



Governor's Office, State of California
State Capitol, First Floor
Sacramento, CA 95814

Dear Governor Brown:

On behalf of the California Fair network, we oppose SB 1062, which would prohibit the use of the elephant guide (guide). The guide is a husbandry tool to aid in caring of elephants. While there are, and should be, policies in place for its use, banning the long-used tool is neither necessary nor prudent. Outlawing the guide will make it difficult to safely interact with elephants for veterinary, research, entertainment and conservation purposes.

Western Fairs and California Fairs Alliance opposed SB 716 last year, which you vetoed. Throughout the bills' journeys, both last year's SB 716 and this year's iteration SB 1062, we have been opposed and have proposed compromises and amendments that the author and his supporters have refused to accept.

Your SB 716 veto message stated that the bill "creates a new crime – usually by finding a novel way to characterize and criminalize conduct that is already proscribed. This multiplication and particularization of criminal behavior creates increasing complexity without commensurate benefit."

SB 1062 fails to address the spirit of your veto message. It is unnecessary and detrimental, setting a formidable precedent that could endanger animal welfare, education, conservation and research efforts.

The use of the guide is no more abusive behavior than the use of a bit on a horse or a collar and leash on a dog. There are ways that any of these tools can be misused, but the tools themselves serve the important purpose of actually keeping the animals safe and preventing harm, to both animals and to those who interact with them. The guide is most necessary directly after birth of an elephant calf, when the mother can exhibit aggressive behavior or accidental trampling if not effectively guided. The American Veterinary Medicine Association, Elephant Managers Association and Association of Zoos and Aquariums have each adopted accepted professional industry standards supporting the use of the guide.

The Animal Welfare Act is federal law regulating the care of elephants and other wild animals. This law is overseen by the U.S. Department of Agriculture Animal and Plant Health Inspection Services, which utilizes trained professionals to conduct regular inspections of all licensed elephant exhibitors. In California, the Director of the Department of Fish and Wildlife is required under Fish and Game Code Section 2150.3 to appoint a committee to advise the Director on the humane care and treatment of wild animals. This committee has met in the past to deal specifically with animal

husbandry issues pertaining to elephants. Why not bring this committee back together again to do what it is required to do?

SB 1062 targets one small business, Have Trunk Will Travel (HTWT) which owns 5 elephants. Gary and Kari Johnson own the company and have an admirable track record of safety, promoting conservation, and contributions to advancements in veterinary medicine. Their elephants have been featured in a large number of movies, commercials and television shows. Gary and Kari have participated in extensive research regarding treating and preventing Elephant Endotheliotropic Herpesvirus (EEHV), a highly fatal hemorrhagic disease that affects elephants both in captivity and in the wild. They have also partnered with facilities and zoos for breeding programs resulting in several successful elephant pregnancies and births. Gary Johnson is also one of the founders of the International Elephant Foundation, working to promote worldwide conservation.

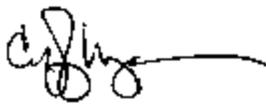
SB 1062 would also impact California's film and entertainment industry. Without the use of the guide, elephants would no longer be used in California's film industry. The movie Water for Elephants featured Tai from HTWT and was produced in California primarily due to the fact that HTWT is located a short distance from the movie production site. Had SB 1062 been in effect, it is almost guaranteed that movie would not have been produced in California.

In its design and purpose, the elephant guide is remarkably similar to tools such as the show stick used by 4-H and FFA members to show cattle at fairgrounds around the state. Without these tools, it would be virtually impossible for California's youth to have the same interaction and learning experience they participate in today. If we prohibit the use of one tool, what's to stop the prohibition of other tools in the future?

Though bullying tactics from animal rights extremists have effectively shut down elephant exhibits and rides at fairs in the West, this is a topic our industry continues to be passionate about. It is of utmost importance to protect and preserve animal-human interaction at fairs.

It is for these reason, we oppose SB 1062 and request a veto when the bill comes before you for consideration.

Respectfully,



Cliff Munson, Chair
California Fairs Alliance



Barbara Quaid, President
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