

Legislation

FOCUS: We aim to design a law that enforces the *children's* state and national American constitutional rights. This law is designed FOR THE CHILDREN...

IF WE THE PEOPLE CAN PASS A LAW GIVING PIGS THE RIGHT TO BE HEARD... WE CAN PASS A LAW TO GIVE CHILDREN THAT SAME RIGHT!!!!!!!!!!!!!!!

1 SECTION 21. Limiting cruel and inhumane confinement of pigs during pregnancy.--

Inhumane treatment of animals is a concern of Florida citizens. To prevent cruelty to certain animals and as recommended by The Humane Society of the United States, the people of the State of Florida hereby limit the cruel and inhumane confinement of pigs during pregnancy as provided herein.

(a) It shall be unlawful for any person to confine a pig during pregnancy in an enclosure, or to tether a pig during pregnancy, on a farm in such a way that she is prevented from turning around freely.

(b) This section shall not apply:

(1) when a pig is undergoing an examination, test, treatment or operation carried out for veterinary purposes, provided the period during which the animal is confined or tethered is not longer than reasonably necessary.

(2) during the pre birthing period.

(c) For purposes of this section:

(1) "enclosure" means any cage, crate or other enclosure in which a pig is kept for all or the majority of any day, including what is commonly described as the "gestation crate."

(2) "farm" means the land, buildings, support facilities, and other appurtenances used in the production of animals for food or fiber.

(3) "person" means any natural person, corporation and/or business entity.

(4) "pig" means any animal of the porcine species.

(5) "turning around freely" means turning around without having to touch any side of the pig's enclosure.

(6) "pre birthing period" means the seven day period prior to a pig's expected date of giving birth.

(d) A person who violates this section shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082(4)(a), Florida Statutes (1999), as amended, or by a fine of not more than \$5000, or by both imprisonment and a fine, unless and until the legislature enacts more stringent penalties for violations hereof. On and after the effective date of this section, law enforcement officers in the state are authorized to enforce the provisions of this section in the same manner and authority as if a violation of this section constituted a violation of Section 828.13, Florida Statutes (1999). The confinement or tethering of each pig shall constitute a separate offense. The knowledge or acts of agents and employees of a person in regard to a pig owned, farmed or in the custody of a person, shall be held to be the knowledge or act of such person.

(e) It is the intent of this section that implementing legislation is not required for enforcing any violations hereof.

(f) If any portion of this section is held invalid for any reason, the remaining portion of this section, to the fullest extent possible, shall be severed from the void portion and given the fullest possible force and application.

(g) This section shall take effect six years after approval by the electors.

History.--Proposed by Initiative Petition filed with the Secretary of State August 5, 2002; adopted 2002.

1Note.--This section, originally designated section 19 by Amendment No. 10, 2002, proposed by Initiative Petition filed with the Secretary of State August 5, 2002, adopted 2002, was redesignated section 21 by the editors in order to avoid confusion with already existing section 19, relating to the high speed ground transportation system, and section 20, relating to prohibiting workplace smoking, as contained in Amendment No. 6, proposed by Initiative Petition filed with the Secretary of State May 10, 2002, and adopted in 2002.

The Constitution of the United States of America states: "**We the people of the United States**, in order to form a more perfect union, establish justice, insure domestic tranquility... promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America".

The Constitution of Florida states: "**We, the people of the State of Florida**, being grateful to Almighty God for our constitutional liberty, in order to secure its benefits, perfect our government, insure domestic tranquility, maintain public order, **and guarantee equal civil and political rights to all**, do ordain and establish this constitution."

NOTHING states that one must be a "certain age" to be a citizen. But, it is common practice nationwide, that the general philosophy in our family court system to treat children as "equitable distribution", "assets to be divided", vs. "citizens to have rights". This "philosophy" denies the children their "constitutional rights". This practice varies slightly depending on the courts and locations; however, because there is NOTHING giving cause to "notice" "CHILDREN'S RIGHTS", the fate of a child is completely up to the discretion of the legal professionals in that area. Help us to bring awareness to our family court system that children are NOT "equitable distribution", but Citizens of the United States of America, whose voices deserve to be heard and recognized.

The Florida Statute states that if a child is "mature enough", he/she may "play a role" in the visitation of grandparents. According to the statutes, Grandparents have rights... Parents have rights... CHILDREN are not mentioned anywhere as "having rights"; however, this "Grandparents" statute implies that the children do, in fact, have the capability of "playing a role" in these rights. Thus, if they have the capability of playing a role in "grandparents visitation", shouldn't they be given the "right" in a formal statute, to "play a role" in their "own" fate? The Canadian Psychology, 29, 247-262, by J.C. Yuille (1988) offered in the abstract on the "Systematic Assessment of Children's Testimony" that: "It is concluded that, if carefully interviewed, children are as capable of providing accurate accounts of events as are adults." The United Nations has addressed this issue. According to the United Nations Convention on the Rights of the Child in 1989 it is noted that the old paternalistic approach (that the judge or "counselor" knows what is better for the child) is no longer seen as appropriate. Article 12 of the United Nations Convention on the Rights of the Child 1989 gives children the right to express their views and for those views to be given due weight. The Convention also gives children the right to be heard in any proceedings affecting them, including the right to have a representative to speak for them.

Help us GET LEGAL AUTHORITIES and THE general PUBLIC TO RECOGNIZE that children should be *Listened To*.

Currently, under Florida *law*, a 15 year old can legally drive, but, *dependent on the judge*, may not be given any weight in a courtroom regarding where he feels safe and secure to sleep at night. There are numerous children within our country whose cries/screams/whispers of their desires/fears/wants go UNHEARD in our current system.

Florida voters voted to save "pregnant pigs" last year; if Florida voters would vote this in, we have faith we can accomplish a nationwide "Listen to the CHILDREN" necessity.

One of our advocates grew up in Germany. As a child he was able to express his desires in a courtroom, and subsequently grew up in the happy home he wanted to. Help us to simply get on board with other countries, and recognize our own children in American.

We need laws added, or the current legal system to be changed for children's words/cries to be heard and honored as equally as the "adult's"... to uphold Article 12 of the United Nations Convention on the Rights of the Child 1989.

WILL YOU HELP US BEGIN?

WILL YOU HELP US SEE IT THROUGH?

Please, Contact Us if you're willing to support the children in this effort.