to
42 the "appropriate authority" (or any similar term) in the County means
43 the Division and any other County agency designated by regulation
44 adopted under method (3).

45 * * *

46 **5-201. Cruelty.**

47 (a) Violation [[under State Laws]].

48 A person must not violate State laws against cruelty to animals, such as
49 by:

50 * * *

51 [[b) Additional violation: A person or business must not exhibit or
52 financially benefit from the exhibition of any performance animal in a
53 traveling animal act.]]

54 ~~[[c]]~~ (b) Regulations. The County Executive may issue regulations,
55 consistent with State law, to interpret and implement State anti-cruelty
56 laws in the County ~~[[to interpret and enforce this subsection]]~~.

57 * * *

58 **5-204. Traveling Animal Act - Prohibited.**

59 (a) Definitions. In this section, the following words have the meanings
60 indicated:

61 (1) Exhibition means an act, circus, ride, or similar undertaking in
62 which a wild animal is required to perform tricks, give rides, or
63 participate as accompaniments for the entertainment, amusement,
64 or benefit of any live audience.

65 (2) Mobile or traveling housing facility means a transporting vehicle
66 such as a truck, trailer, or railway car, used to move or house wild
67 animals.

68 (3) Traveling animal act means the exhibition of a wild animal where
69 the animal is transported to, from, or between locations for
70 exhibition, in a mobile or traveling housing facility.

71 (4) Wild animal means all animals classified in the following orders
72 or families except the species noted:

73 (A) non-human primates and prosimians;

74 (B) felidae, except domestic cats;

75 (C) canidae, except domestic dogs;

76 (D) ursidae;

77 (E) marsupialia;

78 (F) proboscidea;

79 (G) crocodilia;

80 (H) artiodactyla, except domestic cattle, bison, American

- 81 buffalo, water buffalo, yak, zebu, gayal, bali cattle, suidae,
- 82 sheep, goats, llamas, or alpacas;
- 83 (I) perissodactyla, except domestic horses, ponies, donkeys, or
- 84 mules;
- 85 (J) elasmobranchii; and
- 86 (K) pinnipedia.
- 87 (b) Prohibition. Except for any animal act performed for a school as part of
- 88 the school's curriculum, a person or business must not financially benefit
- 89 from the exhibition of a wild animal in a traveling animal act.
- 90 (c) Regulations. The County Executive may issue regulations under Method
- 91 2, to interpret and enforce this subsection.

92 *Approved:*

93
94

95 Roger Berliner, President, County Council Date

96 *Approved:*

97
98

99 Isiah Leggett, County Executive Date

100 *This is a correct copy of Council action.*

101
102

103 Linda M. Lauer, Clerk of the Council Date

LEGISLATIVE REQUEST REPORT

Bill 23-17

Animal Control – Performance Animal - Violations

DESCRIPTION: This Bill defines performance animals and prohibits a person or business from exhibiting or financially benefit from the exhibition of any performance animal. It also allows enforcement of the prohibition.

PROBLEM: Profiting by exhibition of wide animals creates an incentive for the capture those animals and creates an excessive opportunity for animal cruelty.

GOALS AND OBJECTIVES: The goal is to remove the financial incentive for displaying wide animals.

COORDINATION: Police Department – Animal Control Division

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Jeff Zyontz, Senior Legislative Analyst, 240 777 7896

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: Violations with be subject Class A violation

6



16 Chesbold Street | Gaithersburg, MD 20877 | Tel: 301-926-3100 Fax: 301-926-1532 | www.mragfair.com

November 2, 2017

The Honorable Roger Berliner
Montgomery County Council President
100 Maryland Avenue
Rockville, MD 20850

RE: Bill 23-17-Animal Control-Performance Animal-Violation

Dear President Berliner and Members of the Montgomery County Council:

After countless hours of deliberation with leaders of the Montgomery County Agricultural Fair, the agricultural community and County officials, we cannot support the content of Bill 23-17 in its current form. We believe that a work group should be appointed by the County Council which includes Council staff and representatives of the Animal Services Division, Fair and agricultural community so that we can better understand all implications and potential outcomes of this legislation. The formation of such a group was recommended during the September 11th work session and we continue to believe this represents the most productive path forward for all constituencies.

With no known violations concerning the care of exotic performance animals in Montgomery County, current regulations appear to be working with the Animal Services Division meeting their obligations well. Nevertheless, we are eager to understand better the concerns of the proponents of Bill 23-17 and to find an appropriate resolution to this matter. By creating a work group, we can come to a joint understanding of the issues at hand and the need to develop a legislative approach.

We plan to continue protecting the animals in our care while maintaining the excellent educational programming we provide to our community. We oppose Bill 23-17 in its current form because it risks altering fundamentally our ability to continue our great traditions without evidence of harm to the traveling performance animals at our events. To be clear, without the creation of a work group to review the reasons for and implications of the legislation, we must oppose Bill 23-17.

Sincerely,

Mark Ryba, President

Montgomery County Agricultural Center Inc.

William F. Willard, Chair
Montgomery Ag. Producers

Doug Lechlider
Mont. Co. Ag. Advisory Committee

Cc: Montgomery County Council Members,
Jim Clifford, Esquire MC Agricultural Center, Inc.

Montgomery County Farm Bureau

PO Box 217, Damascus Maryland 20872
240-308-2978
mcfarmbureausecretary@gmail.com
www.montgomery.mdfarmbureau.com



The Honorable Roger Berliner, President
Montgomery County Council
100 Maryland Avenue, 6th Floor
Rockville, Maryland 20850

November 2, 2017

Dear Mr. Berliner:

The Montgomery County Farm Bureau (MCFB) opposes Bill 23-17. We believe it is an unnecessary piece of legislation. Given existing animal cruelty laws at the State and County levels and the fact there have been no known violations concerning traveling wild animal shows in Montgomery County, a need for the Bill does not exist.

We greatly appreciate the efforts that Council staff have made to modify the bill based upon our concerns and to narrow the focus of the bill; however, MCFB stands with the Ag Community and cannot support this bill as written. MCFB sees merit in the County Council assigning Bill 23-17 to a working group of stakeholders to thoroughly study any potential future implications to agriculture and understand how other jurisdictions have addressed similar situations.

Thank you again for working closely with the Ag Community.

Most Sincerely,
Michele A. Cropp

Michele A. Cropp A rectangular stamp with a dashed border containing a checkmark icon, the text 'Verified by PDFfiller', and the date '11/03/2017'.

Michele A. Cropp, President
Montgomery County Farm Bureau
240-304-7767



November 3, 2017

The Honorable Roger Berliner
Montgomery County Council President
100 Maryland Avenue
Rockville, MD 20850

RE: Bill 23-17-Animal Control-Performance Animal-Violation

President Berliner and Members of the Montgomery County Council:

Bill 23-17 has made many twists and turns since it was originally written on February 2, 2017 as an Act, by Ashley Rhinehart RN, Senior Food and Nutrition Manager at the Humane Society of the United States (HSUS), and sent to George Leventhal on April 12, 2017.

Since that time it has been considered for placement in Animal Cruelty, Chapter 5, Animal Control, Sections 5-101, 5-102, and 5-201. This did not prove to be enforceable by the Animal Welfare Division of Montgomery County as learned at the September 11, 2017 work session. Then it was to be placed in Sec. 5-202. Dangerous and Potentially Dangerous animals, and this did not work either. Now it is being considered by amending Chapter 5, Animal Control, Sections 5-101, 5-102, and 5-201, and by adding Chapter 5, Animal Control, Section 5-204 Traveling Act.

The fact that it has been so difficult to designate where it should be placed in our code, and that the Animal Welfare Division has no reports on record of animal cruelty by shows that have exotic animals leads to the conclusion that Montgomery County Maryland does not have an animal abuse problem and no need for Bill 23-17.

It has become commonplace to believe that humane treatment is not exercised by caretakers of performing animals and exhibits, but that could not be further from the truth. Performing animals are well respected and are provided with a life full of excellent medical care, environmental stimulation, and scientific based husbandry practices all of which are regulated by the United States Department of Agriculture (USDA) under the Animal Welfare Act (AWA). Those who violate animal cruelty laws should be

Highlighting Youth, Agriculture and Volunteerism since 1949

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prosecuted under the laws that are in place to protect animals from abusive behavior. Please remember that as of this date, there are no reported incidents of cruelty against exotic animals in Montgomery County according to the records of our Animal Welfare Division.

The intention to stop animal agriculture by the HSUS is evident when a Nutrition Manager from their organization wrote the first version of Bill 23-17 that was sent to the County Council.

Additionally:

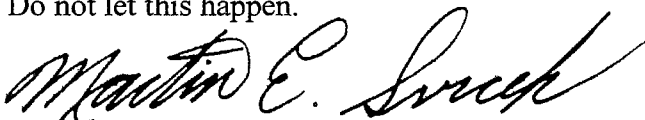
Wayne Pacelle, president of the Humane Society of the United States, told Animal People News his stated goal is to create "a National Rifle Association of the animal rights movement." "Animals are no one's property, and they have the right not be 'taken,' 'harvested,' or 'culled' or any other euphemism for murder that wildlife managers use. They are no one's property, just as you and I are no one's property other than our own."

Paul Shapiro, Vice President of Policy at HSUS, stated " eating meat causes animal cruelty."

John "J.P." Goodwin, former Political Director at HSUS, currently Senior Director of the Stop Puppy Mills campaign at HSUS told AR-Views, an animal rights Internet discussion group, that "My goal is the abolition of all animal agriculture".

This effort to pass Bill 23-17 is the first step in the slow demise of your Montgomery County Agricultural Fair and animal agriculture in our community. There is no need to create legislation to satisfy a philosophical agenda that is being promoted by the HSUS to solve an animal abuse claim that Montgomery County data indicates does not exist. Their goal is to promote animal regulation and then expand on legislation that is passed in local communities to move forward with their plan to severely restrict and ultimately stop animal agriculture.

Do not let this happen.



Martin E. Svrcek
Executive Director
Montgomery County Agricultural Fair

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