



ZOOLOGICAL ASSOCIATION
OF AMERICA

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Testimony on HB 379
Prohibition on Traveling Animal Exhibitions
Environment and Transportation Committee
Maryland House of Delegates
February 14, 2024

The Zoological Association of America (ZAA) hereby submits this written testimony to be included in the Committee's review of the bill. While we understand it is not the intent we are concerned that the bill as drafted could inadvertently impact non-traveling zoological facilities in Maryland.

By way of background, I am the Executive Director of ZAA and I am formally trained in Anthrozoology with a focus on One Welfare, which includes non-human animal, human, and environmental wellbeing. I am a former Associate Professor Professional Practice at The Ohio State University Department of Animal Sciences, have multiple peer-reviewed publications and presentations focused on zoo animal welfare, and continue to serve as a professional consultant in the area of animal welfare.

ZAA consists of and represents zoological professionals including zoos, aquariums, conservation breeding facilities, and conservation education-based animal ambassador programs. It currently has Professional Members in more than 40 states including Maryland. With more than 60 accredited facilities across more than 30 states, ZAA is also one of the largest accrediting organizations in the zoological sector, counting among its members Plumpton Park Zoo in Rising Sun and Catocin Wildlife in Thurmont.

ZAA's accreditation process reflects a commitment to animal care and welfare, best management practices, staff, animal, and guest safety, and regulatory compliance. ZAA's accreditation standards are rooted in the widely accepted scientific based Five Domains of Animal Welfare framework. ZAA's standards focus on the safety of the animals in our care, as well as our professionals and visitors. The ZAA accreditation program sets a benchmark for standards of operation and surpasses the standards of applicable state requirements and the federal Animal Welfare Act.

As part of ZAA's commitment to species conservation it currently has a number of Animal Management Programs (AMP) that are intended to help ensure a species' long-term survival and guard against potential collapse of wild populations through cooperatively managed propagation of wildlife including Cheetahs, Giraffes and African Lions. ZAA is currently in the process of adding additional AMPs for other critically endangered or threatened species.

HB 379 and its Senate companion would impose a prohibition on all performances of certain animals in traveling acts. While these bills are presumably targeted specifically at traveling circuses with performing animals, the language of the bill is so broad that it could negatively impact zoos and education and conservation programs legally doing business in Maryland. Our primary concern is that it could be misconstrued to prohibit any zoo in the state from bringing in any new specimens of the covered animals to be exhibited as part of their collection.

Our primary concern stems from the very broad definition of "performance" to include a broad range of conduct such as any **exhibition, public showing, presentation, display**, exposition, fair, petting zoo, carnival, parade, race. It also prohibits such activities "for the benefit of a live audience." That is problematic because "exhibition" and "display" of animals is exactly what zoos do every day. In fact under federal law zoos are defined and licensed as "exhibitors." And everything at a zoo is for the benefit for the people who are there "live" to enjoy the animals.

While the bill does include an exception for performances, as defined in the bill, that take place at a non-mobile, permanent institution or other fixed facility, again here we fear the language is too imprecise as the exception is applicable only to the extent **the covered animal is not transported to such a location "for the purpose of such performance."** However all animals are transported to a facility at some point, often more than once. New acquisitions, breeding loans, relocations, rescues and even specialized veterinary care are all examples of why an animal, including the species covered by the bill, might be transported to a zoo. Given the overly broad definition of "performance" to include exhibition, public showing, presentation, and display, this could be construed to prohibit any zoo from displaying any giraffes, bears, primates, elephants and big cats part of their collection since the animal at some time would have to be transported.

The prohibitions in the bill could also apply to a whole host of common activities including training demonstrations and educational programs. There are many quality educational programs that bring animals to schools, libraries, parks and other places so that both adults and children can learn about them. Those mobile educational programs will take animals to those kinds of locations and then return to a permanent facility. Such programs are also already subject to federal and state regulation and oversight. While we recognize that most of the species listed in the bill are not typically used in such programs, enacting such a broad prohibition could open the door to future unintended consequences.

We share the sponsors' commitment to the welfare and well-being of all animals on display whether traveling or not. Millions of people visit zoos all over the country, including here in Maryland, every year. For many of those people that is the only opportunity they may ever have to see the kinds of animals covered by HB 379 in person. Zoos play a crucial role in conservation education and awareness, one that is especially important with species that are endangered or threatened.

We recently had a very helpful discussion with both the House and Senate lead sponsors of the legislation and while they disagreed with our reading of the language they also invited us to come forward with any suggestions we might have for addressing our concerns. We look forward to following up and sharing any suggested amendments with them both very soon.

Thank you.