

2016 National Animal Law Competitions Legislative Drafting & Lobbying Competition

You are the Legislative Director for the American Humane Defense League (AHDL), a national animal protection organization. Your general supporters, and some individual “high donors,” become enraged whenever they learn about certain types of “charismatic mega-fauna” being kept captive as commercial attractions or personal “pets.” One particular case that has them particularly incensed involves a tiger in Louisiana who has languished his entire life caged as a gimmick in a truck-stop parking lot.

The State of Bliss is one of five remaining states in the U.S. that has absolutely no laws governing the private ownership of such “exotic” animals. Your Board of Directors has made it an organizational priority to enact sensible restrictions in those five remaining states and has directed you to “get something passed this session” in at least one of those states.

Four years ago in Ohio, a convicted felon set loose more than fifty large wild animals he privately owned and then took his own life. That evening police officers shot and killed forty-nine of the animals that had been released. The final death tally included 18 Tigers, 17 Lions, 6 Black Bears, 2 Grizzly Bears, 3 Mountain Lions, 2 Wolves and 1 Baboon. The incident made international news and was seen as a major national tragedy. It ultimately led to Ohio finally passing some restrictions, but since then none of the other remaining states have followed suit.

You think Bliss is the best option of those remaining states to target for several reasons. One is that there has been a great deal of media attention over several reported sightings of a loose “large cat” in Keewaukee, the state’s largest city. This has thrust the issue back into the public consciousness and driven a substantial volume calls into legislative offices by people concerned about their children’s safety. Another key factor is that the Governor of Bliss, Steve Skipper, has entered the race for the Republican Presidential nomination. Several years ago (as a concession to his “anti-regulation,” Tea Party backers) Skipper let lapse an executive order issued by his predecessor that restricted possession of certain large wild animals. That order was issued after a Bliss citizen had been killed by his neighbor’s “pet” bear, suffering 600 wounds in the attack. Given Gov. Skipper’s current aspirations, you believe it is unlikely that he now would veto a bill to enact such restrictions if it was sent to his desk by the Bliss legislature.

You are instructed to:

1. Draft a state bill that would accomplish the desired goals of AHDL Board of Directors. Note: you may use federal law and/or laws from any U.S. state to guide your research. You also may refer to any existing judicial opinions, as well as documents from any bar associations;
2. Create a fact sheet for your bill; and
3. Approach members for their sponsorship, co-sponsorship, and their votes on a state bill. The state legislature has 200 members (160 representatives and forty senators).

Your bill number is House Bill 110.

Read the official competition rules for further details.

LOBBYING ROUND #1

You have drafted the bill, have had it reviewed by various other stakeholders and are now ready to find a sponsor. After thorough research and strategizing, you decide to ask state Representative Craig to sponsor your bill. That is the goal of this meeting.

REPRESENTATIVE CRAIG (D)

Representative Craig represents a district that is suburban, with some urban areas. She has an 85% Humane Voter Scorecard rating by Bliss Alliance for Animal Legislation (BAAL) and in her position as Chair of the Judiciary Committee has been an effective gatekeeper—allowing several important animal protection bills through to the floor of the chamber.

Representative Craig has mostly voted in favor of animal protection bills, including legislation to make animal cruelty a felony and another to phase out greyhound racing. She also opposed an “Ag-Gag” bill pushed by rural interests in the legislature. She has several very active members of your organization in his district, but as yet she has not personally introduced any animal protection bills.

Two municipalities in her district have similar local bans that prohibit possessing certain types of wild animals within their city or town borders. Years ago, Representative Craig served as a city councilor in one of these towns and voted to support those restrictions, though she remembers how controversial the issue became. The main issue of contention he encountered was how wide or narrow the restrictions should be drafted, and exactly which categories or species of animals should be regulated. Even more worrisome was the problem that most municipalities don’t even have statistics on how many such animals exist within their borders or where those animals might be located.

Another issue that arose was the city attorney’s opinion that the state did not have the statutory authority to regulate exotic species, only wild animals that were native to the state.

As a former high school science teacher, and as someone who had a bovine heart valve implanted, Representative Craig is sensitive to the opinions of the scientific community. Accordingly she will want to know what conservation and behavioral scientists say about any pros or cons of keeping endangered animals in captivity, or if your proposed bill will affect biomedical research in any way. She is further aware of a constituent who has a “helper monkey” whom she takes with her all over town, claiming the monkey gives her emotional support.

Representative Craig’s husband is a volunteer at a local wildlife rehabilitation facility, and serves on the board of a large animal sanctuary in Colorado. In the past he has expressed his own concerns regarding how any blanket-style animal bans may impact those types of non-profit entities he believes are trying to help animals, rather than exploit them.

You went to law school with Representative Craig’s Chief of Staff and who thinks she would be interested in sponsoring this type of bill and working it through the process. However, she mentioned that given the current political climate, Representative Craig will want this to be a bipartisan issue, though, with demonstrated support from both sides of the aisle.

LOBBYING ROUND #2

You are meeting with Representative Brink to co-sponsor your bill. At this time the Animals and Public Safety Act has been introduced and you now have twenty-three co-sponsors in the House and fifteen in the Senate. You understand that you need to build your co-sponsor list with key members of both parties to get the bill ready for a committee hearing and, hopefully, floor action.

REPRESENTATIVE BRINK (R)

Representative Brink is an up and coming moderate Republican from a primarily suburban district that still has some rural pockets. She is a former prosecutor who handled several animal cruelty cases during her tenure. These included winning a ten-year prison sentence for an animal abuser who set his dog on fire after it lost a fight. That case made national news and the resulting attention helped propel Representative Brink into elected office. Having worked closely with members of law enforcement, she is aware how much of a problem dangerous animals can pose to police officers and emergency personnel when responding to 911 calls.

Unlike most other politicians, Representative Brink does not have aspirations for higher office at this time. With two children in grade school and her husband caring for his elderly mother, Representative Brink is dedicated to representing her home city and trying to have as “normal” a family life as one can in politics. With this perspective, the opinions of outside national organizations carry very little sway with Representative Brink, as she instead prefers to “keep it local” and make her decisions based on how the issues play in her immediate community. As such she is wary of representatives of outside organizations using her district or state to further their own, national agendas. Representative Brink loves taking her children to the circus that visits her district twice a year. She believes her children derive great benefit from seeing large animals up close and in person. She also believes the circus brings in revenue to her district and that many jobs rely on it.

Her children similarly love visiting the municipal zoo in neighboring Keewaukee. Representative Brink has become friends with local celebrity Jungle Joe who is the former zoo director and appears with various wild animals on national television programs. The Keewaukee Zoo is accredited by the Association of National Zoological Institutions (ANZI), a widely recognized organization that participates in many worldwide species conservation projects and has relatively strict welfare and confinement standards that facilities must meet in order to receive accreditation. Recently, however, Jungle Joe has become a spokesperson for a newer upstart organization called the Zoological Association of National Institutions (ZANI), which has created its own program for approving facilities that exhibit animals. While ZANI does have some written guidelines regarding the care and conditions animals should receive at its member facilities, your organization (AHDL) has conducted an undercover investigation that revealed how ZANI inspectors were willing to approve facilities that didn’t meet those guidelines if the operators were willing to purchase the more expensive “gold level” of ZANI membership.

Because the Democrats have only a slight majority in the House, it is key that you secure Representative Brink as a co-sponsor—as many in her party follow her lead on animal issues. You will need to explain to Representative Brink why this bill is important with regards to reducing animal cruelty. You also will need to assure her that her children will still be able to observe large animals in some fashion, but at the same time justify the bill in terms of what the best educational environment is for her children to learn about the animal kingdom.

LOBBYING ROUND #3

You are meeting with Representative Palmer, who Chairs the powerful House Natural Resources Committee. At this stage, your bill has been introduced and has thirty-four House co-sponsors and nineteen Senate co-sponsors, but has yet to be scheduled for a hearing. Your goal is to convince Chairman Palmer to support this bill and advance it quickly out of his committee.

REPRESENTATIVE PALMER (R)

As Chairman of the House Natural Resources Committee, Representative Palmer is a known adversary of animal protection issues. He is an avid hunter who has been vocal about his opposition to airlines banning the transport of African hunting trophies. He believes that trophy hunting revenues contribute substantially to the conservation of those species both in the U.S. and overseas.

One of Representative Palmer's regular hunting buddies is Johnny Jim, the owner of a successful sandwich franchise who has been known to frequent Texas "game-farms"—where American hunters pay to shoot large exotic animals in a controlled environment at a fraction of the cost of an overseas expedition. Representative Palmer, however, has personal reservations about how this type of "canned hunting" devalues the accomplishments of "true" wild hunters like himself. He also doesn't believe it to be very "sporting" from the animals' perspective, and has stated that the captive breeding of rare, majestic animals solely to be shot "just doesn't feel right."

Importantly, Representative Palmer is a former County Sheriff. That experience substantially molded his political agenda, leading him to view almost every issue in terms of two primary themes: public safety and personal responsibility. Representative Palmer generally is offended by people and groups that seek to "threaten tradition," yet he gives substantial credence to arguments that are based in objective fact, rather than emotional reactions.

While Representative Palmer negatively has referred to fact sheets from animal protection groups as "propaganda," and implied that your organization misrepresents issues, it may be possible to frame the benefits of your bill strictly in terms that resonate with his core values.

You are well aware, given Representative Palmer's past hostilities towards your organization, that this meeting will be difficult, but you hope to neutralize his concerns enough that he will allow the bill to pass, even if you cannot win his support. While he and Representative Craig have differing views, they are fairly good friends, so you have hope he will be interested in helping the bill for friendship's sake. Additionally, Representative Palmer has long been pushing a bill of importance to a constituent group that seeks to provide increased penalties for injuring law enforcement officers in the line of duty. This bill was sent to the House Judiciary Committee, of which Representative Craig recently has become chairman.

The House Judiciary Committee hears hundreds of bills each session. It would be very easy for Representative Palmer to let HB 110 die a quiet death. It therefore is vital that you convince Representative Palmer that it is in his own best interest to move HB 110 forward to the floor.

FINAL LOBBYING ROUND

**THE FINAL ROUND LEGISLATOR INFORMATION AND LOBBYING OBJECTIVES
WILL BE PROVIDED PRIOR TO THE FINAL ROUND OF THE COMPETITION.**