

May 31, 2007

SPECIAL COMMITTEE ON ANIMALS AND THE LAW

A.2612/S.784

By: Assemblyman Glick
Assembly Committee:
Environmental Conservation
Status: Third reading in the Assembly
Effective Date: 180 days after it becomes
law.

AN ACT to amend the environmental conservation law in relation to the prohibition on canned shoots.

LAW AND SECTIONS REFERRED TO: Amends Environmental Conservation Law by amending paragraph a of subdivision 1 of section 11-1904 as added by chapter 208 of the laws of 1999.

REPORT PREPARED BY: Special Committee on Animals and the Law

THIS BILL IS RECOMMENDED FOR PASSAGE

This legislation is intended to expand the prohibition on confined shoots on fenced preserves of ten (10) acres or fewer by removing the existing acreage requirement and prohibiting the practice of the release of an animal into a fenced area in the presence of a hunter and from which the animal cannot, using reasonable means, escape. The amendment would also restrict the supply of animals to canned hunting facilities. The amendment applies to non-native big game mammals.

A canned hunt is a guaranteed trophy hunt because the hunter is placed in an area with an animal that has no means of escape. There is no sportsmanship or cunning involved. The animal's sole purpose, once inside the fenced preserve, is to be killed by a hunter willing and able to pay the fee to hunt and kill it. The hunting community's ethic of "fair chase" is lost because the animal cannot escape.

A number of groups, even many hunters, object to the practice of canned hunting. The Humane Society of the United States objects to canned hunts on several grounds and raises the following issues:

Animals cannot escape. Canned hunts may range from a few to thousands of acres, but there is always a fence. On large ranches, guides drive hunters out to feed plots or bait stations that the animals are known to visit at certain times of the day. Small ranches offer animals in fenced areas where the

hunter may approach the animals on foot, pick his target up close, take aim, and shoot.

Canned hunting often means a slow death. Because the object of the hunt is a trophy, hunters generally aim at an animal's non-vital organs in order to leave the head and chest unscathed. This makes for a more attractive trophy but condemns the animal to a slow and painful death.

The animals are often semi-tame. Because the animals are often bred on site or purchased from game farms, animal dealers—perhaps even zoos—they have been habituated to humans. Animals who've lost their fear of humans are easy targets, which makes it easy for canned hunt operators to offer a "no kill—no pay" guarantee.

Exotic and native animals are bred for canned hunts. The exotic species bred to be killed in canned hunts include many varieties of goats and sheep, several species of deer and antelope, Russian boar, and zebra. The native species include deer, elk, bison, and bear.

Hunting groups that subscribe to the concept of "fair chase" oppose canned hunts. Boone & Crockett, Pope & Young, the Orion Institute, and the Izaak Walton League all denounce canned hunting. Many individual hunters also scorn canned hunting as unsportsmanlike.

Canned hunts carry the risk of spreading disease. Canned hunts can be directly related to the spread of serious wildlife diseases, most notably chronic wasting disease. When animals are concentrated in numbers, share food plots, or congregate at bait stands, the likelihood of disease transmission increases. Disease transmission is not only a risk to captive animals but also a potential threat to free-roaming wildlife. Many states have banned canned hunts because of the seriousness of this threat.

Canned hunts are legal in most of the United States. Most states allow canned hunting. At this time, no federal law governs canned hunting. The Animal Welfare Act does not regulate game preserves, hunting preserves, or canned hunts. Although the Endangered Species Act protects species of animals listed as endangered or threatened, it does not prohibit private ownership of endangered animals and may even allow the hunting of endangered species.

Canned Hunts: *Facts About Canned Hunts*. Humane Society of the United States. Retrieved on 2007-05-01.

Current state and federal laws protect endangered, threatened and indigenous animals, but the lack of specific prohibition against the release of non-native big-game mammals in fenced or other areas in New York and the lifting of the acreage restriction would protect animals from this unfair and inhumane practice.

For the foregoing reasons, the Special Committee on Animals and the Law recommends passage of this bill.

Chair of the Committee: Holly Kennedy Passantino, Esq.