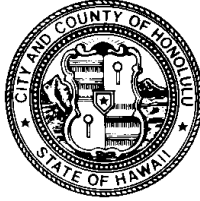


KIRK CALDWELL
MAYOR



TRACY S. KUBOTA
ACTING DIRECTOR

GARRICK K. IWAMURO
ACTING DEPUTY DIRECTOR

**TESTIMONY OF MARY E. LEWIS
ACTING EVENTS AND SERVICES ADMINISTRATOR,
NEAL S. BLAISDELL CENTER & WAIKIKI SHELL
DEPARTMENT OF ENTERPRISE SERVICES**

Re: HB 1012

**HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Wednesday, February 11, 2015, 2:30 p.m.
State Capitol, Conference Room 325**

Chair McKelvey, Vice Chair Woodson and members of the committee, the Customer Services Division of the Department of Enterprise Services, City and County of Honolulu, which manages the Neal S. Blaisdell and Waikiki Shell would like to offer the following testimony opposing HB 1012 (RELATING TO EXHIBITION OF WILD OR EXOTIC ANIMALS).

Prohibiting wild or exotic animals from being displayed for commercial purposes, unless the animal has been in the State for more than 300 days prior to performance will limit the ability of the Neal S. Blaisdell Center and Waikiki Shell to provide the people of Hawaii with a diversity of acts from legitimate sources of entertainment.

Currently, credible popular family acts which include animals, such as the circus, are highly regulated. State regulations and inspections ensuring and enforcing proper care and treatment of animals are required in order for circus animals to be approved for performance.

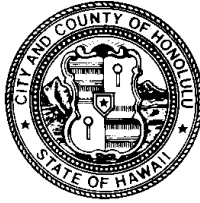
We feel that although the intent of this bill is laudable, its passage will hinder the mission of the Department of Enterprise Services to manage and market a diversity of community- oriented facilities and services for the use and benefit of the public, offering cultural, recreational, and educational opportunities and events on a self-supporting basis.

Thank you for the opportunity to provide comments on this bill.

CITY AND COUNTY OF HONOLULU

777 WARD AVENUE · HONOLULU, HAWAII 96814-2166
PHONE: (808) 768-5400 * FAX: (808) 768-5433 * INTERNET: www.honolulu.gov/des

KIRK CALDWELL
MAYOR



TRACY S. KUBOTA
ACTING DIRECTOR

GARRICK K. IWAMURO
ACTING DEPUTY DIRECTOR

**TESTIMONY OF BAIRD E. FLEMING, DVM
ACTING DIRECTOR OF THE HONOLULU ZOO,
DEPARTMENT OF ENTERPRISE SERVICES**

Re: HB 1012

**HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Wednesday, February 11, 2015, 2:30 p.m.
State Capitol, Conference Room 325**

Chair McKelvey, Vice Chair Woodson and members of the committee, the Honolulu Zoo, a division of the Department of Enterprise Services, City and County of Honolulu, would like to offer the following comments opposing HB 1012 (RELATING TO EXHIBITION OF WILD OR EXOTIC ANIMALS).

The Honolulu Zoo would like to express concerns regarding HB 1012. Although we understand the intent of this bill is to prohibit the display or performance of a wild or exotic animal for commercial purposes, it will also prevent any zoo that is not accredited by the Association of Zoo and Aquariums (AZA) or the Global Federation of Animal Sanctuaries from displaying any new animals. If this bill passes, Panaewa Zoo in Hilo, Hawaii will not be able to display any new animals since it is not accredited. Further, if the Honolulu Zoo were to lose its accreditation at any time, it would not be allowed to display any new animals.

Losing the ability to bring in new animals will slowly cause non-accredited zoos to house only domestic animals. The combined yearly visitation of the Panaewa and Honolulu is equal to 75% of the total population in the State of Hawaii. Keiki in our State will then need to travel to the mainland to see and learn about the diversity, care, and conservation of live exotic animals.

Also, the Honolulu Zoo assists with temporarily housing or displaying some of the animals the Department of Agriculture (DOA) confiscates. If this bill is passed, confiscated animals will not be able to be displayed since the duration of time the animal was in the State will be unknown.

House Committee on Consumer Protection & Commerce
February 11, 2015
Page 2

We feel that although the intent of this bill is laudable, the enactment of such a bill will cause the slow deterioration of the next generation's appreciation of wildlife due to a lack of venues at which to appreciate them in person.

Thank you for the opportunity to provide comments on this bill.



February 9, 2015

The Honorable Angus L.K. McKelvey, chair
Consumer Protection and Commerce Committee
Hawaii State Capitol
Room 320
415 S. Beretania St
Honolulu, HI 96813

Re: Opposition to HB 1012 – Related to the Exhibition of Wild or Exotic Animals.

Dear Chairman McKelvey and members of the Consumer Protection and Commerce Committee,

The Zoological Association of America (ZAA) is a professional trade organization that supports responsible animal management and public safety while providing zoological accreditation for its members.

COMMENTS ON HB 1012

Neither the ZAA nor the recent legislative history in Hawaii's sister states supports the random distinction made by HB 1012 as currently written. The ZAA and Association of Zoos and Aquariums (AZA) together represent the top two trade industries in the zoo sector and share several common members. While distinct organizations, our respective accredited facilities represent the finest zoological facilities in the country. The state of Hawaii should not exempt one professional trade organization and not others without compelling evidence that the different standards of public and animal security and care at respective accredited facilities are the case. The standards relating to animal care and safety or visitor and employee security are indistinguishable as between the ZAA and the AZA.

The bill should be amended to include an exemption for AZA, ZAA and USDA license holders.

OVERVIEW of ZAA

The ZAA is a 501c3 professional trade association formed in 2005 to promote responsible ownership, management, conservation and propagation of animals in both privately funded and publicly funded facilities through professional standards in husbandry, animal care, safety and ethics. World renowned animal expert, and former host of "Mutual of Omaha's Wild Kingdom," Jim Fowler, serves as ZAA Ambassador and Advisor to the Board. ZAA is the second largest zoological accreditation organization in the United States and has been recognized by numerous state legislatures as a credible professional trade association.

ZAA counts among its members Six Flags Theme Parks. They are a 1.1 billion dollar private corporation that is considered the global leader in theme parks. Other institutions accredited by ZAA include the Montgomery Zoo, Fort Worth Zoo, Metro Richmond Zoo, Virginia Safari Park and many others.

ZAA accredited member facilities were exempted in the landmark Dangerous Wild Animal legislation passed in Ohio in 2012 after 67 hours of hearing over several weeks. Parity in accreditation standards has been recognized by many states across the country Kansas, Nevada, Nebraska, Connecticut, Ohio, Arizona, Illinois, Maryland, Virginia and West Virginia. Our written ZAA Animal Care and Enclosure Standards were used as requirements of the permitting provision in Ohio, as well as the 'baseline' for discussions by the dangerous animal work group in the State of Virginia in 2012. ZAA holds a permanent seat on the Ohio Dangerous Animal Commissions Advisory Committee.

ZAA and its members are dedicated to the constructive advancement of animal welfare, animal management principals, safety, conservation through captive breeding, in-situ conservation and education programs. ZAA believes its focus should be on matters of animal management and public safety while all other aspects of facility management should be left up to the facility management.

Our membership consists of both large and small publicly funded zoos, and from small privately funded collections that practice a higher standard of animal care to large privately funded public zoos and collections, some of which cover thousands of acres. Our conservation and management standards are equivalent to the AZA and are approved by the US Fish and Wildlife Service (USFWS).

The stringent ZAA accreditation process includes a review of facility management, animal care, exhibit design, employee training and safety protocols for staff and visitors, risk management, conservation education, in situ conservation, record keeping, as well as compliance with local, state and federal regulations and the ZAA Animal Care and Enclosure Standards.

Facility accreditation is a multi-step process. The first step requires sponsorship by two ZAA professional members, peer review, site inspection, compliance with all standards for class I animals and board of director approval. The next step towards accreditation involves additional site inspection(s) by a professional inspection team, review by the accreditation committee and board of director approval. Upon review by the inspection team, recommendations are made as to whether the applicant is qualified for accreditation and, if not, what standards must be met in order to comply. Multiple visits may be required over several months to ensure all standards are met prior to approval and in some instances the applicant will be denied. Where possible ZAA believes mentoring is in order to bring the levels of animal care and public safety to a higher standard. Facilities are reaccredited every five years.

Thank you for your consideration to amend the bill to include AZA, ZAA and USDA license holders in the exemptions.

Sincerely,

Alan Smith
Executive Director
ZAA

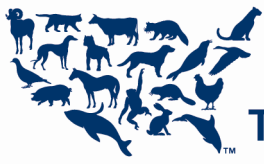
From: Ann Goody <animals@threeringranch.org>
Sent: Sunday, February 08, 2015 2:22 PM
To: CPCtestimony
Subject: support for HB1012 - with a correction of wording

Aloha,

At Three Ring Ranch, Hawaii's only Global Federation of Animal Sanctuaries accredited facility we understand the need for strong laws prohibiting the importation and ownership of exotic and dangerous animals. Importing animals into Hawaii for entertainment is cruel and puts our islands at risk. The petition before the Hawaii Department of Ag spells out the risks. The BOD of the Three Ring Ranch are in full support of this bill with one small spelling correction. The error in the bill is the word "Federal" when it should be "Federation" as you are referring to the accreditation body. Please correct this error.

Kind Regards,
Ann

Ann Goody, PhD
Curator
Three Ring Ranch Exotic Animal Sanctuary
808-331-8778
Fax: 866-365-5097
animals@threeringranch.org
www.ThreeRingRanch.org



**THE HUMANE SOCIETY
OF THE UNITED STATES**

TO: Honorable Chair McKelvey, Vice-Chair Woodson and Committee Members

House Consumer Protection and Commerce Committee, 2-11-15, 230pm

RE: SUPPORT for HB 1012; Relating to Exhibition of Wild or Exotic Animals

Submitted by: Inga Gibson, Hawaii State Director, The Humane Society of the United States,
P.O. Box 89131, Honolulu, HI 96830, igibson@hsus.org, 808-922-9910

On behalf of our members and supporters of The Humane Society of the United States in Hawaii, we thank you for the opportunity to speak in **support of HB 1012**, and your consideration of the Hawaiian Humane Society's amendments to include;

- removing the 300 day language
- clarifying the exemption is for the Global Federation, *not Federal*, of Animal Sanctuaries

Hawaii has some of the strongest laws prohibiting the private possession of dangerous wild animals, however, the Department of Agriculture continues to issue permits for temporary wild animal exhibits that may threaten public health and safety and could introduce invasive species into Hawaii's ecosystems. HB1012 would prohibit unqualified facilities from importing tigers, lions, leopards, jaguars, cougars, cheetahs, caracal, ocelots, margay, servals, domesticated cat hybrids, wolves, bears, nonhuman primates, elephants, hyenas, rhinoceros, hippopotamus, giraffe, okapi, crocodilians and other dangerous wild animals.

Qualified facilities such as the Honolulu Zoo, through their accreditation with the Association of Zoos and Aquariums (AZA), sanctuaries accredited by the Global Federation of Animal Sanctuaries (GFAS), research governed by the United States Department of Agriculture (i.e. University of Hawaii) and federally regulated primate sanctuaries (one such facility on Maui) would be exempt.

Past import permits have been issued for temporary exhibits involving lions, bears, and other dangerous wild animals. Virtually *every* exhibitor who has been issued a permit by the HDOA has had numerous violations of the federal Animal Welfare Act and has been cited by USDA. These violations range from public safety offenses (animals escaped, inadequate fencing/caging), to failure to provide basic veterinary or animal care, and even direct physical abuse of the animals.

Furthermore, dangerous wild animal exhibits threaten:

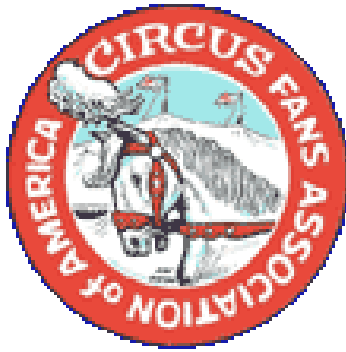
- 1) Public Safety- Hundreds of attacks involving big cats, captive primates and bears.
- 2) Public and Animal Health- Zoonotic Diseases such as rabies and ebola (via primates)
- 3) Agricultural Interests-Disease issues such as Tuberculosis in Cattle
- 4) Environmental Impacts-Invasive Species could escape and become established

- 5) Animal Welfare- Inhumane Long Distance Transport, most from Kansas and Florida
- 6) Expose the state to unnecessary legal/liability issues in continuing to issue such permits

Local law enforcement and animal control have NO training or equipment to handle dangerous wild animals, especially should an animal escape. In addition, Hawaii has no resident USDA-Animal Welfare Act Inspector to ensure compliance with federal laws including animal/human health, transport and safety regulations.

In summary, the threats to Hawaii's public health, safety, agriculture and environment far outweigh any benefit in continuing to issue permits for wild animals to be imported to unqualified entities.

Thank you for your consideration of this testimony.



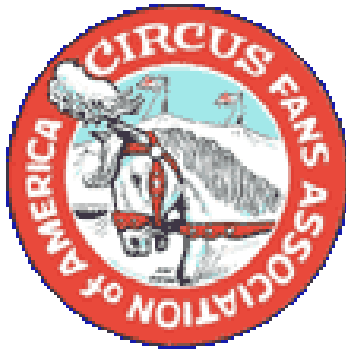
Monday, February 9, 2015

Dear Honorable Representatives,

We at the Circus Fans Association of America feel compelled to speak out against the recent proposal House Bill 1012 that would essentially ban the display of wild or exotic animals in the state. We feel it is also important to correct some seriously misleading claims made by animal rights extremists in pursuit of this ban. As with many assertions by extremist groups even premise of the ban is a lie--animal abuse is already illegal, there are no additional laws needed to make it so. The treatment of exotic animals, including elephants, is highly regulated from the federal level through USDA APHIS, to the individual states Departments of Fish & Wildlife, and at the local levels. In reality, the care animals get in the circus is often second to none. Animals are part of the family of the trainer; they spend 24 hours a day, 7 days a week building a bond of mutual respect and love. The same can be said for animal exhibitors who are not part of a circus. With protections for exotic animals already in place it is clear that the radical animal rights agenda is not to stop abuse as they claim but rather to remove animals from our lives. The proposal to ban wild and exotic animals from coming to Hawaii is just a means to that end.

Seeing animals in person teaches us to care. Think back in your lives. Would you have cared as much about dogs or cats if you had only ever seen them in books or online? Of course not. Most likely at some point you built a relationship and connection with a real, live puppy or kitten and your love for animals grew exponentially from that moment forward. This experience is the same one animal stewards and trainers feel for their wild and exotic animals, and it's the connection they hope to encourage the public to build when they bring their animals to Hawaii. Someone is much more likely to take action to save the endangered Asian elephant or endangered Sumatran tiger if they have a personal experience with them.

Animal exhibitors and circuses in America are on the forefront of the fight to save the endangered Asian elephant from extinction. Ringling Brothers Barnum & Bailey's Center for Elephant Conservation (CEC) is a great example. While animal rights extremist 'sanctuaries' say, "If they [elephants] come here, we let them become extinct," (Carol Buckley, The Elephant Sanctuary) Ringling's motto is, "Endangered species? Not if we can help it." Not only is that a huge difference in attitude, it's a huge difference in results. There have been 26 baby elephants born at Ringling's CEC, all of whom will go on to help the conservation effort whether they perform in a show or not. There has not been a single elephant born in any animal rights approved "sanctuary." The elephants who perform in shows are ambassadors for their species, giving children and families a personal experience to inspire them to help save elephants from extinction. Removing elephants from citizens' experiences will literally be a case of "out of



sight, out of mind” and can only hurt the conservation effort. Imagine how forgotten less charismatic animals will be if HB 1012 passes.

Extremists often claim that trained animals are in stressful environments and are forced to perform. None of that is the case. The Royal Society for the Prevention of Cruelty to Animals (RSPCA) conducted a study that proved that circus lions had low stress levels and actually enjoyed their travels (<https://www.youtube.com/watch?v=2eIsbOchpxA>). World-renowned Animal Science professor Dr. Ted Friend has conducted studies on circus elephants for over 30 years and stated, “There is no doubt that many circus elephants find performances to be rewarding.” (http://www.eurekaspringsindependent.com/single_story_popup.asp?StoryID=7936) Dr. Friend’s work has published 10 studies on circus elephants and big cats, all in respected, peer-reviewed journals. The facts simply do not back up the claim that performing animals are stressed or forced to perform. Like with many animal rights claims the truth is actually the opposite.

The true advocates for animal welfare are the circus and animal folk themselves. That’s why we at the Circus Fans Association of America support them. Removing elephants, tigers, lions, bears, and other animals from citizens’ experiences will hurt the very animals you are trying to protect, hurt future conservation efforts, and hurt the people of Hawaii. Don’t get taken in by the rhetoric and emotional appeals by animal rights extremists—go talk to the real animal caretakers, stakeholders, and experts, who all agree that animals need to be in our lives for they very survival! Oppose this ban.

Sincerely,

Sarah Conley

Animal Welfare Committee
Circus Fans Association of America



**Conservation Council
for Hawai'i**

Hawai'i's voice for wildlife

Kō Hawai'i leo no nā holoholona lōhiu



Testimony Submitted to the
House Committee on Commerce and Consumer Protection

Hearing: Wednesday, February 11, 2015 2:30 pm, Room 325

In Support of HB 1012 Relating to Exhibition of Wild or Exotic Animals

Aloha. The Conservation Council for Hawai'i supports HB 1012, which establishes the offense of Unlawful Display or Performance of a Wild or Exotic Animal to prohibit the display or performance of a wild or exotic animal for commercial purposes, and provides an exception for such animals that have been in the State for more than 300 days prior to the display or performance.

Performances by wild and exotic animals do not promote conservation of the species, but instead encourage the exploitation of these animals for profit and entertainment. Just as we do not support the exploitation of native Hawaiian animals for entertainment purposes on the mainland or abroad (e.g., ocean species captured for profit by the commercial aquarium industry), we also do not support performances by wild and exotic animals in our island home.

Appropriate types of entertainment should be encouraged that raise awareness about wild animals, their habitats, and species conservation without exploiting or harming the animals themselves. We do not need this kind of business in the Aloha State.

We all remember the tragedy of Tyke in Honolulu in 1994. Here is a report by In Defense of Animals ca. 2009 to remind us never to let this happen again:

On this day, 15 years ago, Tyke the elephant had had enough. Before a circus-full of horrified spectators, Tyke killed her trainer Allen Campbell and gored her groomer Dallas Beckwith, then bolted from the arena and ran through the streets of Honolulu, Hawaii. She was on the loose for more than 30 minutes, and injured several other people – then collapsed after local police fired 86 bullets into her body. News reports said that it took nearly two hours for her to die.



Tyke was then a 20-year-old African elephant, owned by the now-notorious John Cuneo and his Hawthorn Corporation. She had a history of violent outbursts and had run wild on several previous occasions, but Hawthorn continued to rent her out for public display.

Conservation Council for Hawai'i is a nonprofit, environmental membership organization dedicated to protecting native Hawaiian plants, animals, and ecosystems for future generations.

Established in 1950 and based in Honolulu, CCH is one of the largest and most effective wildlife organizations in Hawai'i with more than 5,000 members and supporters, including concerned citizens, educators, scientists, government agencies, and elected officials.

Through research, education, service, organizing, and legal advocacy, CCH works to stop the destruction of native wildlife and wild places in Hawai'i.

Since 1973, CCH has served as the Hawai'i state affiliate of the National Wildlife Federation.

Telephone/Fax: 808.593.0255 | email: info@conservehi.org | web: www.conservehi.org
P.O. Box 2923 | Honolulu, HI 96802 | Office: 250 Ward Ave., Suite 220 | Honolulu, HI 96814

President: Hannah Kihalani Springer | Vice-President: Julie Leialoha | Treasurer: Bianca Isaki | Secretary: Wayne Tanaka
Directors: Rick Barboza | Ryan Belcher | Maka'ala Ka'aumoana | Koalani Kaulukukui
Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters



Tyke's death, excruciating though it was, created a legacy of awareness of the miserable lives of elephants forced to perform in circuses for our entertainment. This awareness has fueled an international movement to ban elephants and other animals from circuses, a movement that gains in strength daily. The Hawthorn Corporation, in 2004, was forced to relinquish all of its happened, but it was not in vain, and we honor her memory and her legacy.

Please kokua. Support HB 1012.

Sincerely,

A handwritten signature in cursive script that reads "Marjorie Ziegler".

Marjorie Ziegler



Hawaiian Humane Society

People for animals. Animals for people.

2700 Waialae Avenue Honolulu, Hawaii 96826
808.946.2187 • hawaiianhumane.org

Date: February 9, 2015

To: Honorable Angus L.K. McKelvey, Chair
Honorable Justin H. Woodson, Vice Chair
and Committee Members

House of Representatives
Committee on Consumer Protection & Commerce

Submitted By: Pamela Burns, President & CEO
Hawaiian Humane Society, pburns@hawaiianhumane.org

RE: Support of HB 1012;
Relating to the Exhibition of Wild and Exotic Animals

Dear Chair McKelvey, Vice Chair Woodson and Members of the Committee:

On behalf of the Hawaiian Humane Society, I would like to thank you for hearing HB 1012, a very important bill. When implemented, HB 1012 would stop the importation of wild and exotic animals for entertainment purposes as part of HRS 711, Animal Cruelty.

When wild animals are brought into Hawaii, they endure about four days at sea under extremely stressful conditions, experiencing seasickness and no exercise. In addition, before being loaded into the shipping containers, they usually are confined in trailers for extended periods of time and are trucked across the mainland US. This puts a tremendous amount of stress on the animals and could lead them to display unpredictable behavior, no matter how good their relationships may be with their trainers.

Much has been said about Tyke the elephant who went on a rampage having been brought to Hawaii to perform in the circus at Blaisdell twenty years ago. After he killed his trainer Tyke's life ended in the streets of Kakaako. It took 88 shots to kill him. People who witnessed the scene will remember it for the rest of their lives. Since then, there have been more wild animals brought into the state for entertainment events, such as the State Fair.

The Hawaiian Humane Society would prefer a total ban on bringing wild and exotic animals into the islands for entertainment purposes only and ask this committee to amend HB 1012 to remove the 300 day rest. We agree that organizations accredited by the Association of

Zoos (AZA) and Aquariums and Global Federation of Animal Sanctuaries (GFAS) be exempt from this proposal.

In conclusion, we ask you to pass this bill with the amendment proposed above. Thank you for your consideration.



Hawaii Cattlemen's Council, Inc.

P O Box 437199 Kamuela HI 96743

Phone (808) 885-5599 • Fax (808) 887-1607

e-mail: HCattlemens@hawaii.rr.com

HOUSE COMMITTEE ON COMMERCE & CONSUMER PROTECTION

FEBRUARY 11, 2015 2:30 p.m. Room 325

HB 1012 RELATING TO EXHIBITION OF WILD OR EXOTIC ANIMALS

Establishes the offense of Unlawful Display or Performance of a Wild or Exotic Animal to prohibit the display or performance of a wild or exotic animal for commercial purposes. Provides an exception for such animals that have been in the State for more than 300 days prior to the display or performance.

Chair McKelvey, Vice Chair Woodson and Members of the Committee:

My name is Alan Gottlieb, and I am a rancher and the Government Affairs Chair for the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 130+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council **opposes** HB 1012.

This bill is just a step down a slippery slope. Today circuses and fairs and tomorrow zoos and aquariums? Are rodeos next? It is clear that many of the folks who advocate for this type of bill have strong platforms against any animal exhibits including zoos and aquariums, as well as animal agriculture and hunting.

Tyke was a problem and it was obvious no one was prepared to effectively stop/euthanize when it became necessary. Conditions put in place by Hawaii Department of Agriculture permits addresses that today with exotic/wild animal imports.

The bill mentions the bears and sea lion exhibits at the last 50th State Fair. These animals were inspected multiple times by my HDOA and the Hawaiian Humane Society upon entry and for the duration of the fair. The proposed Bill makes no point on what the issue was/is with those exhibits. HDOA concluded the animals were well cared for and educational exhibits.

The disease issues are always dealt with, either with pre-entry test requirements (TB that they mentioned), or conditions are put in place on the import permit to isolate the imports from local animals (TB, rabies, canine distemper), conditions protect public health by disallowing contact with humans and other animals (rabies).

We feel that the current system whereby the Hawaii Department of Agriculture issues permits for these types of events is the best solution to control inappropriate exhibits and events.

Thank you for giving me the opportunity to testify in favor of this very important issue.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 11:48 AM
To: CPCtestimony
Cc: HawaiiAgriculturalPartnerships@msn.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Hawaii's Agricultural Partnerships	4 Ag Hawaii ~ non profit 501 [c] [3]	Oppose	No

Comments: We feel that the current system whereby the Hawaii Department of Agriculture issues permits for these types of events is the best solution to control inappropriate exhibits and events.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

MAUI FAIR ALLIANCE
P.O. BOX 485
KAHULUI, MAUI, HAWAII
96733



Monday February 9, 2015

Honorable Angus L. K. McKelvey
Representative, State of Hawaii
Hawaii State Capitol
Honolulu, Hawaii

RE: HB 1012 Relating to Exhibition of Wild or Exotic Animals

Chairman McKelvey and Committee members;

First let me apologize for not being able to be before you in person to submit this testimony in strong opposition on HB 1012, unfortunately my work responsibilities prohibit me from being there today.

My name is Senator Avery B. Chumbley, (retired) I also am the President of the Maui Fair Alliance serving in that position for the past twenty seven years, as you may know the Maui Fair is the oldest fair in the State of Hawaii, we will be celebrating our 93rd. year at the annual event in late September.

The Maui Fair strongly opposes this measure for several reasons, while we do agree that the Legislature should act to the protect public health and safety of the citizens of Hawaii, as well as protecting the natural resources of our State, to say that this measure is needed to protect the animal welfare of legitimate circus shows or exotic animal acts is a stretch. The Hawaii Department of Agriculture already maintains strict import or exhibit permit oversight thru its "Restricted" or "prohibited" list of animals that may be brought into the State. This measure is a veiled attempt by the Humane Society of the United States (not a Federal agency nor the parent organization of our local Hawaii humane societies) to prohibit what appears to be a single business, E. K. Fernandez Shows from bringing to the people of Hawaii legitimate Circus Shows.

E. K. Fernandez Shows has a proven history of presenting Circus Shows to our residents since 1915 without a single incident, the unfortunate incident detailed in the preamble of this measure related to Tyke the African Elephant had nothing whatsoever to do E.K. Fernandez Shows and then to attempt to taint the past exhibit of the 2014 50th. State Fair, of its show which included several exotic animals is simply a miss charatization and unfair reference to problem that doesn't exist.

Maui Fair Alliance · P.O. Box 485 · Kahului, Hawai'i 96733

"The Maui Fair is an alliance of our community with family oriented programs that are innovative, entertaining and fun. We perpetuate the traditions, values and culture of our generations through participation by all."

The proposed measure goes on to create an exemption for any Association of Zoo and Aquariums (AZA facility such as i.e. the Honolulu Zoo) or the Global Federation of Animal Sanctuaries (GFAS facility such as i.e. Three Ring Ranch on the Island of Hawaii) so it's ok for them to import or show exotic animals but not for E. K. Fernandez Shows to do so, this seems unfair and wrong to single out a legitimate business with an untarnished record of performance.

Prior to my serving as a colleague with you in the Legislature, I served as the Maui Member of the Board of Agriculture for four years, during that time I was personally involved in several review and approval requests of import permits of any wild or exotic animals, I can assure you that the Department of Agriculture has the existing safeguards and procedures in place currently and therefore I find this proposed measure unnecessary. Please do not pass this proposed measure from your committee for the reasons I have provided above, thank you for this opportunity to share our concerns, should you have any further questions please feel free to contact me.

Best wishes for a productive Session;



Avery B. Chumbley
President, Maui Fair Alliance

ENTERTAINMENT, INC.

To: Representative Angus McKelvey, Chair
Consumer Protection and Commerce Committee
Room 325

From: Thomas L. Albert, Feld Entertainment, Inc.

We are writing to express our strong opposition to recently introduced legislation, House Bill 1012, which prohibits the display or performance of wild or exotic animals, unless the animal is physically present in Hawaii for more than 300 days prior to the display or performance. A ban on the use of wild or exotic animals in traveling performances is unnecessary and unreasonably restrictive. If enacted, this legislation would prevent lawful, state and federally regulated exhibitors like *Ringling Bros.* as well as television and film productions from being able to conduct business in the state. It is in effect a ban on out of state circuses and other traveling exhibitors that we believe is not supported by science and may in fact be unconstitutional.

Ringling Bros. is the oldest and largest traveling exhibitor of live animals in the United States, currently consisting of three separate circus units that include Asian elephants, big cats (lions, tigers, leopards) and a variety of other exotic and domestic animals. With over 145 years of experience working with animals, we have an extensive practical and scientific knowledge of animal behavior, social structure, and veterinary needs. We are committed to providing to each of our animals the highest standards of care in all respects, as demonstrated by the level of resources and time that we devote to their proper handling, training and veterinary care.

Our team of full-time veterinarians, veterinary technicians and animal caregivers oversee all aspects of the animals' care and well-being. Several of our veterinarians are board certified in various disciplines and together, they possess over 75 years of exotic animal medicine experience. We also have on-call veterinarians in every city that we visit, and many of these are zoo vets with years of exotic animal medicine experience.

None of the activities or techniques seen in *Ringling Bros.* shows or used during training and exercise are stressful or physically harmful to the animals, and they are only conducted by experienced professionals. In fact, some of the trained movements you see in performances are critical to providing optimal husbandry and veterinary care. In short, we pride ourselves on the excellent care that all of our animals receive and the fact that they are healthy, thriving, vigorous and safe.

H.B. 1012 is Unnecessary and Discriminatory

There are multiple layers of laws and regulations already in place that govern the safe and humane display and management of exotic animals. The Animal Welfare Act (AWA), which was signed into law in 1966, regulates the treatment of animals in research, exhibition, transport, commerce, and by dealers. The United States Department of Agriculture (USDA) licenses circuses, zoos, and other animal facilities in accordance with the AWA. AWA regulations are comprehensive and address such topics as the animals' traveling facilities, food, watering, ambient temperatures, public and animal safety standards and other regulatory oversight.

All USDA licensed exhibitors, including zoos and circuses are open to regular, unannounced inspections by the agency, and USDA frequently inspects licensed exhibitors to ensure they comply with AWA regulations and animal care standards. These are the same rules and requirements that are applied to zoos.

Ringling Bros. operates under a Class "C" Exhibitor License issued by the USDA Animal Plant Health Inspection Service (APHIS) under the AWA. As such, *Ringling Bros.*, like other licensed exhibitors, is subject to unannounced inspections by APHIS to ensure compliance with the AWA and its regulations. *Ringling Bros.* is also inspected at the state and/or local level in most of the cities it visits, totally around 60 to 70 inspections each year.

Traveling exhibitors are often required to obtain permits through a specific state department and/or local animal control authority and are subject to inspections conducted by these state and local agencies. For example, circuses and other animal exhibitors, including film and television producers, that import animals to Hawaii must first obtain a permit and are strictly regulated by the Department of Agriculture. In fact, the Department recently declined to act on a petition from animal rights groups to amend its import rules that would effectively ban circuses and other animal exhibitors. In short, the regulatory system that is already in place ensures that circuses and other animal exhibitors have the appropriate qualifications and facilities to safely and properly care for exotic animals.

By applying the prohibition of displays and performances of wild and exotic animals only to traveling and out-of-state displays and performances, H.B. 1012 unreasonably discriminates

against entities such as *Ringling Bros.* and other traveling exhibitors who conduct business in Hawaii. It does so without demonstrating any connection between the stated objective of ensuring animal welfare and public safety and whether an exhibitor is more or less a permanent resident of the state. It also provides for exceptions for exhibitors who are accredited by certain associations. However, neither of these organizations has accreditation standards for traveling exhibitors thus making the exception both illusory and discriminatory. There is no rational basis for this uneven and unfair application of the bill's prohibitions and as a result, we believe it constitutionally suspect.

Many of the arguments put forward in support of such legislation emanate from animal rights groups such as People for the Ethical Treatment of Animals (PETA) and the Humane Society of the United States (HSUS). Such groups advocate for legislation such as H.B. 1012 in an effort to further a political agenda that would eliminate nearly all human-animal interactions, not just circuses and zoos. These animal activist groups seek to advance their radical agenda in other ways including in the courts. *Ringling Bros.* recently prevailed in a case in which various animal rights organizations attacked the treatment of elephants. That case, which the court found to be "groundless and unreasonable from its inception," was decided in our favor and the result was affirmed twice on appeal. Ultimately the various plaintiffs, including HSUS, collectively paid *Ringling Bros.* more than \$25 million to settle the litigation they initiated. We think that is relevant to the credibility of the information you may hear from such groups about *Ringling Bros.* and other exhibitors.

Scientific Evidence in Support of Traveling Animal Exhibitions

H.B. 1012 would ban only out-of-state and traveling animal exhibitors despite the fact that there is no scientific basis to support the idea that the act of traveling is adverse to the welfare of animals. In fact, USDA-funded research on traveling circus animals showed that the welfare of animals in circuses is enhanced because of the added stimuli and sources of variation in routine. The consortium of researchers led by Dr. Ted Friend, a professor of Animal Science at Texas A&M University and a Diplomate of the American College of Applied Behavior Sciences, concluded that **"circuses are not inherently detrimental to the welfare of elephants and large cats. In fact, when we apply the traditional measures of animal welfare (health, reproduction, physical condition, longevity) to circus elephants and big cats, circuses are superior to zoos and sanctuaries."**

Independent experts confirmed in a report published in 2007 in the United Kingdom that a review of scientific evidence regarding animal welfare did not justify a government ban on animals presented in circuses (at the time, U.K. circuses included camels, crocodiles, elephants, kangaroo, llamas, lions, reindeer, snakes, tigers and zebras). The report stated, "there appears to be little evidence to demonstrate that the welfare of animals kept in travelling circuses is any better or worse than that of animals in other captive environments." A list of these and additional reports of scientific evidence regarding animal welfare in traveling exhibitions is attached for reference.

Traveling, performing animals often live longer than their wild or zoo counterparts, due in part to their active and enriched lifestyle, which include regular exercise and interaction with

other animals and humans. In fact, the longest living elephant in captivity in the western world is a retired circus animal in North America. Regular veterinary care, grooming and good nutrition also play an important role to the increased lifespan of traveling performance animals. Thus, a ban on traveling exhibitors of wild and exotic animals is baseless from animal welfare perspective.

Traveling Exhibitions Further the Conservation of Endangered Species

Circuses and other traveling exhibitors contribute to public awareness of exotic animals and the challenges they face and the need to support conservation. Independent studies have shown that the opportunity to see endangered animals up close in a circus or zoo raises understanding of the need to conserve the species. Furthermore, veterinary, behavioral and other scientific information learned from circus animals helps scientists and conservationists make decisions that protect the species in the wild. Thus, the public exhibition of animals in circuses is a crucial aspect of conservation education about endangered species.

The *Ringling Bros.* herd of 40+ Asian elephants is the largest in the Western Hemisphere, with less than 20 actively traveling and performing at any time on our various circus units. The majority are cared for at the *Ringling Bros. Center for Elephant Conservation* in central Florida, which is home to our Asian elephant breeding program (24 births since 1992 or about 35% of all births in the United States). This program is critical given that the Asian elephant is a highly endangered species, with less than 35,000 left in the world. The *CEC* is completely funded by *Ringling Bros.* with a portion of every circus ticket sold going to support our efforts to care for and preserve Asian elephants here and around the world.

Like, *Ringling Bros.* many other circuses and animal exhibitors help conserve and protect endangered species by contributing in-kind and financial support to endangered species conservation projects. By prohibiting *Ringling Bros.* and other traveling animal exhibitors from displaying wild and exotic animals in Hawaii, H.B. 1012 would undoubtedly decrease both the source of support and public awareness in the conservation of endangered species.

Conclusion

By prohibiting out of state exhibitors with performing wild and exotic animals from visiting Hawaii, H.B. 1012 would do nothing to enhance or ensure the welfare of those animals. It would however ensure that residents of Hawaii will have little or no opportunity to view such animals and to enjoy the family-friendly entertainment that circuses provide. It is well-established that the opportunity to see these wild and exotic animals first-hand is a crucial aspect of conservation education and significantly contributes to the public's awareness of and interest in preserving these magnificent animals. There is no substitute for the live experience – it cannot be equaled or recreated by looking at a photo or video of an animal.

For these reasons, we respectfully oppose H.B. 1012.

cc: House Consumer Protection and Commerce Committee Members

Scientific Evidence Regarding Animal Welfare in Traveling Exhibitions

In a 2007 report commissioned by the government of the United Kingdom independent experts confirmed that a review of scientific evidence regarding animal welfare did not justify a government ban on various exotic species being presented in circuses. The report stated, "there appears to be little evidence to demonstrate that the welfare of animals kept in travelling circuses is any better or worse than that of animals in other captive environments."

Friend, T. H. and Bushong, D. 1996. Abstract. Stereotypic behavior in circus elephants and the effect of "anticipation" of feeding, watering and performing. Proceedings of the 30th International Congress of the International Society for Applied Ethology 14-17 August 1996, Guelph, Ontario, Canada.

Friend, T. H. 1999. Behavior of picketed circus elephants. *Appl. Anim. Behav. Sci.* 62:73-88.

Friend, T. H. and M. L. Parker. 1999. The effect of penning versus picketing on stereotypic behavior of circus elephants. *Appl. Anim. Behav. Sci.* 64:213-225.

Gruber, T. M., T. H. Friend, J. M. Gardner, J. M. Packard, B. Beaver, and D. Bushong. 2000. Variation in stereotypic behavior related to restraint in circus elephants. *Zoo Biology* 19:209-221.

Toscano, M. J., T. H. Friend and C. H. Nevill. 2001 Environmental conditions and body temperature of circus elephants transported during relatively high and low temperature conditions. *J. Elephant Managers Association* 12:115-149.

Nevill, C. H. and T. H. Friend. 2003. The behavior of circus tigers during transport. *Appl. Anim. Behav. Sci.* 82:329-337.

Williams, J. L. and T. H. Friend. 2003. Behavior of circus elephants during transport. *J. Elephant Managers Association* 14:8-11.

Nevill, C. H., T. H. Friend and M. J. Toscano. 2004. Survey of transport environments of circus tiger (*Panthera Tigris*) acts. *J. Zoo and Wildlife Medicine* 35:167-174.

Nevill, C. H. and T. H. Friend. 2006. A preliminary study on the effects of limited access to an exercise pen on stereotypic pacing in circus tigers. *Appl. Anim. Behav. Sci.* 101:355-361.

Krawczel, P.D., T.H. Friend and A. Windom. 2006. Stereotypic behavior of circus tigers: Effects of performance. *Appl. Anim. Behav. Sci.* 95:189-198.

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 07, 2015 7:16 PM
To: CPCtestimony
Cc: alicesaul@hawaii.rr.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

HB1012

Submitted on: 2/7/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Alice Saul	Individual	Support	No

Comments: Dear Representatives on the House Committee on Commerce and Consumer Protection: I am writing to urge that you vote in support of HB1012 which seeks to prohibit the import of dangerous wild animals (e.g., lions, tigers, bears, elephants) for fairs and circuses. In the interest of animal welfare and public health and safety, Hawaii should prohibit these unnecessary "entertainment" acts. Thank you. Aloha.

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woodson2-Rachel

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 8:46 AM
To: CPCtestimony
Cc: kaiya_k@hotmail.com
Subject: *Submitted testimony for HB1012 on Feb 11, 2015 14:30PM*

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Chelsea Kentris	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2015 8:44 AM
To: CPCtestimony
Cc: bleeoda@gmail.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

HB1012

Submitted on: 2/9/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bonnie Oda	Individual	Support	No

Comments: Wild animals who are shipped to Hawaii for entertainment are forced to endure cramped quarters for their entire trip. Being required to bear such conditions is stressful and can cause unpredictable behavior in the animal. These creatures are not domestic and should not be treated as pets. Please amend to make this bill an outright ban on the importation of wild and exotic animals instead of requiring a 300-day rest.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 1:45 PM
To: CPCtestimony
Cc: bcraven@lanihau.net
Subject: *Submitted testimony for HB1012 on Feb 11, 2015 14:30PM*

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
britt craven	Individual	Oppose	No

Comments:

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From: Elizabeth Buff <ekbuff5@gmail.com>
Sent: Monday, February 09, 2015 6:48 PM
To: CPCtestimony
Subject: Testimony in Support of HB1012

I am writing to express my support of HB1012, which would prohibit the import of wild animals in Hawaii for use in circuses, fairs, and similar events. Not only are such events known to be cruel and inhumane for animals, the unnatural situations cause extreme stress and unpredictable behavior. Sometimes this causes animals to act out, such as in the very sad case of Tyke the elephant.

We do not need wild animals for our entertainment. It is time to put a stop to such events. Please support HB1012 in order to protect these poor animals from Tyke's fate, and to protect Hawaii's citizens from similar incidents.

--

Very Respectfully,

Elizabeth K. Buff
(916) 832-7555
Kailua, HI

"Unless someone like you cares a whole awful lot, nothing is going to get better. It's not."

From: owlit1@gmail.com
Sent: Monday, February 09, 2015 9:02 AM
To: CPCtestimony
Subject: I support HB 1012

I support - [HB1012](#) to prohibit the import of dangerous wild animals (e.g., lions, tigers, bears, elephants) for fairs and circuses, will be heard on Wednesday, **February 11th at 230pm** before the House Committee on Commerce and Consumer Protection.

I remember the one and only time I went to the circus in Honolulu and how sad it made me feel, even to this day on what I saw. The lions were made to perform under the threat of a cracking whip (threat of being hit) to do things they were obviously not enjoying to do, like jumping into fire rings. No animal or human would have any sense to jump into harms way, as those animals were made to do. In those days, words of "animal abuse" or "animal cruelty" were rarely said if ever said. But it was clear to me that it was wrong on what these animals were made to do, and how they were treated.

Then the elephants came in the ring and they too were under pressure to perform and again as a child and even now thinking about it was not a joyful experience. I vowed never to go to a circus again, it was a sad place because animals were not happy, made to do things completely out of character as a species, confined to small kennels, or chained by their leg.

As humans, it is quite selfish and ignorant to use the word "entertainment" when it is pure exploitation against animals rights?

Frannie Pueo (808) 769-1128
P.O. Box 943
Mt. View, Hi 96771

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2015 12:51 PM
To: CPCtestimony
Cc: h_jahanmir@yahoo.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

HB1012

Submitted on: 2/9/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Hamid Jahanmir	Individual	Support	No

Comments: Strongly support! Animals are innocent and have no voice. They should not be exploited for any reasons especially for economic reason.

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From: Jennifer Chiwa <bjcmd808@gmail.com>
Sent: Monday, February 09, 2015 11:00 PM
To: CPCtestimony
Subject: Support of HB 1012 for CPC Hearing 02-11-15, 2:30 pm

Aloha, Members of the Consumer Protection and Commerce Committee. Please support HB 1012 which prohibits the display or performance of wild or exotic animals for commercial purposes. Wild or exotic animals should remain in their natural environment, and should not be trained and continually transported for the amusement of humans. Furthermore, treating wild or exotic animals in this manner can lead to these animals feeling stressed which can then be a danger to public safety. For both animal welfare and public safety, again, please support HB 1012. Thank you.
Jennifer Chiwa

Date: February 10, 2015

To: Honorable Angus L.K. McKelvey, Chair
Honorable Justin H. Woodson, Vice Chair
and Committee Members

House of Representatives
Committee on Consumer Protection and Commerce

Submitted by: Jocelyn Bouchard

Re: Support HB 1012
Relating to Animals

Dear Honorable Chair McKelvey, Vice-Chair Woodson and Committee Members,

Although I am a staff member of the Hawaiian Humane Society this bill is important to me as a Hawaii resident and I am submitting this testimony in that capacity.

I strongly support this bill and am concerned both for the animals and the public if wild animals are continued to be allowed entry into the state for entertainment purposes. Not only is the trip to Hawaii stressful both mentally and physically for the animals this stress can result in unpredictable behaviors increasing the possibility of accidents like the one that occurred in 1994 with Tyke. When these accidents happen not only is the public at risk but the animal itself is generally killed as a result.

I would support an amendment to the existing language in the bill creating an outright ban on the importation of these animals rather than requiring a 30 day rest. However I support this bill with or without the amendment.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Jocelyn Bouchard', written in a cursive style.

Jocelyn Bouchard

From: hawaiidogmom@gmail.com
Sent: Saturday, February 07, 2015 2:42 PM
To: CPCtestimony
Cc: SMCLAUGHLIN808@GMAIL.COM; Emma McRae; Hanna Forsten
Subject: SUPPORT FOR HB1012

Hawaii should prohibit the import of dangerous wild animals (e.g., lions, tigers, bears, elephants) for fairs and circuses. I was living in Hawaii in August of 1994 when Tyke the poor circus elephant was riddled with 87 bullets in the public streets of Honolulu. She was bleeding to death in front of many young children and was finally put out of her misery by a vet from the Honolulu zoo who arrived too late on the scene for her to be sedated. Instead, Tyke had to be euthanized. Tyke had been kidnapped as a baby elephant in Africa and witnessed the murder of her mother and family relatives. Then she was forced into slavery in the United States and tortured to perform unnatural acts in the circus, all in the name of "entertainment." Elephants in circuses are tortured with painful bull hooks and electric rods to make them perform stupid and unnatural acts for the amusement of humans. Hawaii should have no part in this. Tyke did not have to die at the hands of an off duty policeman. Hundreds of children watched in horror as Tyke was gunned down. Don't let this ever happen again! You can assure this doesn't happen again in Hawaii by passing HB1012. I am a public school teacher at Moanalua High School and I have had students in my classroom who remember witnessing Tyke being gunned down when they were small children and they have never forgotten it. Sincerely, Stephanie McLaughlin, 95-310 Haakualiki Place, Mililani, Hawaii, 96789, phone 808-3844764

Sent from Windows Mail

woodson2-Rachel

From: Jeanne Bennett <enchantedeartharts@hawaii.rr.com>
Sent: Sunday, February 08, 2015 11:34 AM
To: CPCtestimony
Subject: Support HB2012

I can't imagine a humane life for any dangerous animals anymore in private ownership We as a society have moved past that Even zoos and refuges don't always do a good job of giving life quality to captive animals

Sent from my iPhone

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2015 3:55 PM
To: CPCtestimony
Cc: judithp@hawaii.edu
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

HB1012

Submitted on: 2/9/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Judith Pettibone	Individual	Support	No

Comments: I support HB 1012 relating to the Exhibition of wild and Exotic animals in Hawaii. I believe it is dangerous for humans and demeaning and cruel to the animals to have to travel the long distance to Hawaii. It serves no educational purpose unless the animal will be in a zoo and currently our zoo is not in a good state to receive new animals. The entertainment value is dubious due to the unfamiliar conditions for the animal. Please pass this HB 1012 and stop this example of cruelty to animals. Thank YOU

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woodson2-Rachel

From: Margaret Sueoka <feathers03@me.com>
Sent: Saturday, February 07, 2015 1:41 PM
To: CPCtestimony
Subject: HB1012

Please prohibit the importation of dangerous wild animals into Hawaii.

Thank you,
Margaret Hanson
6295 Oloheua Road
Kapaa, HI 96746

From: Laurie Pottish <pottishl001@hawaii.rr.com>
Sent: Sunday, February 08, 2015 3:21 PM
To: CPCtestimony
Subject: HB1012

Aloha:

I support the passage of HB1012 to prohibit the import of dangerous wild animals (e.g., lions, tigers, bears, elephants) for fairs and circuses. In the interest of animal welfare and public health and safety, Hawaii should prohibit these unnecessary "entertainment" acts.

Sincerely,

Laurie Pottish
Maui, HI 96768

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2015 9:04 AM
To: CPCtestimony
Cc: Tigerlily@hawaii.rr.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

HB1012

Submitted on: 2/9/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Eubank	Individual	Support	No

Comments: Please stop the practice of using and displaying, and exploiting animals..Exotic and all other beautiful creatures..Thank you. Susan Eubank

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From: Mary Markl <ahimsamary99999@gmail.com>
Sent: Monday, February 09, 2015 8:53 PM
To: CPCtestimony
Subject: HB1012

Please support this bill. When Tyke got out Tyke was not the problem. It was the people who were not sensitive to Tyke's nature. He was in a pressure cooker type situation and couldn't take it any longer and needed to do what his nature naturally needed, space and roaming. It was the people responsible fault who need to take in account what these creatures need. They are not robots and wind up toys, they need a destiny or set up that resonates with their nature otherwise it is a type of suffocation and undignified to their nature. Imagine if we were in their place. They should not be showpieces in fairs and circuses and even in zoos need a lot of space.

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 07, 2015 4:20 PM
To: CPCtestimony
Cc: mmmmahalo2000@aol.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

HB1012

Submitted on: 2/7/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Moran	Individual	Comments Only	No

Comments: Please support this bill in your CPC committee. It is ludicrous and cruel to bring these creature here to Hawaii so some unfeeling uncaring individual can make a buck, disregarding public safty. Mahalo, Mike Moran on Maui

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woodson2-Rachel

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2015 11:34 AM
To: CPCtestimony
Cc: natkd85@gmail.com
Subject: *Submitted testimony for HB1012 on Feb 11, 2015 14:30PM*

HB1012

Submitted on: 2/9/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Natalie Cady	Individual	Support	No

Comments:

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woodson2-Rachel

From: Priscilla Grunauer <grunauer@hawaii.edu>
Sent: Monday, February 09, 2015 6:38 AM
To: CPCtestimony

Support for HB1012

From: Rosemary Karlsson <rosemarykarlsson@gmail.com>
Sent: Saturday, February 07, 2015 12:46 PM
To: CPCtestimony
Subject: HB1012

Please pass this bill into law to **STOP** and **PROHIBIT** the use of any and all wild animals in fairs, circuses, seaquarium shows, and zoos. It is abuse.

Rosemary Karlsson
PO Box 492266
Keaau, HI 96749
16-1885 Uilani Drive, Keaau
808-966-6589

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 9:13 AM
To: CPCtestimony
Cc: sahara.friedman@gmail.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM
Attachments: Testimony.docx

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Sahara Friedman	Individual	Comments Only	No

Comments: Amend this bill to end the importation of wild and exotic animals to Hawaii completely.

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End the shipment of wild animals to Hawaii for entertainment. These living beings are forced to live in cramped quarters for their entire trip. Enduring these conditions are extremely stressful and can cause unpredictable behavior in the animal, which in turn can create harmful conditions for the people at their entertainment events (for example, Tyke the elephant's rampage at Blaisdell Arena in the 1990s). These creatures are not domestic and should not be treated as pets. Amend this bill to an outright ban on the importation of wild and exotic animals to Hawaii, instead of a 300-day rest requirement.

woodson2-Rachel

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2015 10:30 AM
To: CPCtestimony
Cc: suyin@hawaii.edu
Subject: *Submitted testimony for HB1012 on Feb 11, 2015 14:30PM*

HB1012

Submitted on: 2/9/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Suyin Phillips	Individual	Support	No

Comments:

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woodson2-Rachel

From: Tim Dow <touchdown72@gmail.com>
Sent: Saturday, February 07, 2015 1:15 PM
To: CPCtestimony
Subject: Support

Please support this bill to outlaw the importation of dangerous wild animals here in Hawaii. A situation like Tyke is not a matter of if it will happen again, but when will it happen again. It is ridiculous to have wild animals make a cross continent journey here in the first place. Please pass this bill it makes sense for animals and people alike.

Mahalo,

Tim J. Dow
Waikiki

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 12:02 PM
To: CPCtestimony
Cc: swhalen@harc-hspa.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie A Whalen	Individual	Oppose	No

Comments: I strongly oppose this proposed legislation. The current system whereby the HDOA issues permits for these types of events is the best solution to control inappropriate exhibits and events. This was a problem but has been dealt with effectively. Please do not support this proposed measure. Thank you for the opportunity to provide input.

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woodson2-Rachel

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 07, 2015 2:59 PM
To: CPCtestimony
Cc: zojing@aol.com
Subject: *Submitted testimony for HB1012 on Feb 11, 2015 14:30PM*

HB1012

Submitted on: 2/7/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Zojing Wong	Individual	Support	No

Comments:

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TO: Honorable Chair McKelvey, Vice-Chair Woodson and Committee Members

House Consumer Protection and Commerce Committee, 2-11-15, 230pm

SUBMITTED BY: Heather Dawn Rally, DVM. 2560 Hunakai St. Kihei, HI. 96753
hdrally@dvm.com | 310.309.9041

RE: SUPPORT for HB 1012; Relating to Exhibition of Wild or Exotic Animals

My name is Dr. Heather Rally. I am a veterinarian currently working with captive exotic wildlife. I am submitting this written testimony in support of HB 1012, and I thank you for your attention to this important subject matter.

As a veterinarian, much of my time and energy is spent responding to cases of animal abuse and neglect at traveling exhibits, such as circuses. I have seen it all, from the way that animals are confined and isolated to cramped cages while on the road, to the way they are “broken” from a young age and beaten into submission during training exercises. In circuses and other traveling exhibits, animals are forced to perform unnatural tricks that are not only completely devoid of educational value and can actually be detrimental to education, but that also require inhumane training techniques that can result in serious long-term health consequences for the animals.

Elephants in the circus are ripped traumatically from their mothers at an early age and subjected to physical and psychological abuse in order to “break their spirits” and strip them of any shred of free-will. Circuses claim that this type of training is necessary to establish dominance and make the animal “safe” to work with. However, apart from being completely inhumane, there is another fatal flaw in this argument. It’s important to understand that, although wild animals may become habituated to people, they can never be domesticated. They retain their wild nature. They are also intelligent and capable of feeling pain in exactly the same way that you do, and I am talking about both physical and psychological pain. When subjected to a life of chronic deprivation and abuse, these animals experience daily frustration, and eventual desperation, that can be deadly.

Honolulu has had first-hand experience with this sort of tragic outcome. Over 20 years ago, an elephant named Tyke attacked and fatally crushed her trainer to death on stage at the Blaisdell center and proceeded to rampage through the streets of Honolulu. After being shot at by police 86 times in 30 minutes, she collapsed, but she did not die. A lethal injection was administered, and that also failed, so Tyke was shot three more times in order to end her life. This is not an isolated incident, as the circus would have you believe. Animal aggression is *commonplace* in traveling exhibits because animals are under chronic stress and often ailing from other diseases as a result of captivity. Across the board, elephants used in the circus die prematurely, usually as the result early-onset osteoarthritis and foot abscesses. Tigers suffer from chronic and painful foot sores, osteodystrophy from nutritional deficiencies, and declawing procedures that often leave them crippled. Bears used in traveling acts suffer from dental disease and severe spinal osteoarthritis. No matter the species, traveling exhibits

cannot provide the environment necessary to meet even the animal's most basic physical and psychological needs, which results in immense suffering.

In addition to the aforementioned animal welfare and public safety concerns, transporting exotic captive wildlife across Hawaiian borders comes with considerable risk to both wild and domestic animals, as well as to public health. Hawaii rightfully has strict importation regulations due to the inherent fragility of the native ecosystem and potentially devastating impact of the inadvertent introduction of foreign pathogens. Rabies and tuberculosis are two particularly concerning diseases that can cause illness and even death in people. However, there are a variety of other animal pathogens potentially carried by wild animals in traveling exhibits that can cause significant economic loss to livestock and can be devastating to native wildlife. By virtue of the nature of traveling shows, wild animals in these exhibits are far more likely to be exposed to a variety of diseases and therefore are more likely to harbor and transmit disease to other animals. Animals can also develop "latent" infections, meaning that they are carrying the organism but are not showing any clinical signs of disease. This is particularly true with regard to tuberculosis, which makes it very difficult to test for and confirm the disease in circus animals. Furthermore, every disease has an incubation period during which time infected animals will not exhibit signs of disease. This means that when introducing foreign animals in traveling circuses into the state, there is *always* a risk of disease outbreak regardless of whether the animals have been tested and are supposedly disease-free.

I would like to urge you to please support HB 1012. In doing so, you are not only ensuring that no wild or exotic animals are ever again abused in traveling acts on Hawaiian soil, you are also protecting the citizens of Hawaii and safeguarding your diverse natural resources from the introduction of foreign pathogens. Everyone wins with this bill, on every level.

Thank you,

Heather Dawn Rally, DVM

A handwritten signature in black ink, appearing to read "Heather Dawn Rally", with a stylized flourish at the end.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 1:09 PM
To: CPCtestimony
Cc: kkoss@hawaiianhumane.org
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM
Attachments: HB1012.docx

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen	Individual	Comments Only	No

Comments: I strongly support this bill. Wild animals should never be treated as pets and can be extremely dangerous. When accidents happen the trainers and the public always blame the animal, which then is often put down as a result. Wild animals endure stress from long periods of travel, especially overseas to Hawaii. Please think about the life of these animals.

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LATE

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Angus L.K. McKelvey, Chair

Rep. Justin H. Woodson, Vice Chair

Hearing: Wednesday, Feb. 11, 2015

Hawai'i State Capitol

Conference Room 325

HB1012

Position: support with suggested amendments

There have been nearly 130 incidents of elephant attacks in the US since Tyke, the African elephant was shot 87 times by HPD after escaping from the circus in August, 1994.

The inadequacy of state oversight of exotic animals demonstrates that the health and well being of Hawai'i's residents cannot depend upon the current rules of the DoA. The "Grizzly Experience," which was featured at the 50th State Fair this past summer, had allowed a bear to escape in Florida and remain at large for three days before being found by wildlife officers.

DoA has also issued permits for performing chimpanzees, tigers, diving mules and an alligator wrestling act- all of which had records of prior violations of federal law. In fact, Tim Rivers, owner of the diving mule act, was later convicted of shooting big cats in their cages and selling their skins (violation of the federal Endangered Species Act) and served time in federal prison in Missouri. In 2012 the same alligator show that appeared twice in Hawai'i was filmed and shown on the internet in which a wrestler was attacked by an alligator and had to be rescued.

The human health issues of tuberculosis, hemorrhagic viruses and rabies are serious zoonotic diseases that have been linked to elephants, non human primates and big cats. Prudence should dictate closing any loopholes. Protection for the public and the animals needs to be codified in law.

We suggest the removal of the 300 day residence language p. 3 (line 5) and we ask that also on p. 3 (line 7) the word "perform" be deleted since true animal sanctuaries do not engage in forcing their animals to perform.

Cathy Goeggel
President



LATE

February 11, 2015

Honorable Angus L.K. McKelvey
Representative State Of Hawaii
Hawaii State Capitol
Honolulu, Hawaii

RE: HB 1012 Relating to Exhibition of Wild or Exotic Animals

Chairman McKelvey and Committee members:

My name is Scott Fernandez President of E.K. Fernandez Shows, a third-generation Hawaiian company celebrating its 112th year in business. Our company has been entertaining local families here in the Islands since 1903, when Hawaii was a Territory. I am here to voice our strong opposition to HB 1012. This measure is targeted directly at E.K. Fernandez Shows, aimed at preventing our company from the display of exotic animals, which we have been doing without incident for over a century.

There are adequate laws and regulations currently on the books and being enforced. The HSUS misleads those to believe that those facilities possessing either a (AZA) Association of Zoos and Aquariums or (GFAS) accreditation are more highly regulated or scrutinized than other animal exhibitors, when in fact all animal exhibitors including the Honolulu Zoo are regulated by the Animal Welfare Act passed by Congress in 1966. The act is enforced by the USDA (United States Department of Agriculture), a Federal Agency with statutory authority. All 2800 animal exhibitors in the USA must renew their Class C licenses annually, and are inspected annually by the USDA. In contrast AZA accredited facilities are inspected by that organization once every 5 years. Neither the Association of Zoos and Aquariums, nor the Humane Society of the United States, or the GFAS have any standing in law.

On a local level, the Hawaii Department of Agriculture requires an animal import permit application be submitted with very specific, detailed information about the animal exhibitor. In addition, the Department requires all applicants to post a bond for each animal and to abide by the conditions under which they would grant the import permit. Each animal must have a current health certificate signed by a licensed veterinarian, and the owner of the animal act must have and submit a current USDA license. And lastly, the applicant must agree to be responsible for the animals while in Hawaii. This financial liability alone is the reason so few apply for the permit, and so few are given. Additionally, the Department isn't required to issue a permit.

HSUS references the escape and subsequent death of the elephant named Tyke. I don't believe anyone could fault any agencies in the state or city for allowing anyone other than E. K. Fernandez Shows the right to import restricted animals. Until this event, it was assumed that other organizations would apply the same level of care and due diligence as E. K. Fernandez Shows. HSUS attempt to link our company to this terrible event by association speaks directly to their tactics

Until this past October, I was unfamiliar with the Humane Society of the United States and what their mission and organizational goals were. The most logical path was to find out where they spent their money.

An examination of their 2013 tax return (the most recent available) reveals that although they took in more than \$130 million in revenues, very little went to local pet shelters. Of its \$130 million in revenues, HSUS gave less than \$10,000 to help local pet shelter in 29 states. Shelters in nine states – Alaska, Arkansas, Connecticut, Delaware, Iowa, Nebraska, Nevada, Rhode Island, and Utah – **didn't receive a single dime from HSUS**. Only 1% of HSUS' budget goes to local pet shelters. However, they do seem to spend most of their donations on themselves.

- In the past two years, HSUS has put \$50 million into **Caribbean tax shelters instead of pet shelters**.
- HSUS paid more than \$14 million to settle a **federal RICO lawsuit** brought against it and its in-house lawyers in connection with a fraudulent action it brought against Ringling Brothers circuses
- HSUS' CEO and President, Wayne Pacelle, received more than \$400,000 in total compensation while the rest of the staff pulled in nearly \$44 million more.

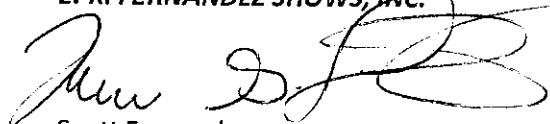
In contrast to HSUS dubious endeavors, E. K. Fernandez Shows donates and generates hundreds of thousands of dollars to local schools and numerous nonprofit groups on all the Islands we serve each year. The entities which benefit directly from our events are too numerous to list but include schools, churches, military organization, football, baseball, and volleyball teams, hula halaus, local Jaycee chapters and clubs.

E. K. Fernandez Shows is run by a long time kama'aina family invested in all of the island communities, and we deserve to be judged on our results and not the agenda of some self-serving mainland entity. Our history of transporting, housing, and presenting animal acts safely to the people of Hawaii spanning three generations and more than a century stands on its own. There is no other state in the nation that prohibits the importation of exotic animals for exhibition purposes, and Hawaii should not be the first. Considering the facts and the economic harm this bill would bring to E. K. Fernandez Shows, today I ask you to kill this bill and any others like it in the future; to do otherwise isn't PONO.

Thank you for your time and attention to this important matter.

Sincerely,

E. K. FERNANDEZ SHOWS, INC.

A handwritten signature in black ink, appearing to read 'Scott Fernandez', written over a horizontal line.

Scott Fernandez
President

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 4:18 PM
To: CPCtestimony
Cc: alexander.c.seymour@gmail.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Alexander Seymour	Individual	Oppose	No

Comments: I support the educational benefits of accredited zoos and aquariums and feel that this bill would hinder those efforts down the road.

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woodson2-Rachel

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 2:41 PM
To: CPCtestimony
Cc: afrancokaupo@gmail.com
Subject: *Submitted testimony for HB1012 on Feb 11, 2015 14:30PM*

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Franco	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 4:25 PM
To: CPCtestimony
Cc: austin.allen@duke.edu
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Austin Allen	Individual	Oppose	No

Comments: As someone who has previously worked in Hawaii for several years, I support accredited zoological organizations. I've worked with many researchers in the field who depend on the talented zoo and aquarium staff, as well as the substantial funds provided for research. Some of this research can only be obtained by studying animals under human care, and has direct and vital impacts on conserving wild populations. I'm currently pursuing a graduate degree in marine conservation, due in a large part to the inspiration and connections I made with wildlife at accredited zoos and aquariums.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 4:21 PM
To: CPCtestimony
Cc: jasonmoniz73@gmail.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jason D. Moniz, D.V.M.	Individual	Oppose	No

Comments: I am opposed to this Bill. Animal exhibits at fairs have improved significantly over the years. Many today are educational in nature and provide residents an opportunity to view and learn about animals they would otherwise never see because of their inability to afford trips to large Mainland zoos or natural reserves. I have direct knowledge of and have participated with putting safeguards in place to prevent diseases such as those discussed in the preamble from entering the State. In fact I have to say that much of the information presented in the preamble is exaggerated. inaccurate and misleading and no law should be based on that type of information. I feel confident that boards and regulatory agencies already in place dealing with regulating wild animal exhibits are doing an adequate job in safeguarding the animal's and public's welfare.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 7:09 PM
To: CPCtestimony
Cc: kashkale@yahoo.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

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HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Maurice Fernandez	Individual	Support	No

Comments: There is no use for Animals in circuses. I support the ban of these practices.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 2:48 PM
To: CPCtestimony
Cc: lynnpuuff1@aol.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

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HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Miclea	Individual	Support	No

Comments: All wild animals, especially elephants, are intelligent, sentient, feeling, caring, loving, family-oriented, amazing creatures. They should be safe and protected rather than abused and tortured and forced to perform for our entertainment. We have no right to torture these beautiful creatures, and it is well known and documented that they are tortured in order to force them to perform. This is unconscionable and must be stopped. I applaud the efforts to stop this horrific abuse – we must end the use of all wild animals in circuses, and these beautiful creatures should be brought to sanctuaries to recover from their pain and abuse. These beautiful animals do not belong in circuses, they are not here for abuse or our entertainment, they must be allowed to be free and to live their lives in peace, just as we would want for ourselves. Please pass this bill - we must use our intelligence, heart, and humanity to do the right thing with our fellow creatures. They have no one to speak for them but us, and they deserve to be freed from our inhumane treatment and cruel torture. Thank you.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 5:28 PM
To: CPCtestimony
Cc: siegfried@susqu.edu
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM
Attachments: House Bill 1012.docx

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel	Individual	Support	No

Comments:

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House Bill 1012

I am writing in support of Bill 1012 Relating to the Exhibition of Wild and Exotic Animals. This is a very smart and humane bill that feels overdue in Hawaii. The stress that an animal endures on the trip across seas is something owners do not even put their beloved dog or cat through. Furthermore, a companion animal would have first class travel accommodations compared to what trained wild animals for entertainment are given. This stress and poor treatment leads to anxiety and unpredictable behaviors in circus animals. This puts both trainers and viewers in direct risk of injury- or worse.

When accidents do happen, the wild animal is blamed and more often than not killed as a result. More evidence in support of this bill is readily available, but the risks are so high it seems more efficient to outright ban the importation of wild and exotic animals. These once pristine islands have already seen the consequences of invasive species. To continue practices that put the islands at an even greater risk feels like taking five steps back while the public and its government work to preserve and sustain our lands.

I hope that the above information and great support for this bill proves it is the right direction to take in protecting Hawaii, its people, and setting an example for the rest of the world when it comes to humane practices.

Thank you.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 4:21 PM
To: CPCtestimony
Cc: hafford55@gmail.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Heather L Afford	Individual	Oppose	No

Comments: I support learning about wildlife in zoological settings that are properly cared for through accredited zoos and aquariums.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 3:24 PM
To: CPCtestimony
Cc: msabet@bellsouth.net
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mitra Sabet	Individual	Comments Only	No

Comments: Please ban use of WILD ANIMALS IN CIRCUSES. Animals deserve better and should be left alone. Thank you for your help in this matter. Mitra Sabet

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 6:43 PM
To: CPCtestimony
Cc: sherrie@hawaiiantel.net
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Sherrie Moore	Individual	Support	No

Comments: Please support the measure to ban animals in circuses from the State of Hawaii. There is overwhelming evidence that circus animals are abused in training and kept in deplorable conditions. Mahalo.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 5:34 PM
To: CPCtestimony
Cc: vquest25@aol.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Andreo	Individual	Comments Only	No

Comments: I support this bill 100%. Wild animals should never be forced to perform unnatural stunts and tricks in the name of entertainment. They have been stolen from their natural homes and beaten into submission. They spend most of their lives in tiny cages or chained for over 20 hours a day. They are forced into box cars for days at a time.. Their lives are nothing short miserable. They would much rather be dead than lead the life of an animal used and abused for entertainment. HB2012 must be passed.

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From: Barbara Steinberg <h2ocolorbarbara@gmail.com>
Sent: Wednesday, February 11, 2015 3:41 AM
To: CPCtestimony
Subject: Support HB1012 testimony

LATE

I am in support of HB1012

Prohibiting importation of dangerous wild animals for fairs and circuses including lions, tigers, bears and elephants. In the interest of animal welfare and public safety and unnecessary entertainment acts , I support HB1012

I teach children in Maui through Maui Parks & Recreation Animal Kindness Art Club. The children and myself are all in support of this bill. We feel wild animals should remain wild out of kindness to them. They are not alive to use as entertainment and humiliation and cruel methods to train them is both unfair and unnecessary for their welfare.

Many cases people are injured and it is wrong to endanger people in Hawaii this way too we feel

Barbara Steinberg
Po box 1764
Kihei hi 96753

Sent from my iPhone

February 10, 2015

LATE

Gregory Nielson
PO Box 384545
Waikoloa, HI 95738

Dear members of the Hawaii Legislature,

I oppose all animal cruelty and do not support organizations that display animals where the welfare of those animals is suspect. Nevertheless, I cannot support HB1012 as it is currently written. I understand the intent of the bill, but fear the current language is too broad and could result in some unintended consequences.

It would be ideal for people to experience wild animals in their native habitat. However, most people do not have the ability to travel the world to see all of its fascinating animals. Facilities, be they zoos, aquariums, or interactive parks, that display animals provide an important message of education, conservation, and preservation. These facilities may be the only way many Hawaiians will get to see and learn about animals living throughout the world.

Therefore, I believe Chapter 711 (2) should be modified to include additional accreditation organizations besides Association of Zoos & Aquariums (AZA) and Global Federation of Animal Sanctuaries (GFAS). Please include Alliance of Marine Mammal Parks & Aquariums (AMMPA) and International Marine Animal Trainers' Association (IMATA). Facilities with these accreditations have demonstrated their commitment to animal welfare and display. They are regularly audited to ensure compliance to all applicable standards and guidelines.

As a resident of Hawaii, I encourage you to carefully consider additional accreditation organizations for exemption from this bill. Please realize that accreditation organizations such as those listed above are already working to prevent animal cruelty and abuse. Accredited facilities have proven track records in their commitment to animal welfare and display.

Sincerely,

Gregory Nielson

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 9:48 PM
To: CPCtestimony
Cc: bjsreverie@aol.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Muramaru	Individual	Oppose	No

Comments: Strongly oppose. USDA monitors standards of care. These acts travel across the country without incident. These animals are well cared for. Having animals perform as entertainment is not cruelty.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 9:42 PM
To: CPCtestimony
Cc: pgamurphy@gmail.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Timothy Murphy	Individual	Oppose	No

Comments: I am a lover of wildlife and a 20-year full-time resident of the State of Hawaii. the language written in HB 1012 I believe could have unintended consequences as it is currently written. I support our States accredited zoos and aquaria and believe the current language of HB 1012 will be misconstrued eventually which could cause irreparable harm to these centers of learning for future generations.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 11, 2015 7:05 AM
To: CPCtestimony
Cc: pocketfish84@aol.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/11/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Huber	Individual	Oppose	No

Comments: As a person who has been in the animal care profession for over 10 years, I can say that I am passionate about animal welfare and safety. I am also passionate about conservation education. The language of this bill is far to broad, and could easily shut down facilities who foster wildlife education and conservation. At its heart, this bill is well intended, but with its current language it would do far more harm than good.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 2:50 PM
To: CPCtestimony
Cc: shelleyo785@gmail.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/10/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Shelley Oldham	Individual	Support	No

Comments: I support this bill because exotic animals should not be displayed or used in this nature, as I believe it is incredibly cruel and inhumane to them. Thank you.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 11, 2015 12:46 AM
To: CPCtestimony
Cc: wislts@hotmail.com
Subject: *Submitted testimony for HB1012 on Feb 11, 2015 14:30PM*

LATE

HB1012

Submitted on: 2/11/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne Shimokawa	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 11, 2015 2:07 AM
To: CPCtestimony
Cc: vplowman@dolphinquest.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/11/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Viki Plowman	Individual	Oppose	No

Comments: I specifically OPPOSE Bill HB1012 While I am opposed to the inappropriate holding of wild animals for personal use, this proposed law will have the untended consequence of penalizing responsible and accredited aquaria, circuses, zoological institutions and interactive parks that engage in public education. The language in the bill, as written, will be used by those individuals seeking to block the movement of animals, including marine mammals, in and out of Hawaii for reproduction, education and legitimate public display in accredited facilities. Additionally, the bill's defamatory opening rhetoric is disrespectful of the high standards of animal care and wonderful work of accredited public display facilities. Please do not support this Bill. Sincerely, Vivian Strolis Plowman
Registered voter in the Commonwealth of Virginia

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 11, 2015 7:59 AM
To: CPCtestimony
Cc: octochic@clearwire.net
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/11/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
M. Benedict	Individual	Oppose	No

Comments: While I can appreciate the intention behind this bill it has missed the mark by not allowing for appropriately accredited organizations to bring education to our remote islands. There is more inhumane treatment of animals relating to horses than exotic animals yet the bill permits this activity to continue. Just one example of how the authors have missed the mark on behalf of animal welfare. Resources would be better used to vet organizations wishing to visit Hawaii and ensure proper accreditation.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 11, 2015 7:42 AM
To: CPCtestimony
Cc: danielle562@gmail.com
Subject: Submitted testimony for HB1012 on Feb 11, 2015 14:30PM

LATE

HB1012

Submitted on: 2/11/2015

Testimony for CPC on Feb 11, 2015 14:30PM in Conference Room 325

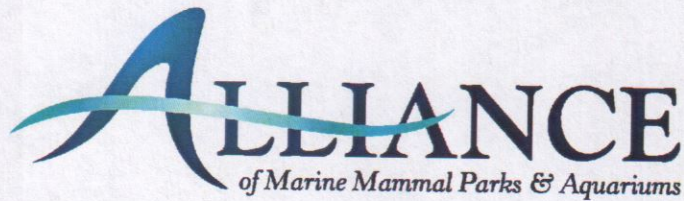
Submitted By	Organization	Testifier Position	Present at Hearing
Danielle Schiff	Individual	Oppose	No

Comments: As a former resident of Hawaii for 10 years, I am concerned about the unintended negative consequences that this bill will have on the registered, and accredited zoos, aquariums and wildlife facilities in the state. While I support the humane, responsible and regulated use of wildlife, the language of this bill will have negative effects on the ability of the responsible and legal entities within the state to manage their animal populations to maximize education, conservation and wildlife support efforts.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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LATE TESTIMONY



An international organization dedicated to conservation through public display, education, and research

February 11, 2015

The Honorable Angus L. K. McKelvey, Chair
Consumer Protection and Commerce Committee
Hawaii State Capitol, Room 320
415 S. Beretania Street
Honolulu, HI 96813

Re: Opposition to HB 1012, a bill related to the exhibition of wild and exotic animals

Dear Chairman McKelvey and Members of the Consumer Protection & Commerce Committee,

I am writing to you on behalf of the Alliance of Marine Mammal Parks & Aquariums (AMMPA), an international association and accrediting body for marine life parks, aquariums, zoos, and research institutions throughout the world. We have 60 accredited member facilities in the U.S., Mexico, Canada, Europe, Asia and elsewhere, including three in the state of Hawaii. Sixteen of our member facilities that also care for terrestrial animals are also accredited by AZA.

We appreciate and share the concern expressed in HB 1012 about the inappropriate or irresponsible display, performance or transfer of wild or exotic animals. However, as it is currently written, this bill is so overly broad that it could be inadvertently misinterpreted to apply to marine mammals. As such, it would adversely impact responsible, highly regarded institutions that are well known for their expertise and high standards of safety and animal care and their contributions to education, research and conservation--institutions such as accredited member facilities of AMMPA, three of which are located in the state of Hawaii. For this reason, we must oppose HB 1012.

We also object to the inclusion of the unusual and inflammatory anecdotal language in Section 1 of the bill. By implication, this language is disrespectful of the many contributions and good work done by thousands of responsible, professional and

caring individuals who have devoted their lives to the care of wild or exotic animals in responsible, accredited institutions and creates the false impression of poor care for animals in our facilities. To the contrary, because of the exceptional care and behavioral enrichment we provide animals, current research indicates that whales and dolphins in our care live as long as or longer than their counterparts in the wild. Dolphins, which are the most prevalent cetacean in our facilities, live almost twice as long as those in the wild.

As a matter of process, we only just learned of the bill a day ago and have not had the opportunity to fully analyze its implications or speak with its sponsors about our concerns. For example, while the bill refers to "live wild" or "exotic" animals, it does not sufficiently define what constitutes these animals. Would captive-born, non-domesticated animals be considered "live wild" or "exotic" animals? Further, AMMPA accredited institutions are required to have a quarantine procedure developed by a veterinarian. This stringent requirement has resulted in an excellent history of responsibly and safely introducing new marine mammals to a facility's existing family of animals. Arbitrarily mandating 300 days in quarantine or in back-of-house facilities would unnecessarily deny a new animal access to enriching exhibit space and conspecifics for socialization, put an unusual and unreasonable burden on the caregivers, and deprive the public of the very beneficial opportunity to see and learn more about these animals and be inspired by them to take conservation action.

Marine mammal facilities and the transportation of marine mammals in the U.S. are regulated by three federal agencies: the Animal and Plant Health Inspection Service (APHIS), the National Marine Fisheries Service (NMFS), and the U.S. Fish & Wildlife Service (FWS). This bill seeks to regulate areas that are pre-empted by federal law. In addition to this federal oversight, many institutions are also inspected and accredited by AMMPA, requiring them to meet even stricter standards. AMMPA standards are the most comprehensive and stringent in the world, covering some 60 different areas in 11 categories, including animal husbandry, animal acquisition, propagation, water and environmental quality, transportation, education, scientific research, and others. These standards are based on the expertise of thousands of veterinarians, trainers, and animal care specialists who work with marine mammal parks and aquariums throughout the world and are meant to optimize the physical health of an environmental conditions for individual animals in members' care and maximize their educational and scientific value.

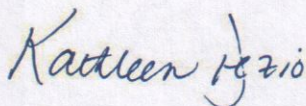
This bill as written would unnecessarily obstruct the responsible and sufficiently regulated transfer of marine mammals between accredited AMMPA institutions for the purpose of reproductive management, education, or legitimate public display. It could also interfere with NMFS oversight of the proper placement of rescued and rehabilitated marine mammals that are deemed by NMFS to be non-releasable and must be transferred to a licensed institution for continued care and management.

This bill if passed should specifically exclude from its coverage zoos, aquariums, marine life parks, and other similar entities that are accredited by the Alliance of Marine Mammal Parks & Aquariums (AMMPA), in addition to the Association of Zoos and Aquariums (AZA), and/or others that are licensed exhibitors under the federal Animal Welfare Act.

More than 40 million people visit AMMPA-accredited zoos, marine parks and aquariums in Hawaii and across the country each year. These facilities play a significant role in helping people connect with marine animals and the environment, educating them about the ocean, and inspiring them to conservation. AMMPA member facilities, including the three AMMPA-accredited facilities in Hawaii, have also spent millions of dollars funding and supporting scientific research, some of which directly augments field research and benefits animals in the wild. They also provide important expertise and assistance rescuing, rehabilitating, and when possible releasing back into the wild stranded animals. This bill as it is currently written would impede this crucial work.

As you consider this bill, we urge you to either vote no on it or ensure that it will not impede the critical role marine mammal parks and aquariums accredited by AMMPA play in education, conservation scientific research and stranding work.

Respectfully,

A handwritten signature in blue ink that reads "Kathleen Dezio". The signature is written in a cursive, flowing style.

Kathleen Dezio
Executive Director

LATE TESTIMONY

February 11, 2015

The Honorable Angus L. K. McKelvey, Chair
Consumer Protection and Commerce Committee
Hawaii State Capitol, Room 320
415 S. Beretania Street
Honolulu, HI 96813

Re: Opposition to HB 1012, a bill related to the exhibition of wild and exotic animals

Dear Chairman McKelvey,

I am writing to express my opposition to HB 1012. I agree that all animal exhibition and management should be responsible, appropriate and conducted in a manner that is suitable for the species. However the language of the proposed Bill, as written, is so open ended on several topics that it would undermine all of the positive effects and contributions of those exhibitors that maintain the high standards of care, education and conservation in the public display community. Accredited Zoos, Aquariums and Animal Parks create an opportunity for millions of people of all ages to see, learn about and develop an understanding about wild animals and the environments that they live in.

Books, television and video experiences cannot compare to the impact that seeing these magnificent animals in person does. Small children, especially, start on their journey of appreciation of animals and the environment through a visit to see these animals. These exotic animals serve as a valuable tool to increase the publics' interest in things they would otherwise never experience. In the United States over the past 40 years we have successfully changed how our citizens impact the environments in which they live. Water pollution of our lakes and streams has been reduced significantly. Our rivers no longer catch fire as the Cuyahoga River did when I was a boy. The air we breathe is much cleaner then it was 40 years ago. How we feel about the care and management of animals is much more compassionate then it has ever been. The dedicated individuals, animal parks, aquariums and animal exhibitors are significantly responsible for this change in culture. We have taken the time and used our passion to share the importance of these animals.

Roughly a dozen years ago the American Bald Eagle was taken off of the endangered species. Why, because we in this country all care. I was in the room

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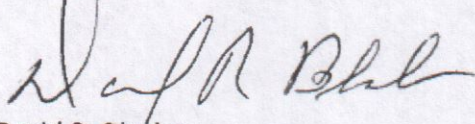
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in Bangkok, Thailand at the CITES meeting when the eagle was 'de-listed'. The room was silent. The moderator was surprised and commented that there are always cheers when a species was added to the list (when we fail to conserve it) but silence when a species is successful. These cheers come from extremists, HSUS, AWI, and many others. We need to celebrate our successes! There are more success stories and we need to create additional success stories. We need to continue to share our passion and share these animals with the community to protect them and to protect the environment.

It does not appear that true animal care takers, scientists and researchers were included in the drafting of this Bill. The drafting of this Bill, although I am sure was well intentioned, fails to appreciate its unintended consequences. These unintended consequences will undo all the good that has been done. When people are no longer exposed to these magnificent beings, their value to the culture will diminish and fade away. The animals will lose, the environment will lose, our culture will lose and so will our children.

Please reconsider and do not pass this legislation.

Sincerely,

A handwritten signature in dark ink, appearing to read "David R. Blasko". The signature is fluid and cursive, with the first name "David" being more prominent than the last name "Blasko".

David R. Blasko
Director of Animal Care

LATE TESTIMONY



February 11, 2015

Honorable Chair McKelvey, Vice-Chair Woodson and Committee Members
House Committee on Consumer Protection and Commerce
February 11, 2015 2:30 pm

RE: Strong Support for HB 1012 relating to the protection of wild animals

Born Free USA, a national nonprofit animal protection and wildlife conservation organization, urges the Committee's support for HB 1012 which would prohibit the import of dangerous wild animals such as lions, tigers, bears, and elephants for fairs and circuses. Born Free USA has been studying animals kept in captivity for more than two decades and we can conclude that animals are abused and exploited in a variety of forms in entertainment. Born Free USA's Zoo Check campaign tracks abuses and substandard conditions suffered by animals in zoos, aquariums, circuses, and other places that exhibit animals.

Animals are exploited and mistreated for human amusement in circuses, fairs and schools where they are put on public display or even brought in as rides such as elephant or camel rides. Exotic animals are often used in photo opportunities. Unfortunately, people can be very creative in finding ways to make a profit off of other animals.

Born Free USA strongly opposes the use of animals in all entertainment venues. Animals are not rides and they are not novelties; they have their own needs, interests, and rights — including the right to engage in their natural behaviors in their natural environment. We are committed to using every tool at our disposal to end the cruel exploitation of animals for human entertainment and profit.

This bill is a crucial step toward protecting wild animals from being subjected to a lifetime of abuse solely for our entertainment. Thank you very much for the opportunity to testify in strong support of HB 1012.

Sincerely,

Rosalyn Morrison

Rosalyn Morrison
Born Free USA
(916) 642-3678
rosalyn@bornfreeusa.org

Chief Executive Officer:
Adam M. Roberts

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LATE TESTIMONY

February 11, 2015

The Honorable Angus L. K. McKelvey, Chair
Consumer Protection and Commerce Committee
Hawaii State Capitol
Room 320
415 S. Beretania St.
Honolulu, HI 96813

Re: Opposition to HB 1012 – Related to the Exhibition of Wild or Exotic Animals

Dear Chairman McKelvey and Consumer Protection and Commerce Committee members,

Dolphin Quest is an accredited member of the Alliance of Marine Mammal Parks and Aquariums (AMMPA) and operates two interactive marine life parks in Hawaii on Oahu and Hawaii's Big Island.

COMMENTS ON HB 1012

We share the authors concern expressed in HB 1012 about the inappropriate or irresponsible display, performance or transfer of wild or exotic animals. We cannot; however, support the bill as currently written, because the overgeneralized language could be inadvertently misrepresented to apply to marine mammals, thus creating the unintended consequence of penalizing responsible and accredited aquaria, zoological institutions and interactive parks that engage in public education, research and conservation. **For this reason, we must oppose HB 1012.**

The current proposed language could unintentionally obstruct the movement of animals, including marine mammals, in and out of Hawaii for reproduction, education and legitimate public display in highly regarded AMMPA accredited facilities, three of which are in the state of Hawaii, including two Dolphin Quest locations.

AMMPA accredited institutions are required to have a quarantine procedure developed by a veterinarian which has resulted in an excellent history of responsibly and safely introducing new marine mammals into a facility with existing animals. Arbitrarily mandating that animals be confined off of public display in back-of-house facilities for 300 days would unnecessarily deny a new animal access to enriching exhibit space and the opportunity for socialization. It would also put an unreasonable burden on the caregivers while depriving the public of the opportunity to learn about and be inspired by these animals to support crucial marine conservation.

We also take exception to the unusual and inflammatory subjective language in Section 1 of the bill. This language discounts and delegitimizes the important role AMMPA accredited facilities play in public education, conservation and research as well as their high safety and animal care standards. This language is disrespectful of the many caring and professional individuals who are dedicated to providing the animals in accredited public display facilities with great respect and the highest standard of care.



PROPOSED AMENDMENTS

1. Delete entirety of section 1
2. Exempt facilities accredited by AMMPA or licensed Class 3 Exhibitors under the federal Animal Welfare Act in addition to the Association of Zoos and Aquariums (AZA) exemption

ALLIANCE OF MARINE MAMMAL PARKS AND AQUARIUMS OVERVIEW

AMMPA is an international association and accrediting body for marine life parks, aquariums, zoos, research institutions and professional organizations throughout the world. It has 60 accredited member facilities in the U.S., Mexico, Canada, Europe, Asia and elsewhere. Many of its member facilities that also care for terrestrial animals share an additional accreditation from the AZA. Both of Dolphin Quest's locations in the Hawaiian Islands are inspected and accredited by AMMPA.

DOLPHIN QUEST OVERVIEW

For over 27 years, Dolphin Quest has inspired and educated tens of thousands of tourists, school groups and Hawaii residents annually at its locations on Oahu and the Big Island. We have contributed over 3 million dollars in financial and in-kind support of university level research generating hundreds of published scientific works that are helping researchers find solutions to the threats dolphins and whales face in the wild. As a participant in the Hawaii Stranding Network, Dolphin Quest and our resident dolphins provide training for the response teams. Additionally Dolphin Quest lends its knowledge and veterinary expertise to assist the marine mammals that become stranded in Hawaiian waters.

SUMMARY

The current draft of the bill will have the unintended consequence of preventing or restricting responsible conservation and education efforts conducted by professionally accredited institutions that are vital to raising the public's awareness of the condition of our marine environment and the animals that inhabit it.

We appreciate your consideration and encourage you to either vote "no" on HB 1012 or ensure that it is amended so that it will not inhibit the vital role AMMPA accredited marine mammal parks and aquariums play in education, conservation, scientific research and stranding work.

Respectfully,

Rae Stone, DVM
President and Partner
Dolphin Quest Hawaii, Dolphin Quest Oahu

LATE TESTIMONY

February 11, 2015

TO: Honorable Chair McKelvey, Vice-Chair Woodson and Committee Members
House Consumer Protection and Commerce Committee, 2-11-15, 230pm

RE: SUPPORT for HB 1012; Relating to Exhibition of Wild or Exotic Animals

Thank you for the opportunity to speak in support of HB 1012.

Twenty years ago this past August I was in Kaka'ako going about my errands and minding my own business when I found myself faced with the rampaging elephant Tyke. Because the laws of Hawaii did not protect the public from such an occurrence, I and many others on that day were subjected to a very dangerous situation, by no choice of our own. And, I and many others paid a mental and emotional price that came with experiencing this horrifically dangerous event, all because a few others thought it was a good idea to make a profit on frivolous circus animal entertainment. As I drove away from all those bullets and all that blood, it became clear to me that I didn't want anyone I cared about to ever have to be subjected to that kind of danger either from a wild animal, or from that much police gunfire on public streets.

In the months and years that followed, I committed to doing everything I could to ensure that something like this never happened again in Hawaii. I spent months educating myself about the facts surrounding circus animals, and in doing so came to understand the real, numerous, and very serious dangers surrounding the practice of using wild and exotic animals in circuses and traveling shows. For example, the Tyke elephant rampage which included 87 bullets fired in public on Honolulu streets, is thought to be the single largest amount of Police gunfire in public, by a very wide margin, in HPD's history.

Some think that checking animal histories for dangerous past behavior, and then not allowing those particular individual animals into Hawaii, would make it safer. Ken Redman, Director of the Honolulu Zoo at the time, said "Animals change names. If there is a problem animal, its disguised, the name is changed, and its sold. Whatever information is available on that animal would be rudimentary at best. How that would profit the individual making an assessment, I don't know."

Some also think that having tranquilizers on hand ready to use at a circus would make it safer. Our city's own wild and exotic animal expert, Honolulu Zoo veterinarian Dr. Ben Okimoto, (who by the way, was there during Tyke's last moments) has said, "Even if we had gotten there, with Tyke, it would not have stopped her. Using tranquilizers with an animal this size probably would not work...to try to guarantee to the public that an incident like what occurred with Tyke would not reoccur, then the only way that you can guarantee that would be to ban circus elephants from coming in [to the State] ...the problem is the drugs themselves are so extremely powerful, that...they're lethal...if somebody got hit with a loaded drug, they would probably just drop dead...its extremely dangerous. And at that point, really all you are doing is slowing the animal down, your

not stopping them...the lethal dose for humans is very small, that can penetrate the skin. If there is any kind of exposure, in the way of splashes, it can be very dangerous...In my view, it would be possibly even more dangerous than if you were to use a firearm."

In the 20 years since Tyke, it has become clear that if a person still thinks its OK to allow wild and exotic animals to come to Hawaii in circuses and traveling shows, they are either simply uneducated about the facts and operating on misguided nostalgia such as "I had fun watching circus animals as a child so I want my kids to have the same fun watching circus animals", or they are benefiting financially from the animals being brought here. In 20 years, I have not come across a single person who knows the facts, doesn't profit from animals in the shows, and yet still thinks its a good idea to allow them in circuses.

Because of the exceptional media coverage of Tyke's rampage in Honolulu, the event has become the icon of circus animals tragedies around the world. And because of it, an ever growing list of already 30 countries, numerous international cities, and many US cities and counties have instituted partial or complete bans on circus animals. Mexico is the latest country in this growing movement to understand the serious consumer protection risks and public dangers of allowing wild and exotic animals in circuses, such that their politicians unanimously voted to to pass a ban on animals performing in traveling shows.

At the local level, the Honolulu Star Advertiser polled its online readers about the Grizzly Bears at the 50th State Fair within the last year. 65% of respondents, a large majority, opposed the bears being in the fair, while only 35% were in favor of the bears at the fair. Even Honolulu-ans are starting to "get it" about the inherent risks and unnecessary dangers with allowing wild animals in circuses.

Within the last year, US Representative Tulsi Gabbard and past Representative Colleen Hanabusa have both made it clear that they support legislation banning the importation of wild and exotic animals in traveling shows such as circuses coming to Hawaii.

Because of Tyke, an internationally renown film team has recently completed a full feature length documentary to be released in the coming weeks. They write..."This is the story of Tyke the circus elephant who went on a rampage in Honolulu in 1994, killed her trainer in front of thousands of people and died in a hail of gunfire." I recently was able to advance screen this documentary and it is plainly clear via very graphic footage that there are absolutely zero consumer protections in place, thereby putting thousands of Honolulu citizens in serious harms way. And the only consumer protection that will work is to not allow these kinds of animals into our state in circuses and traveling shows.

Tyke used her forehead to crush her trainer to a very bloody death on center stage while the eyes of several thousand young children (and their parents) watched in horror, not only for witnessing this gruesome death of a human, but also fear their own lives. This event is thought to be the single largest amount of children (by a very wide margin)

in modern Hawaii history to have witnessed a person being killed. This is not good for these kids and families, and not good for Hawaii.

And although Hawaii can consider itself lucky that only one person was killed, and only two others almost killed, it's important to note that Tyke was not some unusual rogue elephant compared to others. This kind of tragedy regularly happens every year around the world with elephants, large cats, bears and more. In fact Tyke wasn't even the first time this happened in Hawaii. The first was another African Elephant named Daisy, who in 1933 crushed her trainer to death in front of a group of innocent school children in Kapiolani Park. Like for Tyke, the police were called in, shot her numerous times, and then dragged her four miles out to sea and dumped for the sharks.

Fortunately, the world is moving in the direction of prohibiting wild and exotic animals in circuses and traveling shows. The world is also going to see the documentary, largely with footage on Honolulu's streets. All eyes are on Hawaii with this issue. It doesn't help Hawaii's commerce, nor its image, for the Tyke event to have happened in our own front yard and then we don't even learn from it. It begs the question, what's wrong with Hawaii and why are we so slow to protect our own people? In addition to all the other reasons it makes sense, it helps Hawaii in a big way to get a law in place that would essentially prohibit wild animals in circuses and traveling shows before this documentary is seen by the world.

Today, you have the opportunity to do what is best for Hawaii...to show that we as a State have been humbled by what happened in our own front yard with Tyke, and most importantly that we learn from our mistakes and make things right...in this case protect us, your constituents, from this kind of danger ever happening again.

As I wrap up, I'd like to point out that 20 years ago, there was a cartoon in the Honolulu Advertiser, showing an angry circus elephant pointing its trunk at a bunch of clowns sleeping in their chairs behind a table. The elephant was saying "Send in the clowns!" Above the sleeping clowns was a sign that read "City Council" and in front of them on the table was a document titled "Tyke Bill". It was obvious to make a change back then, yet nothing was done. Now 20 years later, still nothing has changed, and wild and exotic animals are still allowed to come to Hawaii in circuses and traveling shows, endangering those who do not know better than to patronize these shows, as well as endangering the general public outside of these shows.

Please do not risk our lives and health by allowing another dangerous situation like this to happen again in Hawaii. Please support HB1012.

Thank you for your consideration of my request.

Sincerely,
Tyler Ralston, PsyD, ABPP
PO Box 10528, Honolulu HI 96816
808-358-2982



From the Honolulu Advertiser, August 23, 1995