

Honolulu, Hawaii

MAR 01 2013

RE: S.B. No. 69
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 69, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose of this measure is to promote gun safety and enhance registration requirements for firearms brought into the State.

Specifically, this measure:

- (1) Requires county police departments, as a prerequisite for firearms registration, to fingerprint, photograph, and perform background checks on persons arriving in Hawaii with a firearm procured out-of-state;
- (2) Authorizes the police departments to assess a fee for conducting the fingerprint check; and
- (3) Appropriates funds for the county police departments to establish gun safety programs, including:
 - (A) Community education and training;
 - (B) Extensive mental health background checks for firearm registrations; and
 - (C) Gun buy-back programs.



Your Committee received written comments in support of this measure from the Department of the Attorney General, Honolulu Police Department, Kauai Police Department, Injury Prevention Advisory Committee, and three concerned individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Rifle Association, National Rifle Association of America, Lessons in Firearms Education, Brian the Electrician LLC, Maui Plumbing Inc, Kauai Veteran's Council, Hawaii Defense Foundation, Abyssal Hawaii Marine Technical Services LLC, and one hundred sixty-one concerned individuals.

Your Committee received written comments on this measure from the Maui Police Department and a concerned individual.

Your Committee finds that this measure closes a loophole in Hawaii's firearms law which does not require a person who brings into Hawaii a firearm procured outside of the State to go through a background check. Persons registering a firearm obtained in or imported into Hawaii, on the other hand, must obtain a permit to acquire a firearm in Hawaii and undergo an extensive background check. Thus, the loophole allows individuals who might have been prohibited from obtaining a firearm in Hawaii to acquire a firearm out-of-state and subsequently register the firearm in Hawaii without a background check. To address this problem, this measure requires background checks of persons who seek to register firearms acquired out-of-state.

Your Committee has amended this measure by:

- (1) Deleting a portion of the purpose section;
- (2) Extending the time period for registering a firearm that a person brings into the State, from three days to five days after the arrival of the person or the firearm, whichever is later. This amendment makes the time period for registering firearms procured out-of-state consistent with the time period set forth in section 134-3(b), Hawaii Revised Statutes, for registering firearms obtained in or imported into the State;
- (3) Deleting the appropriation for the county police departments to establish gun safety programs;



- (4) Inserting an appropriation for the counties to implement this measure;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion on this measure; and
- (6) Making technical nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 69, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 69, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* <i>SB 69, SD 1</i>	Committee Referral: <i>PSM, WAM</i>	Date: <i>2-27-13</i>
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)			✓	
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.				✓
KOUCHI, Ronald D.	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
TOKUDA, Jill N.	✓			
SLOM, Sam			✓	
TOTAL	<i>10</i>	<i>0</i>	<i>2</i>	<i>1</i>

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:
Michelle N. Kidani

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*Only one measure per Record of Votes