

<http://www.bloggernews.net/18870>

## What are tigers, hippos and apes doing in a Florida reptile bill and why politics is the dirtiest job on Earth...

---

This post was written by REXANO on 24 July, 2007 (10:57) | [All News](#)

Editorial by Zuzana Kukol, [www.REXANO.org](http://www.REXANO.org)

Las Vegas, NV, July 24, 2007—Exotic animal owners always have fights about what is better, have a state/county with no laws or have some laws, thus reducing chance of worse laws being introduced.

My answer always was “KILL BILLS”, because if you let the government regulate some species, they come next time trying to regulate more species or even ban them; it is always easier to add more species onto existing laws than make new ones.

Many often used Florida as the state with perfect exotic animal laws where nothing could go wrong.

I had a big surprise the 3rd week of July 2007, when I got a phone call from fellow exotic animal owner being in total shock over the ‘out of the blue’ new law targeting Class I animal exhibitors in Florida. She talked to many fellow Florida Class I animal owners (tigers, lions, chimpanzees, etc...) and they claimed that according to their information FWC (Florida Fish and Wildlife Commission) was only changing rules for reptiles.

To me none of this was a surprise, I have been documenting Florida’s legislation and FWC rule making since February 2007 on [www.REXANO.org](http://www.REXANO.org) website on our Florida Legislative Alerts Page: <http://www.rexano.org/StatePages/FloridaFrame.htm>

Many of us have been posting all the information on numerous Internet Elists and forums. We encountered many road blocks:

- many assumed that only reptiles were affected, and rather than help fellow exotic (herp) owners in their fight against more unfair regulation, some non reptile owners left them to fight alone, while some helped fighting recognizing this was going to be used later as a ‘stepping stone’ to include more species and regulations later on
- even within the herpetological community, many assumed that ‘somebody else’ will fight for their rights, even though the Florida herpetological community is supposed to be one of the most unified groups

- when it came to the actual attendance at meetings and hearings, many people attending were people not affected by this yet, like bird owners, but smart enough to know that they could be targeted next year as well. They realized there is a need to unite and fight for each other rights, all animal owners sticking together.

### **How did it start?**

The bill was first introduced in 2006 by state Representative Poppell and Senator Posey. Animal owners were able to stop it in 2006. Poppell supposedly has a serious snake phobia and publicly admits it. This mess started with a photo of a large constrictor wrapped around an alligator.

In early Spring 2007, the Florida Fish and Wildlife Conservation Commission was implementing a regulation that requires some exotic pet reptiles to have microchips similar to those used on cats and dogs. The measure targeted African Rock, Burmese, Reticulates and Amethystine/scrub pythons, Green anacondas and Nile monitor lizards. The supposed need for this was alleged dumping of overgrown pet pythons or lizards in Everglades and them taking over native fauna and flora. This was admitted not to have been a public safety issue as nobody was attacked or killed by these escaped reptiles (many getting loose during natural disasters and multiplying, not really being released on purpose by irresponsible owners).

The new FWC rule seemed like a good idea to most people, since it was presented as \$100 registration to control the 'idiots' who were supposedly releasing their unwanted pets.

While everybody's attention was on new FWC regulation, a so called "Python bill " S2766 was introduced in Florida legislature by Senator Posey. It was also introduced in the House as H1505 by Representative Poppell.

However, it was the Senate version 2766: ***Relating to Venomous Reptiles & Reptiles of Concern***, that was signed by the Governor Crist and is causing all the confusion.

### **What was really happening?**

The 'Python bill" really started as a reptile bill, and original version filed on March 2, 2007 of the bill has no mention of Class I exhibitors. The first paragraph of the bill states:

**"S2766 GENERAL BILL/CS by General Government Appropriations; Posey (Similar CS/H 1505) Venomous Reptiles & Reptiles of Concern [RPCC]; requires FWC to establish list of reptiles of concern subject to regulation; prohibits unlawful capturing, keeping, possessing,**

**transporting, or exhibiting of venomous reptiles or reptiles of concern; authorizes commission to inspect said reptiles held in captivity; authorizes commission to revoke licenses & permits under certain circumstances; requires commission to adopt rules for transportation of said reptiles, etc. Amends Ch. 372. APPROPRIATION: \$75,000. EFFECTIVE DATE: 07/01/2007 except as otherwise provided."**

The version amended and introduced on April 18, 2007, S 2766C1, had this little snippet in it : "providing for certain financial guarantees by Class I wildlife exhibitors;"

The version from May 2, 2007, S 2766ER, still had the same language: " providing for certain financial guarantees by Class I wildlife exhibitors;"

The last 2 versions also had a whole new paragraph relating to Class I added (see below). Bill was approved by Governor on June 27, 2007.

### **Explaining the confusion**

While the name and bill intro didn't change, it still referred to reptiles only, the April and final May version added paragraph related to Class I which includes some big cats, apes, hippos, elephants, buffalo and other reptiles. Class I currently doesn't include cougars, but there is a talk of moving them to Class I as well.

- The annual permit to possess ROCs (Reptiles of Concern) will cost \$100, instead of being a no-cost permit.
- The bond for exhibiting venomous reptiles has increased from \$1000 to \$10,000.
- Exhibitors of Class I wildlife must secure a bond in the amount of \$10,000 or guarantee financial responsibility by acquiring a comprehensive general liability insurance with minimum limits of \$2 million per occurrence and \$2 million annual aggregate. The FWC will draft future rules to determine how exhibitors of Class I species may meet the bonding requirement. Although the law requiring the bonding and/or financial responsibility guarantee goes into effect July 1, 2007, exhibitors of Class I species will not have to comply until these rules are drafted. The deadline to submit comments to [linda.harrison@myfwc.com](mailto:linda.harrison@myfwc.com) is/was July 30, 2007.
- This bill was also supposed to address public safety. In case of a personal injury, the 2 million liability insurance would likely cover the injured person. However, the \$10,000 bond which many will choose is payable to FWC and not the attack victims, so how does it protect the injured ones or improves the public safety?  
<http://www.rexano.org//Safety.htm>

### **What are the issues?**

Insurance in 2 million range is almost impossible to get, and if you find it is extremely expensive. Since \$10,000 bond is cheaper in the long run, it is safe to assume most Florida exhibitors will choose that option. The problem is it is payable to FWC, who is the same agency implementing this law, enforcing it, inspecting the permit holders and having power to revoke the permit and keep the money. It seems to give too much power and end up being easy money maker for FWC.

The way I also understand it, out of state exhibitors traveling to Florida might have to comply with this as well.

### **What can be done?**

Florida (actually all US) animal owners need to organize NOW and oppose any more laws, fight against snake laws even if you don't own one. Get together, start a legal fund and hire a lawyer to see if anything can be done about the unfairness of the bond issue and if any Constitutional laws were being broken, not just with the bond, but with the unethical misleading bill title, by inserting paragraph relating to Class I in a bill named "*Relating to Venomous Reptiles & Reptiles of Concern*"

Don't assume information will come to you, check state and local legislation to keep informed what is going on. Even though this was very sneaky, it was still well publicized on the Internet and in the news to some degree. To quote one Florida exotics owner:

*"If any one bothered to read meeting agendas and notes on prior meetings, it was clear these meetings were not about reptiles only. My observation has been that attendance at the tag meetings during the last two years has been rather pathetic considering the total number of animal owners/permit holders in Florida. I'd say a total of 10 max attended if even that. Of course the regular animal rights (AR's) activists were there every time. Also, the fact that two professionals who were scheduled to attend and speak on behalf of primates but did not show looked particularly bad. Those on the committee made comments like "Well if they don't even show up to support why they believe what they are doing should be allowed (meaning exhibit) then they must not feel too strongly about it."*

**According to St. Petersburg Times article from July 1, 2007 titled 'Growls greet law', that quotes the bill sponsor Senator Posey:**

“Posey said his bill was meant to affect only reptile owners, not exotic-mammal exhibitors or trainers. The amendment concerning mammals was added at the last minute by Sen. JD Alexander, R-Lake Wales, Posey said. Capt. John West of the Florida Fish and Wildlife Conservation Commission also said the amendment came from Alexander.” “I was surprised because he never talked to me about it, just put it on my bill,” Posey said.

Alexander didn’t return calls seeking comment. An aide, Rachel Barnes, said Alexander supported the amendment but didn’t propose it. Rather, Sen. Michael S. Bennett, R-Bradenton did, at Alexander’s request, she said. Bennett’s name is listed with the amendment on the Senate’s Web site.

“I don’t remember why we did that,” Bennett said. “Somebody asked me to put that on but I don’t know why.”

No wonder Americans are becoming less trusting of politicians and their dirty tricks. If this is done in animal related bills, one can only assume it is done in politics across the board. No wonder we have phrases like *dirty politics*, *corrupt politicians* and something about not wanting to know *how sausage and laws are made*.

#### **Species included in Florida Class I:**

1. Chimpanzees (genus Pan)
2. Gorillas (genus Gorilla)
3. Gibbons (genus Hylobates)
4. Drills and mandrills (genus Mandrillus)
5. Orangutans (genus Pongo)
6. Baboons (genus Papaio)
7. Siamangs (genus Symphalangus)
8. Gelada baboons (genus Theropithecus)
9. Snow leopards (Panthera uncia)
10. Leopards (Panthera pardus)

11. Jaguars (*Panthera onca*)
12. Tigers (*Panthera tigris*)
13. Lions (*Panthera leo*)
14. Bears (family Ursidae)
15. Rhinoceros (family Rhinocerotidae)
16. Elephants (family Elephantidae)
17. Hippopotamuses (family Hippopotamidae)
18. Cape buffalos (*Syncerus caffer caffer*)
19. Crocodiles (except dwarf and Congo) (family Crocodylidae)
20. Gavials (family Gavialidae)
21. Black caimans (*Melanosuchus niger*)
22. Komodo dragons (*Varanus komodoensis*)

**Class I additions to what was supposed to be a 'reptile' bill.**

(2) No person, party, firm, or corporation shall

6 exhibit to the public either with or without charge or

7 admission fee, any Class I wildlife, as defined in s. 372.922

8 and ch. 68A-6, Florida Administrative Code, without having

9 first guaranteed financial responsibility, in the sum of

10 \$10,000, for any liability which may be incurred in the

11 exhibition to the public of Class I wildlife. The commission

12 shall adopt, by rule, the methods of payment that satisfy the

13 financial responsibility, which may include cash, the  
14 establishment of a trust fund, an irrevocable letter of  
15 credit, casualty insurance, a corporate guarantee, or any  
16 combination thereof, in the sum of \$10,000 which shall be  
17 posted with the commission. In lieu of the \$10,000 financial  
18 responsibility guarantee required in this paragraph, the  
19 exhibiter has the option to maintain comprehensive general  
20 liability insurance, with minimum limits of \$2 million per  
21 occurrence and \$2 million annual aggregate, as shall protect  
22 the exhibiter from claims for damage for personal injury,  
23 including accidental death, as well as claims for property  
24 damage which may arise. Proof of such insurance shall be  
25 submitted to the commission.