

STAND. COM. REP. NO.

3112

Honolulu, Hawaii

MAR 30 2012

RE: S.R. No. 39
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred S.R. No. 39 entitled:

"SENATE RESOLUTION URGING THE ADOPTION OF LAWS TO REQUIRE WRITTEN PERMISSION FROM THE LANDOWNER IN ORDER TO HUNT ON PRIVATE LANDS AND TO DEFINE PLACES OF FORMAL HUNTING,"

begs leave to report as follows:

The purpose and intent of this measure is to urge the adoption of laws to require written permission from the landowner in order to hunt on private lands and define places of formal hunting.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, Inc., Haleakala Ranch Company, Maui Cattlemen's Association, Mikilua Farm Bureau Center, Palani Ranch, and four individuals. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs. The Department of Land and Natural Resources submitted comments.

Your Committee finds that existing laws do not sufficiently discourage unlawful hunting situations on private lands, as they are confusing and not easily enforced. Incidents of livestock slaughtering, theft, vandalism, crop destruction, and poaching have become common on farms and ranches on all islands.

However, your Committee also finds that a more effective change than the recommendation under this measure to define places



of formal hunting is to amend the criminal trespass statutes to make trespass an easier offense to enforce.

Accordingly, your Committee has amended this measure by:

- (1) Deleting references to the establishment of a definition for places of formal hunting;
- (2) Urging the adoption of laws to amend criminal trespassing laws to address hunting situations; and
- (3) Changing the title to reflect the amended language.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 39, as amended herein, and recommends that it be referred to the Committee on Judiciary and Labor, in the form attached hereto as S.R. No. 39, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Housing,


DONOVAN M. DELA CRUZ, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land and Housing
WLH

Bill / Resolution No.:* SR 39	Committee Referral: WLH, JDL	Date: 3/29/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div><input type="checkbox"/> Pass, unamended 2312</div> <div><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	✓			✓
SOLOMON, Malama (VC)				✓
FUKUNAGA, Carol	✓			
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam				✓
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div>Distribution:</div> <div> <div style="display: flex; justify-content: space-around; width: 100%;"> Original Yellow Pink Goldenrod </div> <div style="display: flex; justify-content: space-around; width: 100%;"> File with Committee Report Clerk's Office Drafting Agency Committee File Copy </div> </div> </div>				

*Only one measure per Record of Votes