

JAN 24 2018

A BILL FOR AN ACT

RELATING TO CETACEANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that cetaceans, which
2 includes dolphins, porpoises, and whales, are highly intelligent
3 and social animals. Public opposition to the keeping and
4 display of captive cetaceans has increased in the United States
5 and worldwide. The county of Maui has prohibited the exhibition
6 of captive cetaceans since 2002, and California, New York, and
7 South Carolina have each passed legislation prohibiting the
8 display of some or all species of cetaceans. At least fourteen
9 other countries have banned or restricted the exhibition and
10 importation of cetaceans.

11 The legislature further finds that the dysfunctional social
12 structure of captive cetaceans is known to cause unnatural
13 aggression and stress, resulting in injury, illness, or death to
14 the animals. Survivorship of cetaceans is reduced, sometimes
15 drastically, in a captive environment. The United States Marine
16 Mammal Inventory Report in November 2013 indicates that the
17 causes of death for Hawaii's captive cetaceans include food



1 poisoning, capture-related incidents, malnutrition,
2 debilitation, drowning, jumping out of enclosures, trauma, and
3 failure to thrive.

4 The purpose of this Act is to prohibit the department of
5 agriculture from issuing permits for the interstate, intrastate,
6 and inter-facility transfer of captive cetaceans solely for
7 breeding or entertainment purposes.

8 SECTION 2. Chapter 150A, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§150A- Transfer of captive cetaceans; issuance of
12 permit prohibited. (a) The department of agriculture shall not
13 issue permits for the interstate, intrastate, and inter-facility
14 transfer of captive cetaceans solely for breeding or
15 entertainment purposes.

16 (b) This section shall not apply to facilities that use
17 cetaceans solely for scientific and educational purposes."

18 SECTION 3. Section 150A-2, Hawaii Revised Statutes, is
19 amended by adding a new definition to be appropriately inserted
20 and to read as follows:



1 "Cetacean" means a marine mammal of the order cetacea and
2 includes but is not limited to a dolphin, porpoise, or whale."

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act shall take effect upon its approval.

5

INTRODUCED BY:

Will Evers
Kel Rhoad



S.B. NO. 3055

Report Title:

Cetaceans; Permits for Transfer; Department of Agriculture

Description:

Prohibits the department of agriculture from issuing permits for the interstate, intrastate, and inter-facility transfer of captive cetaceans solely for breeding or entertainment purposes. Exempts facilities that use cetaceans solely for scientific and educational purposes. Defines cetaceans to include dolphins, porpoises, and whales.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

