



**Hawaii Farm Bureau**  
F E D E R A T I O N

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**Tuesday, February 14, 2012**

**3:15 am**

**Conference Room 224**

**Senate Committee on Public Safety, Government Operations, and Military Affairs**

**Testimony on SB 2647**

**RELATING TO FIREARMS**

Aloha Chair Espero, Vice Chair Kidani, and Members of the Committee,

I am Janet Ashman, testifying on behalf of the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

We **strongly support** this much-needed bill that would require people who want to hunt on private property; our ranches and farms, to get written permission from the farmers and ranchers that own and take care of land.

This bill isn't about the right to hunt and it's certainly not about the right to bear arms. Many of our members are hunters themselves and own and use guns. They are not against hunting or hunters.

This bill is about **CRIMINAL TRESPASS**.

It is about people who come onto others' property with deadly weapons. **The current law already requires hunters to get landowner permission, but it is not working.** When trespassers are caught, *if* they're caught, they claim to have permission. To add insult to injury, under **HRS §183D-26**, police officers can't even enforce the law unless the landowner files a sworn complaint against the trespasser.

The burden should not be on the rancher or farmer to prove that he did not give permission to a gun-wielding trespasser to use his property.

This scenario is just too dangerous for all parties; the farmer or rancher doesn't know what the trespassers are doing on the property---whether they are legitimately hunting or if they're there to kill the farmer or rancher or his family, slaughter his livestock, or steal his equipment or crops.

These illegal activities are becoming rampant throughout the islands and we need the tools to put a stop to them.

This measure would provide a bright line for farmers and ranchers and for law enforcement to enforce the current laws that prohibit trespass, that prohibit hunting without permission, that prohibit hunting at night.

Members of the law enforcement community asked us to support this bill after they became frustrated trying to enforce the current laws. They told us that their hands are tied because trespassing with a gun, even at night, is NOT a felony offense. In fact, under **HRS §708-813**, **it is not even a misdemeanor unless you can prove that the person *knowingly* entered the property. Worse yet, the property must be fenced or enclosed in a manner designed to exclude intruders**. Where farmers and ranchers can afford it, they fence their lands to keep livestock IN, not to build a fortress to keep people out.

**Current law (HRS §183D-26) already requires a hunter to obtain permission from the owner or agent of the private land**. We respectfully request several amendments to the bill to clear up confusion and to ensure that legitimate hunters, including those working with DLNR, would not be negatively impacted by this measure.

This bill is reasonable. Hunters are already required to carry their hunting licenses with them while hunting (**HRS §183D-25**); carrying an additional slip of paper should not be too burdensome.

We are very willing to work with the DLNR and the Hawaii Rifle Association to make sure their concerns are addressed and that legal hunting is not impeded.

Thank you very much for your support of Hawaii's farmers and ranchers.

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 13, 2012 10:03 PM  
**To:** PGM Testimony  
**Cc:** diamondbranchhi@aol.com  
**Subject:** Testimony for SB2647 on 2/14/2012 3:15:00 PM

Testimony for PGM 2/14/2012 3:15:00 PM SB2647

Conference room: 224  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Brendan Balthazar  
Organization: Maui Cattlemens Assn.  
E-mail: [diamondbranchhi@aol.com](mailto:diamondbranchhi@aol.com)  
Submitted on: 2/13/2012

Comments:

LATE

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 14, 2012 7:33 AM  
**To:** PGM Testimony  
**Cc:** lanipetrie@aol.com  
**Subject:** Testimony for SB2647 on 2/14/2012 3:15:00 PM

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Conference room: 224  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Lani C. Petrie  
Organization: Individual  
E-mail: [lanipetrie@aol.com](mailto:lanipetrie@aol.com)  
Submitted on: 2/14/2012

Comments: