

Legislation and Regulation Committee

Committee Members: A. Abuzeineh, P. K. Anderson, T. Bowyer, R. W. Kays, A. Krevitz, T. J. McIntyre, S. B. McLaren, D. Odell, T. J. O'Shea, E. A. Rickart, S. R. Sheffield, M. J. Smolen, D. W. Sparks, (Chair), W. T. Stanley, V. J. Swier, C. W. Thompson, R. M. Timm.

Mission:

The Legislation and Regulations Committee was formed in 1976 to monitor and provide input into the state and federal regulation and legislation process on such issues as endangered species, trapping and harvesting regulations, and the use of animals for experimental purposes. The committee also interacts with the legislative monitoring groups of AIBS.

Information Items:

(1) Issues Since 2008 Annual Meeting

- (a) The biggest issue tracked by the Legislation and Regulation Committee was a late executive order from the outgoing administration. This order was designed to allow federal agencies (an action agency) to move forward without an informal consultation with the US Fish and Wildlife Service in cases where the action agency did not expect to impact an endangered species. Despite the change in rules, most agencies continued to contact USFWS about potential issues prior to moving forward with projects. At the end of April 2009, a new executive order was finalized that reinstated the informal consultation as a matter of standard procedure.
- (b) Last year we reported that the Supreme Court had ruled that the EPA was required to regulate carbon dioxide and other green house gasses. The process of developing the regulation is underway. In terms of reading political tea leaves (i.e. this is Dale Sparks's opinion), both major parties as well as many NGOs and some business groups have now all lined up to support an effort to develop a cap and trade policy on green house gasses. Under this system, US green house gas emissions would be capped at a historic level and polluters would be issued a permit to pollute at that level. The idea is that this creates a market for the pollution credits. Companies that reduce their carbon footprint can then sell any "left-over" carbon credits on the open market. In some scenarios, there is a gradual decline in the number of carbon credits that are available.
- (c) Another arena that ASM members should watch is the use of federal stimulus money. The goal of this effort is to jump-start the economy by investing in a wide variety of projects throughout the US. Particularly desired are "shovel-ready" infrastructure projects (mostly road construction). In many cases, these projects have been stalled for lack of funding. However, one should also be

aware that many of the proposed projects will require additional federal oversight for environmental concerns. In fact, the Midwest region of USFWS is currently adding permit personnel to every field office to deal with the expected increase in work load.

- (d) Finally, at the state level, a troubling precedent was set by the state of Illinois this last year. Several state parks were closed to the public after 31 December 2008. The plan was for these to be sold to help recover some of the state's economic shortfall.
- (e) Numerous pieces of legislation actually or potentially impacting mammals were introduced into the new session of congress this year. "Mac" McIntyre has once again done an exemplary job of keeping the ASM leadership aware of these changes. As with previous years, we look forward to making more of this information available on the ASM website so that members can be more up-to-date. We also welcome updates/participation from any ASM members that are willing—in particular it would be nice to have folks with an interest in regulations outside the US.
- (f) Information on all legislation before the US Congress can be found at <http://thomas.loc.gov> and readers can scan for legislation on specific topics at <http://thomas.loc.gov/home/c111bills.html>

Action Items: None.

Respectfully Submitted,
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