



## Legislation Text

**File #:** Res 1082-2003, **Version:** \*

Res. No. 1082

Resolution calling upon the United States Congress to enact the "Captive Wildlife Safety Act," S 269/HR 1006, to prohibit the import, export, transport, sale, receipt, acquisition or purchase of wildlife including live lions, tigers leopards, cheetahs, cougars, and jaguars in interstate and foreign commerce.

By Council Members Rivera, the Speaker (Council Member Miller), Council Members Baez, Brewer, Comrie, Fidler, Gennaro, Gerson, Koppell, Liu, Lopez, Martinez, Monserrate, Quinn, Sanders, Serrano, Stewart, Weprin and Nelson

Whereas, "A 400-pound Bengal Siberian Tiger that mauled its animal loving owner was sedated and taken out of a Harlem housing project" on Saturday, October 4, 2003, after a "commando-style" operation by the New York City Police Department; and

Whereas, The Tiger, named Ming, had been living in an apartment in the Drew Hamilton public housing complex for nearly two years before detection, capture and removal from the apartment to a safe and suitable location; and

Whereas, "The [exotic] cat could have killed a lot of people in that building," remarked Larry Wallach, an animal handler working with the Center of Animal Care and Control. Not only did the tiger endanger the lives of the residents of the complex, but also the lives of the children that at one point allegedly lived in the apartment with the tiger; and

Whereas, On top of the catastrophic safety hazard Ming posed, it raised a number of health concerns as well; and

Whereas, In light of this dangerous condition in which tragic consequences were fortunately avoided, stricter regulations are needed to prohibit dangerous and exotic animals from being kept as pets; and

Whereas, The Lacey Act Amendments of 1981 addresses the issue of exotic animals in order to further the conservation of certain wildlife species; and

Whereas, The definition of the term prohibited wildlife species has been amended to include any lion, tiger, leopard, cheetah, jaguar, or cougar species, or any hybrid of a lion species and tiger species; and

Whereas, On February 27, 2003, Congressman Buck McKeon (R-California) and Congressman George Miller (D- California) introduced H.R. 1006, known as the "Captive Wildlife Safety Act" to the United States House of Representatives and was then referred to the House Committee on Resources ("H.R. 1006"); and

Whereas, H.R. 1006 is not applicable to any person that has expertise, knowledge and experience with respect to the care of the species in captivity and the person is licensed and inspected by the Animal and Plant Health Inspection Service with respect to that particular species; is a State college, university, or agency, State-licensed wildlife rehabilitator or State-licensed veterinarian; is an accredited wildlife sanctuary that cares for the prohibited wildlife species; or has custody of the animal solely for the purpose of transporting the animal to a person described; and

Whereas, On January 30, 2003, Senators James Jeffords (Independent-Vermont), John Ensign (R- Nevada), Ron Wyden (D- Oregon), Carl Levin (D-Michigan) and Gordon Smith (R-Oregon) introduced S. 269, known as the "Captive Wildlife Safety Act," in the United States Senate and was then referred to the Senate Committee on Environmental and Public Works ("S. 269"); and

Whereas, In S. 269, this exemption specifically identifies zoos, circuses, research facilities licensed or registered and inspected by a federal agency or aquarium; any person accredited by the Association of Sanctuaries or the American Sanctuary Association; any State college, university, or agency, State-licensed wildlife rehabilitator, or State-licensed veterinarian; and any incorporated humane society, animal shelter, or society prevention of cruelty to animals; and

Whereas, S. 269 is also not applicable to any federally licensed and inspected breeder or dealer that is conducting any breeding or dealing activity with a person referred to in this exemption, or any person having custody of a wild animal solely for the purposes of transporting that animal to a person referred to in this exemption; and

Whereas, The language in H.R. 1006 and S. 269 does not preempt or supersede the authority of a State to regulate wildlife species within that State; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to enact the "Captive Wildlife Safety Act" (S. 269/ H.R. 1006) to prohibit the import, export, transport, sale, receipt, acquisition or purchase of wildlife including live lions, tigers leopards, cheetahs, cougars, and jaguars in interstate and foreign commerce.

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