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# HOUSE CONCURRENT 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

13  
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

24  
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, the Senate concurring, that the Department of Land and  
13 Natural Resources (DLNR) is requested to:

- 14  
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  
18  
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

24  
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:

- 30  
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;

41  
42 and



# H.C.R. NO. 251

1 BE IT FURTHER RESOLVED that a certified copy of this  
2 Concurrent Resolution be transmitted to the Chairperson of the  
3 Board of Land and Natural Resources.  
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OFFERED BY:

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