

SB 955

RELATING TO SHOOTING RANGE PROTECTION

Provides protections against burdensome retroactive regulation and lawsuits; prevents frivolous claims against shooting range operators and individuals engaging in target shooting.

PSM, JDL

**TESTIMONY OF ROBERT TOYOFUKU ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) IN OPPOSITION TO S.B. No. 955**

Tuesday, February 3, 2015

1:15 pm

To: Chairman Will Espero and Members of the Senate Committee on Public Safety,
Intergovernmental and Military Affairs:

My name is Bob Toyofuku and I am presenting testimony on behalf of the Hawaii
Association for Justice (HAJ) in OPPOSITION to S.B. No. 955, Relating to Shooting Range
Protection.

HAJ is especially concerned and opposed to subsection (f) of this bill. The provision is
vague and broad in scope and appears to provide immunity for the shooting range even if there is
negligence involved and someone is injured. HAJ opposes this provision and requests that it be
deleted from this bill if the committee intends to pass this measure forward.

Thank you for the opportunity to present this testimony and feel free to contact me if you
have any questions on this issue.



Institute for Rational and Evidence-based Legislation
P. O. Box 41
Mountain View, Hawaii 96771

Committee Chair and Members,

Please pass SB 955 to help maintain and protect the few shooting ranges available in Hawaii that allow Hawaii firearms enthusiasts enjoy their sport.

Thank you,

George Pace

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 1:14 PM
To: PSMTestimony
Cc: macooper.1941@gmail.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Max Cooper	Hawaii Rifle Association	Support	Yes

Comments: HRA STRONGLY SUPPORTS this bill. Nuisance lawsuits brought against lawful previously established shooting ranges, public and private, are often threatened by disgruntled neighbors and government agencies. This bill helps protect vital places to shoot. Mahalo to Sens. Gabbard and Slom for introducing it. Dr. Maxwell Cooper

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 3:01 PM
To: PSMTestimony
Cc: hawaiihuntingassociation@hawaiiantel.net
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Lodge	hawaii hunting association	Support	No

Comments: STRONGLY SUPPORTS

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 12:26 PM
To: PSMTestimony
Cc: ilan.kariv@npfirearms.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM
Attachments: SB955.pdf

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
ilan Kariv	North Pacific Firearms	Support	No

Comments:

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Aloha,

North Pacific Firearms is strongly supporting this because public shooting venues in the state of Hawaii a quite limited. The few facilities we have serve large community of recreational firearms owners. Placing regulatory or legal burden on such facility will limit their fair use and prevent firearm owner from practicing safe firearm handling in a controlled environment. With increasing ownership of firearms throughout the state it is imperative that frivolous legal challenges and retroactive regulatory acts will not use as a measure against shooting facility by individual or organization who opposed firearms and their practice.

Best Regards.

North Pacific Firearms.

104 Kalakaua Street.

Hilo, Hawaii 96720

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2015 9:05 PM
To: PSMTestimony
Cc: wekeis333@gmail.com
Subject: *Submitted testimony for SB955 on Feb 3, 2015 13:15PM*

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tony Sylvester	The Society For Hawaii Heritage Animals	Support	No

Comments:

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Sent: Monday, February 02, 2015 1:19 PM
To: PSMTestimony
Cc: pitahui@yahoo.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Philip PEarson	Individual	Support	No

Comments: I support this bill. We need to protect out legal regulated ranges. Not having a legal place to practice and train for the shooting sports will lead to people going to remote places to discharge their firearms which would be more hazardous to life, property, and the environment.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 12:35 PM
To: PSMTestimony
Cc: bkulbis@reagan.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Individual	Support	No

Comments: I strongly support this legislation. Nuisance lawsuits brought against lawful previously established shooting ranges, public and private, are nothing more than attacks on the 2nd Amendment. This bill helps protect vital places to shoot.

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Sent: Monday, February 02, 2015 12:30 PM
To: PSMTestimony
Cc: micronpcowner@yahoo.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Fuchikami	Individual	Support	No

Comments: I'm in support of this bill as it gives some protection to shooting range operators from frivolous lawsuits, etc. The one public shooting range we have on this island has been there long before some of the "neighbors" have moved in and perhaps if they were concerned, they should have investigated things before they bought their homes. Secondly, the range safety officers are quite diligent in ensuring that people do not shoot above the berms and such which is the only possible way any projectiles would land outside of the shooting range facility. (I'm sure anyone caught doing that would be expelled permanently from ever being there in the future.) Thank you very much for your help!

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 12:03 PM
To: PSMTestimony
Cc: welam001@hawaii.rr.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Wela	Individual	Support	No

Comments: Hawaii shooters pay taxes and vote too. We need safe and legal places to shoot and maintain our skills and to train new shooter. Nuisance lawsuits brought against lawful previously established shooting ranges, public and private, are often threatened by disgruntled neighbors and government agencies. This harassment has to stop and this bill can help.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 11:32 AM
To: PSMTestimony
Cc: bisaacso@hawaii.edu
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

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Submitted By	Organization	Testifier Position	Present at Hearing
Brian Isaacson	Individual	Support	No

Comments: More of Hawaii's citizens own firearms than ever before and those numbers will probably continue to rise. They need places to shoot and practice their skills to maximize safety. Ranges should be afforded protection against nuisance lawsuits as there are some people who are opposed to gun ownership and will do anything they can to close ranges, be they public or private. Our ranges need the protection afforded by this bill.

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Marlene Uesugi

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2015 8:44 AM
To: PSMTestimony
Cc: aliomanual@gmail.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Albert Morgan	Individual	Support	No

Comments: I strongly support this measure.

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Marlene Uesugi

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2015 9:33 AM
To: PSMTestimony
Cc: bizkellam@gmail.com
Subject: *Submitted testimony for SB955 on Feb 3, 2015 13:15PM*

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Kellam	Individual	Support	No

Comments:

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Marlene Uesugi

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2015 11:05 AM
To: PSMTestimony
Cc: laughlin@hawaii.rr.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/1/2015
Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Laughlin Tanaka	Individual	Support	No

Comments: It is high time that public facilities such as shooting ranges have some sanity in existence. If noise is your issue why buy your home in the area? We exercise care in operation and follow all existing laws.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 2:52 AM
To: PSMTestimony
Cc: VictoryBear@hawaii.rr.com
Subject: *Submitted testimony for SB955 on Feb 3, 2015 13:15PM*

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Vernon Okamura	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 3:30 AM
To: PSMTestimony
Cc: data35@hawaii.rr.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Marvin Dryden	Individual	Support	Yes

Comments: SB955 I STRONGLY SUPPORT SB955. Nuisance lawsuits brought against lawful previously established shooting ranges, public and private, are often threatened by disgruntled neighbors and government agencies. This bill helps to protect those vital places to shoot. I STRONGLY SUPPORT SB955.

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February 3, 2015

TESTIMONY of RUSSELL TAKATA regarding SB 955, RELATING TO SHOOTING RANGE PROTECTION.

CHAIRMAN ESPERO AND MEMBERS ON THE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS,

I STRONGLY SUPPORT this measure. The operation of shooting ranges in our State provides an essential resource for various shooting sports, firearms safety training, and the maintenance of shooting skills for law enforcement agencies and personnel. Public safety is enhanced by firearms use at established shooting ranges versus uncontrolled areas. With a population in our State over one million, these ranges are limited resources where safe firearms use can be conducted. The adoption of this measure is necessary to minimize unnecessary regulations and lawsuits which threaten the viable operation of our shooting ranges, and essentially, public safety.

Thank you for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2015 8:52 PM
To: PSMTestimony
Cc: anthony.higa.hawaii@gmail.com
Subject: *Submitted testimony for SB955 on Feb 3, 2015 13:15PM*

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Higa	Individual	Support	No

Comments:

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Kory Ohly
Support SB955

I support SB 955.

Shooting is an important skill. Sure, it is noisy and has some risks associated with it. Moving automobiles are also noisy and entail the risk of death, as does air travel. Participants in the shooting sports respect the power of firearms, are aware of the risks, and guard against the risks with prudent safety measures. This bill protects ranges against ninnyes who would try to shut down a range with complaints that the range is noisy or dangerous. Because this bill protects ranges so that people can continue practicing (and safely enjoying) their shooting, I support SB955.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2015 11:44 PM
To: PSMTestimony
Cc: kaneohegs@aol.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
daniel oshima	Individual	Support	No

Comments: Support SB955

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 9:35 AM
To: PSMTestimony
Cc: j_teichi_y@hotmail.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jerry Yuen	Individual	Support	No

Comments: Support SB 955. Our shooting ranges are valuable resources for both government entities and private citizen. Ranges should be protected from frivolous law suites.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 4:54 AM
To: PSMTestimony
Cc: heaviescc@gmail.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brendon Heal	Individual	Support	No

Comments: I wish to support this bill. Existing areas of firearms training have the right to be protected from frivolous lawsuits and know that noise may be in these areas. It makes sense that those moving into these areas, after the fact, will be subjected to some amount of noise. Same as if one moves near an air field, or the new rail line. It is very important, to public safety, that safe areas to practice firearm handling be protected. Thank you

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 6:55 AM
To: PSMTestimony
Cc: macsak@gmail.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
stèven a kumasaka	Individual	Support	No

Comments: STRONGLY SUPPORT end frivolous/nuisance lawsuits

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February 3, 2015

TESTIMONY of RUSSELL TAKATA regarding SB 955, RELATING TO SHOOTING RANGE PROTECTION.

CHAIRMAN ESPERO AND MEMBERS ON THE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS,

I STRONGLY SUPPORT this measure. The operation of shooting ranges in our State provides an essential resource for various shooting sports, firearms safety training, and the maintenance of shooting skills for law enforcement agencies and personnel. Public safety is enhanced by firearms use at established shooting ranges versus uncontrolled areas. With a population in our State over one million, these ranges are limited resources where safe firearms use can be conducted. The adoption of this measure is necessary to minimize unnecessary regulations and lawsuits which threaten the viable operation of our shooting ranges, and essentially, public safety.

Thank you for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2015 1:07 PM
To: PSMTestimony
Cc: dctactical@hawaii.rr.com
Subject: *Submitted testimony for SB955 on Feb 3, 2015 13:15PM*

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dwayne Lim	Individual	Support	No

Comments:

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Sent: Sunday, February 01, 2015 7:10 PM
To: PSMTestimony
Cc: mauifarrier@gmail.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gretchen Cardoso	Individual	Support	No

Comments: This is good for all law abiding gun owners and range users. I strongly support.

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Sent: Sunday, February 01, 2015 7:57 PM
To: PSMTestimony
Cc: info@robby-inc.com
Subject: *Submitted testimony for SB955 on Feb 3, 2015 13:15PM*

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Byon Nakasone	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 3:01 PM
To: PSMTestimony
Cc: hawaii hunting association@hawaiiantel.net
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Lodge	Individual	Support	No

Comments: STRONGLY SUPPORTS

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Sent: Sunday, February 01, 2015 8:19 PM
To: PSMTestimony
Cc: refrey2001@yahoo.com
Subject: *Submitted testimony for SB955 on Feb 3, 2015 13:15PM*

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Frey	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2015 7:21 PM
To: PSMTestimony
Cc: sthazam@yahoo.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen T Hazam	Individual	Support	No

Comments: Please support SB 955. It is important for reasons of public safety and the exercise of Second Amendment rights that nuisance lawsuits not hamper the lawful operation of shooting ranges. Thank you for the opportunity to submit testimony.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2015 8:40 PM
To: PSMTestimony
Cc: shelton.yamashiro@gmail.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM
Attachments: SB955.docx

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Shelton Yamashiro	Individual	Support	No

Comments: PLEASE SUPPORT!

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Dear Members,

Please SUPPORT this measure. Ranges need protection from nuisance lawsuits brought against lawful, established public and private shooting ranges that are often threatened by disgruntled neighbors and government agencies. This bill helps protect vital places to shoot. Safe firearms handling requires practice so protecting ranges serves the public interest.

Aloha,

Shelton Yamashiro

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2015 8:40 PM
To: PSMTestimony
Cc: info@arianoff.us
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/1/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gregory Arianoff	Individual	Support	No

Comments: Strongly support!

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February 2, 2015

To Hawaii Legislature,

RE: Support SB 955 Related to Shooting Ranges.

I support SB 955 which provides protections to shooting ranges against frivolous lawsuits and unjust ordinances that can shutdown a range. Shooting ranges are necessary to protect the 2nd amendment right to bear arms, but are easily attacked by those that assault the 2nd amendment.

Many times on the mainland, a preexisting shooting range is assaulted by a few people or organizations that want to violate peoples 2nd amendment rights. New residential projects encroach upon existing ranges and complain about noise, and have the long-standing range shut down. If the range cannot be shut down by ordinance, then anti-2nd amendment organizations will file frivolous law suits knowing they won't win the lawsuit, but know the range owner can't afford the legal fees to protect themselves.

Hawaii starts with a disadvantage of having few shooting ranges, shortage of land, increasing demand for housing, and litigious society. This law will help to strengthen the people's ability to exercise their firearms rights. I feel strongly support this measure.


Todd Yukutake

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 9:50 AM
To: PSMTestimony
Cc: onederful100@aol.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gavin Lohmeier	Individual	Support	No

Comments: Related to Shooting Ranges. I, as a registered voter in Hawaii, STRONGLY SUPPORT. Nuisance lawsuits brought against lawful previously established shooting ranges, public and private, are often threatened by disgruntled neighbors and government agencies. This bill helps protect vital places to shoot. Mahalo to Sens. Gabbard and Slom for introducing it.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 10:46 AM
To: PSMTestimony
Cc: tom1.galli@gmail.com
Subject: *Submitted testimony for SB955 on Feb 3, 2015 13:15PM*

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Galli	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 10:31 AM
To: PSMTestimony
Cc: b.leong1851@gmail.com
Subject: *Submitted testimony for SB955 on Feb 3, 2015 13:15PM*

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Leong	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 02, 2015 12:23 AM
To: PSMTestimony
Cc: jonwebsterabbott@yahoo.com
Subject: Submitted testimony for SB955 on Feb 3, 2015 13:15PM

SB955

Submitted on: 2/2/2015

Testimony for PSM on Feb 3, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jon Abbott	Individual	Comments Only	No

Comments: To Our Reprrensarives, Shooting sports are like golfing, they require specific locations for their use and enjoyment. Golf courses take up thousands of ares of prime real estate here in the islands and immense quantities of resources like water. There are dozens of golf courses statewide that serve both the million citizens of Hawaii and millions of people from all over the world. Having a great golf course enhances the players experience. This is true for the shooting sports. Yet, unlike golf, there are only a handful of ranges for a million people to practice on. I urge you to strongly support this measure to protect ranges from spurious lawsuits and challenges to their existence. Best Regards, Jon.

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