



March 10, 2023

Re: Opposition to House Bill 3214

Members of the Oregon House Judiciary Committee,

The United States Association of Reptile Keepers (USARK), a registered 501(c)(6) non-profit national advocacy group, appreciates the opportunity to submit this opposition to House Bill 3214, an act regarding exotic animals in “traveling animal acts,” on behalf of our many Oregon members. We work to provide education through fact and legitimate science with government agencies and legislators across the country.

We oppose HB3214 that, “prohibits persons from using specified types of animals in traveling animal acts.” The title purposefully misleads in order to have the reader believe that only what are considered to be traditional circus acts will be affected by this bill. That could not be farther from the truth. The included species list will end the use of a wide variety of animals in educational programs including tortoises, certain small lizards, and many others. HB3214 is being presented as a way to protect animals from suspected abuse in the circus but the overreach is disturbing.

The 2016 Animal Cruelty Background Brief makes it clear that animal welfare is a priority for Oregonians and that the concerns mentioned in this bill have already been covered in previous legislation. Oregon has established animal cruelty laws that cover neglect and abuse - ORS 167.315 and 167.325. If passed into law HB3214 will create many unintended consequences due to overreaching regulations that are meant to systematically remove animals from our lives.

To put it plainly, HB3214 is bad government policy and it is bad for the people and animals of Oregon. That being said, if this bill were written with the protection of animals in mind, it would have been drafted by veterinarians and industry professionals with species specific husbandry guidelines.

This bill does not just place a ban on iconic elephants and tigers traveling in circuses, nor is it remotely limited to circus acts. Because of the broad definition of performance any public exhibition could be called into question, even a small educational program at a school or library. Even more troubling is the section that dictates that the animal in violation will be forfeited and seized. Not only does that start to infringe on our rights to private property in the 5th Amendment, it does not say where or to whom the animal shall be transferred.

HB3214 will affect many different valid animal activities in the state. Licensed and reputable educational outreach organizations throughout Oregon will be impacted, since few will qualify for the bill's exemptions. AZA, WAZA, and GFAS are all cost prohibitive to small businesses, and even impossible to attain for most businesses due to accreditation requirements such as running a large facility that is open to the public.

We must remember that legislative intent exits the equation when vague definitions are left for interpretation by the enforcement officers. While this bill may claim to target potential animal neglect in circuses (again, the bill finds that all operators are guilty rather than using logic to only focus on actual violators), the language allows for enforcement when a student touches any of the listed animals at a school presentation or when a Boy Scout gets his picture taken with a dwarf monitor lizard or pancake tortoise at a troop seminar. By demonizing legitimate animal educators whose programs will qualify as "traveling animal acts," every person doing outreach programs is painted as a bad actor, which is the opposite of reality. Rather than the types of sideshows we witnessed in the mid-1900's (of which HB3214 leads the reader to believe is still the current state of affairs), today most of the programs are educational and benefit the audience. The animals are respected and their welfare is of the highest priority.

Responsible animal owning citizens providing educational services and presentations to the public should not be vilified. Instead, they should be celebrated for their efforts to teach people about animals.

The events which will be banned by HB3214 currently allow children to actually see animals in person. These programs are more vital now than ever in today's world of urbanization, destruction of forests, and endangered species decimation due to the snowballing human population. There are many ways to learn about animals, but seeing them up close and in person leads to much greater appreciation, while fueling the desire to learn in ways that books or videos alone cannot achieve.

Along with cultivating a deeper respect, live animal presentations often inspire children to conserve animals and their habitats, and [seek out related careers](#). These unique experiences have proven to be one of [the most effective ways to foster personal investment and empathy for our natural world](#). Where will tomorrow's conservationists, biologists, veterinarians, and ecologists come from without these experiences to activate their interest?

While we feel the entire bill is unnecessary and unreasonable, please allow to provide a little education on two of the scientific Families covered by this bill: Testudinidae and Varanidae. Testudinidae is the Family of reptiles known as tortoises. Tortoises vary greatly in size from the



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very small and fairly commonly kept spider tortoises, pancake tortoises, and Greek tortoises to the “giant” Galapagos and Aldabra tortoises (both also commonly kept).

Varanidae is the reptilian Family that includes all monitor lizards. Many people are only familiar with the large monitor lizards such as Komodo dragons and Nile monitors. However, many species of varanids are very small and weigh less than a pound as adults, such as the pygmy and dwarf species, and can easily be held in one hand. Many monitor species are commonly kept and are popular in educational programs, along with tortoises.

Most people also do not realize that these animals are bred under human care. These reptiles are not commonly taken from the wild to be kept in the U.S. and some have been domestically bred for decades. There is not a rational argument for banning these reptiles and other animals from responsible, outreach programs.

USARK is a fierce advocate for responsible animal ownership and stewardship. It is unreasonable to punish those engaging in conscientious animal husbandry and outreach with such a misguided attempt to crack down upon those who are negligent. This bill is redundant, and a waste of Oregon taxpayers' money and the valuable time of legislators.

Please contact stakeholders and legitimate subject matter experts (not those providing misinformation to push this bill and advance their agenda) for any factual information regarding these programs and animals.

I implore you to do what is right for Oregon, the animals, and your constituents by stopping HB3214. Thank you in advance for your time and attention.

Sincerely,
/s/ Phil Goss
President of USARK
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More about USARK:

USARK is a registered 501(c)(6) non-profit national advocacy protecting the freedom of Americans to responsibly keep reptiles and amphibians. We are a science, education, and conservation based non-profit membership organization. We represent pet owners, conservationists, business owners, veterinarians, and scientists who work with reptiles and amphibians. We are the only national advocacy representing solely the reptile and amphibian keeping community, and true subject matter experts.

USARK is dedicated to species conservation through responsible captive propagation, and endorses a Keepers' Code of Ethics. We regularly provide science-based education to government agencies and officials at the federal, state, and local levels.