



**THE HUMANE SOCIETY  
OF THE UNITED STATES**

**TESTIMONY IN OPPOSITION TO H.B. 3429**

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THE HUMANE SOCIETY OF THE UNITED STATES  
HOUSE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES  
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Chair Clem and Members of the Committee:

Thank you for the opportunity to comment on H.B. 3429, which weakens Measure 100, the ballot measure passed last year by nearly 70 percent of Oregon voters. The Humane Society of the United States strongly opposes this legislation and urges you to vote NO.

Introduced less than five months after the passage of Measure 100, Oregon HB 3429 would remove protections for some of the animal by limiting those protections only to species that have been listed on Appendix 1 or 2 of CITES (Convention on the International Trade in Endangered Species) or the “red list” of the IUCN (International Union for the Conservation of Nature). Measure 100 helps protect imperiled wildlife by shutting down the Oregon market for products from covered animal species, products such as elephant ivory, rhino horn, sea turtle shell, and shark and ray products. The list of animal species covered by Measure 100 includes those threatened by the global poaching and wildlife trafficking crises and whose population declines are driven by market demand.

Measure 100 is one of the strongest state-level measures in the country to curb wildlife trafficking and the illegal wildlife trade. HB 3429 would weaken Measure 100, thus overturning the overwhelming will of the Oregonians who voted to take a stand against the global poaching crisis that is driving our world’s most iconic wildlife to extinction.

The measure received the endorsement<sup>1</sup> of newspaper editorial boards, local communities and organizations and elected officials across the state, including Governor Kate Brown, the Oregon

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<sup>1</sup> <http://saveanimalsoregon.com/endorsements>

Sierra Club, Oregon Wild, Oregon Humane Society, the Oregon Zoo Foundation, and the Oregon Coast Aquarium.

HB 3429 proposes to amend and reduce the list of animals covered by Measure 100; specifically, the bill proposes to only cover those species listed on either Appendix I or Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) or that are listed as vulnerable, endangered, critically endangered, extinct in the wild or extinct on the International Union for Conservation of Nature (IUCN) Red List of Threatened Species.

But just because a species is not yet listed by CITES or IUCN (the process for which takes years and is highly political in nature) doesn't mean that a species does not currently face threats to its extinction. And for certain endangered species, it may be necessary to prohibit trade in parts from similar species to effectively reduce the demand for parts that could cause the extinction of the endangered species or unnecessarily threaten the survival of species that are not currently endangered.

HB 3429 defeats both the spirit and letter of Measure 100 by dramatically reducing the number of shark and ray species covered by Measure 100. According to the latest assessment<sup>2</sup> of the IUCN Shark Specialist Group, conducted by 302 experts from 64 countries, one fourth of shark and ray species are threatened with extinction. There are over 1,041 known shark and ray species. It is important to note that almost half of the assessed species are data deficient, meaning that information is insufficient to assess their population status or trend, which can preclude a CITES or IUCN listing.

Shark and ray products in the marketplace in the U.S., including in Oregon, could come from shark and ray species from foreign or international waters. Given that there are over a thousand shark and ray species, narrowing the covered species as HB 3429 proposes would create tremendous and quite possibly unsurmountable burdens on enforcement officers who would need to ascertain whether a shark or ray product is from a CITES Appendix I or II listed species or from a species listed as Vulnerable, Endangered, Critically Endangered or Extinct in the wild under the IUCN Red List of Threatened Species before taking enforcement action.

A clear, bright line prohibiting the purchase, sale, offer for sale, or possession with intent to sell products of all shark and ray species makes compliance simpler for individuals and enforcement clearer for officials.

It is critical that all shark and ray species included in the Measure remain covered by the protections set forth in the Measure, and not only selected species, especially considering the overall threat to shark and ray species globally.

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<sup>2</sup> "Extinction risk and conservation of the world's sharks and rays", <https://elifesciences.org/content/3/e00590>

The Oregon legislature itself has already identified the critical importance of and threats to shark populations when it passed legislation to prohibit the sales of shark fins in 2011:

*Whereas sharks are one of the top predators in the marine food chain and play an important role in the ocean's ecosystem; and*

*Whereas sharks have characteristics that make them more vulnerable to overfishing than most fish, and data from state, federal and international agencies show a decline in shark populations locally and worldwide; and*

*Whereas most sharks, unlike other fish, do not reach sexual maturity until seven to 12 years of age and then only give birth to a small litter of young; and*

*Whereas shark populations do not recover quickly once they are overfished; and*

...

*Whereas sharks are an essential element of the ocean's ecosystem, and by reducing the demand for shark fins, Oregon can help ensure that sharks will not become extinct; ... (Preamble to [HB 2838](#), 2011).*

As it did by passing the 2011 shark fin bill, Oregon should be part of the global effort to conserve shark and ray species by eliminating in-state trade and market demand for their products.

Oregon voters overwhelmingly supported Measure 100 (69% in favor; 31% opposed). HB 3429 flouts the will of those voters on a measure whose ink still isn't even dry; Measure 100 hasn't even yet taken effect (July 1, 2017 effective date), yet special interest groups are already attempting to overturn it through the legislature. We believe the legislature should respond by taking a principled stand to respect and uphold the wishes of Oregon voters by voting NO on HB 3429.

Thank you for considering our position, and for your service to the people of Oregon.