

JAN 20 2010

A BILL FOR AN ACT

RELATING TO SHARK FINS.

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

1 SECTION 1. Sharks are one of the top predators in the
2 marine food chain and play an important role in our ocean's
3 ecosystem. Sharks have characteristics that make them more
4 vulnerable to overfishing than most fish, and data from state,
5 federal, and international agencies show a decline in the shark
6 populations both locally and worldwide. Unlike other fish
7 species, most sharks do not reach sexual maturity until seven to
8 twelve years of age and then only give birth to a small litter
9 of young. Thus, sharks cannot rebuild their populations quickly
10 once they are overfished.

11 The practice of shark finning, where a shark is caught, the
12 fin is cut off, and the shark is returned to the water, causes
13 tens of millions of sharks to die a slow death each year. Some
14 sharks starve to death, others are slowly eaten by other fish,
15 and some drown, because most sharks need to keep moving to force
16 water through their gills for oxygen. Shark fins are the
17 principal ingredient in shark fin soup, and the demand for the



1 delicacy has skyrocketed in recent years. Despite state and
2 federal laws to ban the practice of shark finning, fishers
3 continue the practice on a massive scale. Since 1972 the number
4 of blacktip sharks has fallen by ninety-three per cent, tiger
5 sharks by ninety-seven per cent, and bull sharks, dusky sharks,
6 and smooth hammerheads by ninety-nine per cent. The rapid
7 reduction of sharks is disrupting the ocean's equilibrium.

8 Sharks are an essential element of the ocean's ecosystem,
9 and by reducing the demand for shark fins, Hawaii can help
10 ensure that sharks will not become extinct.

11 SECTION 2. Chapter 188, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§188- Shark fins; prohibited. (a) It shall be
15 unlawful for any person to sell, offer for sale, trade, or
16 distribute shark fins, as defined in section 188-40.5.

17 (b) Any person violating this section or any rule adopted
18 pursuant to this section shall be subject to:

19 (1) Seizure and forfeiture of shark fins; and

20 (2) An administrative fine of not less than \$5,000 and not
21 more than \$15,000. In addition, the violator may be



1 assessed administrative fees and costs, and attorney's
2 fees and costs.

3 (c) The department may adopt rules pursuant to chapter 91
4 necessary for the purposes of this section."

5 SECTION 3. New statutory material is underscored.

6 SECTION 4. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun before its effective date.

9 SECTION 5. This Act shall take effect on July 1, 2010.

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INTRODUCED BY:

[Handwritten signatures: Ryan Hill, Josh Bunn, Carol Johnson, J. Williams, Renee Kohl]



Report Title:

Sale and Distribution of Shark Fins

Description:

Prohibits the sale and distribution of shark fins in the State.

