



CONSERVATION FORCE



Nutmeg State Council of Sportsmen



To: Joint Committee on Environment
Legislative Office Building, #3200
Hartford, CT 06106.

Re: HB 5104 – Prohibits the Import, Sale and Possession of African Elephants, Lions, Leopards, Black Rhinoceros, White Rhinoceros and Giraffes.

Position: Oppose

Date: February 21, 2020

Honorable Members of the Joint Committee on Environment:

We the undersigned organizations, write today to express our unified opposition to House Bill 5104 (HB 5104) – legislation that would prohibit the import, sale, and possession of items from legally hunted African species – and we encourage you to oppose it.

Discouraging hunting in Africa encourages poaching, and cripples the anti-poaching programs legally regulated hunting supports. We fundamentally oppose HB 5104 for this reason, and for its other detrimental effects on wildlife conservation, as well as the negative financial impact it will have on rural communities reliant on hunting-related tourism dollars. Further, we find it troubling that this legislation goes against decades of scientific research which has been compiled by wildlife experts in not only the African range nations that these species come from, but also the U.S. Government and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Finally, there is established legal precedent which shows that this legislation

would be preempted by section 6(f) of the Endangered Species Act. Should this bill be enacted the State would need to expend both financial and personnel resources defending a law which clearly violates federal statute.

In 2016, New Jersey became the first state to pass legislation (SB 977 and SB 978) specifically targeting lawfully harvested hunting trophies and banning the importation and possession of items from “Big 5” species by residents of New Jersey. On July 8, 2016, Conservation Force and several other organizations filed a lawsuit to enjoin the recently passed legislation, arguing that the new ban is preempted by Section 6(f) of the Endangered Species Act. Although they opposed the suit, the defendants conceded that the legislation could not be enforced against federally authorized or permitted imports. On August 29, 2016, Federal District Court Judge Wolfson entered a judgment against the State, thus overturning the importation and possession ban on items from the “Big 5” species.

Not only is there established legal precedent on this issue, but there is also established precedent for governors vetoing similar bills on these grounds. In 2018, then Governor of California Edmund G. Brown vetoed Senate Bill 1487 (SB 1487) which would have established the Iconic African Species Protection Act. In his veto message the Governor stated that “SB 1487 imposes a state civil penalty for activities expressly authorized by the U.S. Endangered Species Act. Even though I share the sentiments of the author, this bill, if enacted, would be unenforceable.”

For these reasons, we strongly encourage the members of the Joint Committee on Environment to oppose HB 5104.

Sincerely,

Boone and Crockett Club
Congressional Sportsmen’s Foundation
Connecticut Waterfowl Association
Conservation Force
Dallas Safari Club
Dallas Safari Club Northeast, Inc.
Delta Waterfowl
Houston Safari Club
Hunter Nation
International Council for Game and Wildlife Conservation, National Delegation – U.S.A.
National Shooting Sports Foundation
Northeast Taxidermy Studios, Inc.
Nutmeg State Council of Sportsmen
Quality Deer Management Association
Safari Club International
Safari Club International – The Central Connecticut Chapter
Sportsmen’s Alliance
Wildlife Management Institute