Bill No.: HB-5251
Title: AN ACT PROHIBITING THE POSSESSION AND TRADE OF SHARK FINS.
Vote Date: 2/25/2019
Vote Action: Joint Favorable Substitute
PH Date: 2/15/2019
File No.: 49

Disclaimer: The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.

SPONSORS OF BILL:

Rep. Jillian Gilchrest, 18th Dist.
Rep. David Michel, 146th Dist.
Rep. Mary M. Mushinsky, 85th Dist.
Rep. Travis Simms, 140th Dist.
Rep. Michael Winkler, 56th Dist.

REASONS FOR BILL:

Shark finning is the act of removing a shark fin from the shark as a whole, and discarding the rest of the shark. Discarded sharks, without their fins, are unable to properly swim and will suffocate. The illegal practice of shark finning at sea allows fishermen to harvest greater amounts of shark and is potentially a leading factor to the decreasing population of sharks according to advocates of the legislation.

SUBSTITUTE LANGUAGE – LCO No. 4746

Opponents of the bill shared concerns as it relates to the capture and possession of sharks caught whole with fins harvested legally. Substitute language clarifies that fines and penalties apply to persons who are in violation of federal law. Additionally, substitute language exempts smooth-hound shark and spiny dogfish from the provisions of the bill. The population of smooth-hound shark and spiny dogfish are great in Connecticut and are often a species of shark caught by recreational anglers in Long Island Sound.
RESPONSE FROM ADMINISTRATION/AGENCY:

Katherine Dykes, Commissioner, Connecticut Department of Energy and Environmental Protection (DEEP): Supports the concept of the bill; however, federal and state regulations already prevent this practice. Although not opposed to enacting a statutory probation to further reinforce existing regulations, current language would prohibit possession of all shark fins. For instance, the bill as originally drafted will unintentionally impact recreational anglers who fish for smooth dogfish, a species of shark, along Long Island Sound.

NATURE AND SOURCES OF SUPPORT:

Jo-Anne R. Basile, Executive Director, Connecticut Votes for Animals: Sharks are critical to a healthy ecosystem and are vulnerable to overfishing. Although already prohibited by federal law, “it is impossible to determine whether the fins entering the US market are coming from legal and sustainable practices. The passage of this bill will align the state to the neighboring states of MA, NY, NH and RI who have already enacted similar bans.

Lori Brown, Executive Director, Connecticut League of Conservation Voters (CLCV): Shark finning is brutal, wasteful disruptive to the oceanic ecosystems. Shark finning has led to numerous species being pushed to the brink of extinction. Allowing for this practice, Connecticut is implicitly supporting the global shark fin trade. In 2017 a letter from over 100 marine scientists demanded a ban on the trade or possession of shark fins for ecological and moral reasons. Eleven states have already banned the trade of possession of shark fins. CLCV provided a proposed amendment to the bill.

Katie Cubina, Senior Vice President for Mission Programs, Mystic Aquarium: Scientists warn that existing shark populations cannot sustain the current level of exploitation; furthermore, a quarter of all shark species are threatened with extinction. Over eighty countries catch and send shark fins to be processed in Asia, and can potentially lead to fins sold in the U.S sourced from endangered or threatened species.

Senator Paul Formica, 12th Senate District: Although in support of the bill, language as originally drafted does not allow for the harvesting of shark fins, even with the landing of the entire fish.

The Humane Society of the United States: The demand for shark fins drives the cruel practice of shark finning – a practice that removes a shark’s fin while the animal is still alive, then discarding the rest of the shark is thrown back into the ocean. With their fins removed the shark cannot swim and dies slowly and painfully, from shock, starvation or predation by other fish. Although this practice is prohibited by federal law, the U.S. market continues to fuel the practice in foreign and high seas that have lax shark finning bans or inadequate shark management and conservation policy. The Humane Society provided a proposed amendment to the bill.
Steven Kilenberg, Stamford Board of Representatives: The United States is one of the primary markets for global illegal wildlife trade. Scientists predict that if global poaching continues these species will go extinct.

Susan Linker, Chief Executive Officer, Our Companions Animal Rescue: Thirteen states have enacted laws to prohibit shark fin sales. Furthermore, neighboring states, New York, Rhode Island, and Massachusetts have already passed a shark fin ban, making Connecticut a more attractive haven for this illegal trade.

Bill Lucey, Long Island Sound Keeper, Connecticut Fund for the Environment / Save the Sound (CFE/Save the Sound): Although in support of the concept, CFS/Save the Sound acknowledges that there are several shark species, such as dogfish, that may be legally harvested. This bill would criminalize all shark possessions. The definition of possession should be clarified and redefined to allow for the legal fishing of certain shark species.

Melissa Shapiro, State Representative, Humane Society Veterinary Medical Association: Sharks are vulnerable to population decline because they mature slowly and produce very few offspring. Each year tens of millions of sharks are killed solely for their fins. Finning is an extremely cruel fishing practice and is prohibited by federal law, but the market continues to fuel the practice in foreign waters that have lax bans or lax conservation policies.

Gary Stokes, Founder / Chief Executive Officer, OceansAsia: Shark fins are often shipped to the United States and Canada from other countries around the globe and are labelled as “dried seafood” or “marine products.” This allows shark fin traders to ship fins that were harvested from endangered or protected species of shark and comingles them with other benign fins. A shark fin ban is necessary because the global shark fin industry is in violation of the Lacey Act of 1900, a United States conservation law that prohibits the trade of illegally harvested wildlife, fish, and plants.

The Environment Committee received in excess of 10 additional similar testimonies supporting the bill. The method of harvesting a shark fin from a live shark and disposing the body of the shark back to the ocean leads to suffocation and is inhumane.

NATURE AND SOURCES OF OPPOSITION:

Mark Berger, President, Connecticut Charter and Party Boat Association: If the proposed bill was interpreted as a ban on the possession of sharks, the legislation would have a negative impact on work of the association. “Charter Boats provide access to Connecticut residents that seek an offshore fishing experience using rod and reel.”

Joseph Gilbert, Empire Fisheries, LLC: The bill is too vague and will likely shut down the legal fishery in Connecticut for Dog Shark. Furthermore, federal law already prohibits the illegal finning of sharks. The bill as originally drafted will subject fishermen to citation and arrest for catching sharks legally.

Senator Heather Somers, 18th Senate District: As originally drafted, the bill would be interpreted to not allow sport fisherman to catch sharks that are currently legal to catch in
Connecticut, such as dogfish and may have other negative impacts on institutions such as the Mystic Marine Life Aquarium and the Institute for Underwater Exploration.

**Bob Wadsworth, President, Captain John’s Sport Fishing Center, Inc.:** Although against the practice of shark finning, the bill as originally drafted would prohibit the fishing of sharks that can currently be legally harvested.

*The Environment Committee received in excess of 5 additional similar testimonies in opposition to the bill. The bill would impact recreational sport fisherman who are able to legally catch certain sharks, such as the dogfish.*

Reported by: Pamela Bianca / Ussawin Robin Bumpen Date: 3/13/2019