
HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
ENFORCE THE PROHIBITION AGAINST SHARK FEEDING IN STATE
MARINE WATERS.

1 WHEREAS, sharks, called "mano" in the Hawaiian language,
2 carry great cultural, historical, and spiritual significance for
3 many native Hawaiians, native Hawaiian practitioners, and others
4 who value the Hawaiian culture; and
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6 WHEREAS, sharks are revered and regarded by many native
7 Hawaiians as their "aumakua," a protective ancestral spirit; and
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9 WHEREAS, in 2002, the Legislature enacted section 188-40.6,
10 Hawaii Revised Statutes (HRS), which made it "unlawful for any
11 person to conduct any activity related to the feeding of sharks
12 in state marine waters"; and
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14 WHEREAS, the only exception to the law, as codified in
15 section 188-40.6, HRS, is the feeding of sharks for traditional
16 Hawaiian cultural or religious practices that is not associated
17 with commercial activity; and
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19 WHEREAS, despite the clear outlawing of shark feeding as
20 outlined in section 188-40.6, HRS, shark tours, which take
21 paying customers out to sea to view sharks, routinely and
22 continuously feed sharks and use attractants to attract, hold,
23 and reward sharks near the viewing sites; and
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25 WHEREAS, some ocean users near the shark feeding and shark
26 viewing sites have reported increased sightings of and
27 encounters with sharks because of illegal shark feeding; and



1 WHEREAS, recent studies reveal that illegal shark feeding
2 by tour operators has caused larger, more aggressive species of
3 shark--including Galapagos and Tiger sharks--to displace smaller
4 sharks from cage diving sites; and
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6 WHEREAS, illegal shark feeding by shark tours is disruptive
7 to the ocean environment, disrespectful of native Hawaiians, and
8 contemptuous of the law; now, therefore,
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10 BE IT RESOLVED by the House of Representatives of the
11 Twenty-fifth Legislature of the State of Hawaii, Regular Session
12 of 2010, that the Department of Land and Natural Resources
13 (DLNR) is requested to:
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- 15 (1) Enforce the prohibition of shark feeding under section
16 183-40.6, HRS, against "any activity related to the
17 feeding of sharks in state marine waters"; and
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19 (2) Prohibit the operation of shark tours that involve
20 feeding or the use of any other attractants to attract
21 and reward sharks for viewing;
22

23 and
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25 BE IT FURTHER RESOLVED that when receiving complaints of a
26 violation of section 183-40.6, HRS, DLNR is requested to
27 immediately investigate the complaint; and
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29 BE IT FURTHER RESOLVED that DLNR is also requested to:
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- 31 (1) Engage in routine on-site monitoring of existing shark
32 tours as part of the enforcement effort;
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34 (2) Cooperate with and assist the appropriate federal
35 agencies in the enforcement of the federal ban against
36 shark feeding beyond state marine waters; and
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38 (3) Submit a report on the actions taken pursuant to this
39 resolution to the Legislature, no more than 20 days
40 before the convening of the Regular Session of 2011;
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1 and

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3 BE IT FURTHER RESOLVED that a certified copy of this
4 Resolution be transmitted to the Chairperson of the Board of
5 Land and Natural Resources.

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OFFERED BY:

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