

HOUSE No. 3571

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to ocean ecology and shark protection.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>

<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>

HOUSE No. 3571

By Mr. Lewis of Winchester, a petition (subject to Joint Rule 12) of Jason M. Lewis and others for legislation to ban shark fin trading. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to ocean ecology and shark protection.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Chapter 130, Title XIX of the Massachusetts General Laws is amended by
2 adding the following new section:-

3 Section 106. Trade in shark fins; penalty

4 (a) For the purpose of this section:

5 (1) ‘Shark’ shall mean any species of the subclass Elasmobranchii; and

6 (2) ‘Shark’ does not include smooth-hounds, spiny dogfish, or species in the superorder
7 batoidea; and

8 (3) ‘Shark fin’ shall mean the raw, dried or otherwise processed detached fin, or the raw,
9 dried or otherwise processed detached tail, of a shark.

10 (b) Except as otherwise provided in this section, no person shall possess, sell, offer for
11 sale, trade or distribute a shark fin.

12 (c) A person may separate a shark fin from any lawfully-landed shark during the
13 ordinary course of preparing the shark’s body, or body parts other than the fins, for consumption,
14 sale, trade, or distribution, except that any shark fins so separated from a landed shark shall be
15 immediately disposed of through destruction unless possession is otherwise permitted pursuant
16 to subsections (d) or (e) of this section.

17 (d) The Division may issue permits for the possession of a shark fin for bona fide non-
18 commercial scientific research purposes.

19 (e) Nothing in this section prohibits the possession of a shark fin for purposes of
20 taxidermy and subsequent display.

21 (f) Any shark fin seized by the Division through the enforcement of this section shall be
22 destroyed by the Division, and not sold, upon forfeiture.

23 (g) Whoever violates this section shall be punished for the first offense by a fine of not
24 less than \$150 nor more than \$1,000 for every such fin; and for a subsequent offense by a fine of
25 not less than \$500 nor more than \$2,000 for every such fin, or by imprisonment for not less than
26 90 days nor more than one year, or both such fine and imprisonment.

27 Section 2. This Act takes effect on June 1, 2014.