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STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

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Testimony of  
DAWN N.S. CHANG  
Chairperson

Before the House Committee on  
FINANCE

Thursday, March 28, 2024  
3:30 PM

State Capitol, Conference Room 308 & Via Videoconference

In consideration of  
SENATE BILL 2546 SENATE DRAFT 1, HOUSE DRAFT 1  
RELATING TO HUNTING GUIDES

Senate Bill 2546 Senate Draft 1, House Draft 1 proposes to require any hunting guide to obtain and submit to the Department of Land and Natural Resources (Department) written permission from any private landowner upon which the hunting guide is engaged in guiding activities. **The Department supports this bill and offers the following comments.**

Current laws already prohibit trespassing, vandalism, property damage, and poaching on private lands, regardless of whether the perpetrator is claiming to be hunting legally. The Department's hunting rules, found in the Hawai'i Administrative Rules Chapters 13-122 and 13-123, which implement Hawai'i Revised Statutes Chapters 183D, require landowner's approval to hunt on private lands. The Department supports measures to increase the enforceability of trespass laws on private land, including hunting without permission, but urges an approach that does not deter legal and courteous hunting guides following the rules from participating. Requiring "written permission" may burden many guides with good working relationships with private landowners where obtaining written permission may be difficult.

Mahalo for the opportunity to testify in support of this measure.

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

RYAN K.P. KANAKA'OLE  
FIRST DEPUTY

DEAN D. UYENO  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
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CONSERVATION AND RESOURCES  
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March 28, 2024

HEARING BEFORE THE  
HOUSE COMMITTEE ON FINANCE

**TESTIMONY ON SB 2546, SD1, HD1**  
RELATING TO HUNTING GUIDES

Conference Room 308 & Videoconference  
3:30 PM

Aloha Chair Yamashita, Vice-Chair Kitagawa, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

**The Hawai'i Farm Bureau supports SB 2546, SD1, HD1**, which requires hunting guides who take their clients to hunt on private lands to first obtain written permission from the owner of the private land, or occupier or holder, where appropriate, and requires hunting guides to provide copies of the written permissions obtained to hunt on private lands as part of their annual reports to the Department of Land and Natural Resources.

Unpermitted hunting on private land is extremely dangerous for both the landowner and the hunter. Over the last several years, incidents of livestock slaughtering, theft, vandalism, crop destruction, and poaching have become commonplace on farms and ranches on every island. These illegal activities must be stopped. Criminals have learned that there is no practical enforcement of the laws to prevent armed thieves and vandals from trespassing, stealing, and destroying others' livelihoods. If caught, these miscreants claim to be hunters and state they had verbal permission to be on the property.

The burden should never be on the rancher or farmer to prove that they did not give permission to a gun-wielding trespasser to access his property. Without knowing the intent of an armed trespasser on his property, a farmer or rancher may reasonably believe that the trespasser is there to steal their equipment, livestock, or crops. They may even think that their home and family are threatened, and this could lead them to take steps to protect them. This scenario is just too dangerous for both a legitimate hunter and the farmer, and it can be avoided by the simple act of obtaining prior permission in writing, so there is no confusion or misunderstanding.

A legitimate, law-abiding hunter would not object to this simple requirement since they are already required by law to have permission from the landowner. For many years, HFB

has worked with police, prosecutors, and the DLNR to find a solution to trespass, theft, and vandalism problems. SB 2546, SD1, HD1, will help clarify and help enforce the current laws that ALREADY prohibit trespass and hunting without permission.

Thank you for the opportunity to provide our comments and your continued support of Hawai'i's agricultural community.

**SB-2546-HD-1**

Submitted on: 3/27/2024 3:24:43 PM

Testimony for FIN on 3/28/2024 3:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Janet Ashman	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill AND I think mandatory written permission should be extended to all hunters on private land, not just hunting guides.

Current law prohibits hunting on private property without first having obtained permission from the owner or a duly appointed agent. **Written** permission is necessary for all hunters since claiming verbal permission was given by the owner is impossible to prove or disprove.

We can't afford any more injuries or deaths, intentional or accidental.

Thank you.