

STAND. COM. REP. NO.

2648

Honolulu, Hawaii

FEB 13 2020

RE: S.B. No. 2188  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 2188 entitled:

"A BILL FOR AN ACT RELATING TO WILDLIFE OFFENSES,"

begs leave to report as follows:

The purpose and intent of this measure is to require that all firearms, animal parts, products, or items containing prohibited animal parts or products involved in the commission of wildlife trafficking or certain hunting offenses shall be considered contraband to be forfeited to and disposed of by the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; City and County of Honolulu, Department of the Prosecuting Attorney; and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Firearms Coalition and Hawaii Hunting Association.

Your Committee finds that section 183D-5(b)(1), Hawaii Revised Statutes, states that a first conviction for certain wildlife trafficking or hunting offenses shall result in a mandatory fine of not less than \$200, or by imprisonment of not more than one year, or both, but does not include contraband forfeiture penalties that results when there are subsequent convictions. When the products from, and implements used in, the commission of wildlife trafficking are seized, the criminal



activity is more effectively hampered than when violators are simply fined or imprisoned. Removing trafficked products from the market and taking the firearms out of the hands of poachers is a step in the right direction towards ending wildlife trafficking.

Your Committee has amended this measure by removing firearms from the list of items that are to be considered contraband and subject to forfeiture by the State when it is a first conviction of certain wildlife trafficking or hunting offenses.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2188, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2188, S.D. 1, and be referred to your Committee on Judiciary.

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



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KAIULANI KAHELE, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 2188</i>	<i>WTL, JDC</i>	<i>2/10/20</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.				X
RIVIERE, Gil	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	<i>4</i>			<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>[Signature]</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes