



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

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Wednesday, April 11, 2012
10:30 am
Conference Room 16
Senate Committee on Judiciary and Labor

Testimony on SCR 85 SD1/SR 39 SD1
URGING THE ADOPTION OF LAWS TO REQUIRE WRITTEN PERMISSION FROM THE LANDOWNER IN ORDER TO HUNT ON PRIVATE LANDS AND TO AMEND CRIMINAL TRESPASSING LAWS TO ADDRESS HUNTING SITUATIONS.

Aloha Chair Hee, Vice Chair Shimabukuro, and Members of the Committee,

I am Janet Ashman, testifying on behalf of the Hawaii Farm Bureau Federation (HFBF). I apologize for not being able to attend today's hearing. 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 interests of our diverse agricultural community.

We **strongly support** this resolution and appreciate its introduction, since the bill that would have addressed the problem did not pass this session. The purpose of that bill was to require people who want to hunt on our ranches and farms, to get written permission from the farmers and ranchers that manage that land. In addition, it would have made enforcement of criminal activities easier by clarifying current statutes.

This is necessary because criminals have learned there is no practical enforcement of hunting laws and this allows thieves and vandals armed with guns to trespass, steal valuable crops and equipment, harm livestock, and threaten farmers and ranchers.

Over the past several years, incidents of livestock slaughtering, theft, vandalism, crop destruction, and poaching have become commonplace on farms and ranches on all of the islands. The current laws are confusing and not easily enforced. Additionally, the burden is on the rancher or farmer to prove that he did not give permission to a gun-wielding trespasser to use his property.

As you know, through your efforts and those of your committee, legislation passed last session does provide some protection against claims by trespassers on agricultural lands, for which farmers and ranchers are very grateful. Since the first clause of this resolution does not reflect this new law, we respectfully offer the following amendment:

WHEREAS, farmers and ranchers have continually experienced problems, including damage, vandalism, theft, and injury caused by trespassing hunters, yet have no recourse against them [~~and are defenseless against claims by the trespassers for incidents on private land despite the trespassers' illegal entry~~]; and

We look forward to working with law enforcement, DLNR, and the hunting community to address this issue before next session. We sincerely believe that this can be done without penalizing legitimate hunters or hindering the ability of agencies and their partners to carry out their statutory mandates to protect natural resources.

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