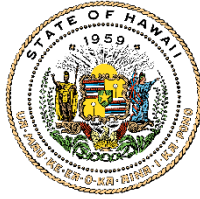


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

P.O. BOX 621
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Testimony of
DAWN N.S. CHANG
Chairperson

Before the Senate Committee on
WATER AND LAND

Friday, February 09, 2024
1:10 PM

Via Videoconference, Conference Room 229 State Capitol
415 South Beretania

In consideration of
SENATE BILL 2546
RELATING TO HUNTING GUIDES

Senate Bill 2546 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 Hawaii Administrative Rules Chapters 13-122 and 13-123, which implement Hawaii 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.

Thank you for the opportunity to testify on 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
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
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February 9, 2024

HEARING BEFORE THE
SENATE COMMITTEE ON WATER AND LAND

TESTIMONY ON SB 2546
RELATING TO HUNTING GUIDES

Conference Room 229 & Videoconference
1:10 PM

Aloha Chair Inouye, Vice-Chair Elefante, 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, 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 that 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 will help clarify and help enforcement of the current laws that ALREADY prohibit trespass and prohibit hunting without permission.

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



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON WATER AND LAND
Senator Lorraine R. Inouye, Chair
Senator Brandon J.C. Elefante, Vice Chair

LATE

SB546
RELATING TO HUNTING GUIDES

Friday, February 9, 2023, 1:10 PM
Conference Room 229 & Videoconference

Chair Inouye, Vice Chair Elefante, and Members of the Committee,

The Hawaii Cattlemen's Council **supports SB775** 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. It also 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.

Hunting access is important as a food source, recreation, and to remove unmanaged ungulates from the land. However, proper management of hunting is paramount. While this bill requires written permission of the hunting guide, all hunters should also be required to obtain written permission before hunting on lands. It is already a requirement to have permission to hunt on lands, and this is outlined in the DLNR Hunter's Education Course and required by law, but broadening this proposed bill to extend written permission to all hunters is prudent. This requirement will help farmers and ranchers to manage responsible access on the lands that they produce on.

Thank you for the opportunity to testify on this matter. The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the four county-level Cattlemen's Associations. Our member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of over 750 thousand acres of land in Hawaii, or 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



SB-2546

Submitted on: 2/6/2024 6:41:27 PM

Testimony for WTL on 2/9/2024 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Faith Tuipulotu	Individual	Support	Written Testimony Only

Comments:

I support SB2546

Aloha, Faith Tuipulotu