

# Oppose HB 3429 and reject attempts to weaken anti-wildlife trafficking Measure 100

**Background:** Last November Oregon voters overwhelmingly approved Measure 100 to reinforce our state's long tradition in protecting imperiled species and to demonstrate our commitment to help curb the global poaching and wildlife trafficking crisis. Measure 100 is similar to measures adopted in other West Coast states in Hawaii, California and Washington.

Less than five months into the adoption of Measure 100, lawmakers at the behest of special interest groups have introduced legislation to weaken the Measure. This is an egregious attempt to trample upon the democratic rights of the citizens and overturn the will of the public. Oregon HB 3429 would remove protections for some of the animal species covered by Measure 100, the ballot measure passed overwhelmingly by Oregon voters last fall with 69% of the vote. 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.

We vehemently oppose HB 3429 and urge the members of the public, the media and the elected officials to express their strong support for Measure 100.

- 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 public that voted in support of the Measure.
- 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, Oregon Coast Aquarium.
- HB 3429 proposes to amend and reduce the list of animals covered by Measure 100; specifically, HB 3429 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) 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 so as 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 would most dramatically reduce 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

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

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

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
- 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).*

- 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 the voters on a measure whose ink still isn't even dry; Measure 100 hasn't even yet taken effect (July 1, 2017 effective date) but special interest groups are already attempting to overturn this measure.