

Honolulu, Hawaii

FEB 10 2010

RE: S.B. No. 2169
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred S.B. No. 2169 entitled:

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

begs leave to report as follows:

The purpose of this measure is to prohibit the sale and distribution of shark fins in Hawaii.

Testimony in support of this measure was submitted by thirteen organizations and thirty-six individuals. One individual supporting the measure is a surfer from Kauai, who lost his leg in a shark attack. He indicated that he was more concerned about the "crumbling marine environment than getting attacked again." One state agency submitted testimony in opposition. The state agency indicated that the measure, in combination with the current law, has "some elements that make it unenforceable." Written testimony presented to the Committee may be reviewed on the Legislature's website.

The practice of shark finning, where a shark is caught, the fin is cut off, and the shark is returned to the water, causes tens of millions of sharks to die a slow death each year. Unlike other fish species, most sharks do not reach sexual maturity until seven to twelve years of age and then only give birth to a small litter of young. Thus, sharks cannot rebuild their populations quickly once they are overfished. Sharks are apex marine predators and play an important role in maintaining healthy marine ecosystems. As noted in a Honolulu Advertiser opinion piece on



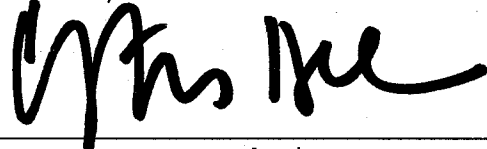
February 9, 2010, shark finning is "a cruel and wasteful practice that damages the marine ecosystem by killing off the ocean's most expert predators." Your Committee finds that existing federal and state law is inadequate to effectively abolish the practice of shark finning. This measure is a simple, broad, and all-inclusive stand against shark finning, and asserts Hawaii's position as a leader for shark conservation.

Your Committee has amended this measure to broaden the prohibition of shark finning and ensure its enforceability by:

- (1) Prohibiting any person from possessing shark fins;
- (2) Repealing section 188-40.5, Hawaii Revised Statutes, which permitted the harvest of shark fins if the shark was landed whole, meaning the entire shark with its head and flesh was brought to shore; and
- (3) Making technical, nonsubstantive changes for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2169, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2169, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,



CLAYTON HEE, Chair



