

Honolulu, Hawaii

March 19, 2010

RE: S.B. No. 2169  
S.D. 2  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred S.B. No. 2169, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SHARK FINS,"

begs leave to report as follows:

The purpose of this bill is to protect sharks by, among other things, prohibiting the harvest, possession, sale, or distribution of a shark or shark parts unless:

- (1) They are of a particular species landed whole and harvested under a commercial marine license; or
- (2) Permitted by a noncommercial permit issued by the Department of Land and Natural Resources (DLNR).

This bill also establishes fines and other penalties for a violation of its provisions.

Sierra Club-Hawaii Chapter, Hawaii Audubon Society, Conservation Council for Hawaii, The Humane Society of the United States, Shark Free Marina Initiative, and numerous concerned individuals testified in support of this bill. DLNR provided comments.



Your Committee has amended this bill by:

- (1) Requiring that exceptions to the prohibition against harvesting, possessing, selling, offering for sale, trading, transferring, or distributing sharks or shark parts be established by a preponderance of the evidence;
- (2) Deleting the provision authorizing DLNR to issue permits to harvest, possess, sell, offer for sale, trade, transfer, or distribute a shark or shark parts for noncommercial purposes;
- (3) Reinstating the provisions of section 188-40.5, Hawaii Revised Statutes, which was the original statutory provision prohibiting the harvesting of shark fins; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2169, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as S.B. No. 2169, S.D. 2, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, &  
Ocean Resources,

  
\_\_\_\_\_  
KEN ITO, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

HSCR 889-10

**Record of Votes of the Committee on Water, Land, & Ocean Resources**

Bill/Resolution No.: <b>SB2169, SD2, HD1</b>	Committee Referral: <b>EBM, WLO, JUD</b>	Date: <b>3/18/10</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	✓			
2. HAR, Sharon E. (VC)	✓			
3. CABANILLA, Rida				✓
4. CHANG, Jerry L.	✓			
5. CHONG, Pono	✓			
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.	✓			
8. LEE, Chris	✓			
9. LUKE, Sylvia	✓			
10. MORITA, Hermina M.	✓			
11. SAGUM, Roland D., III	✓			
12. CHING, Corinne W.L.	✓			
13. THIELEN, Cynthia	✓			
<b>TOTAL (13)</b>	<b>12</b>			<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				